



STATES OF JERSEY ORDER PAPER

Tuesday 4th December 2012

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Transport and Technical Services (Driver and Vehicle Standards – 2013 Fees) (Jersey) Order 2012. R&O.134/2012.

Minister for Transport and Technical Services.

Court of Appeal (Transcripts) Rules 2012. R&O.135/2012.

Court of Appeal and Superior Number of the Royal Court.

Royal Court (Amendment No. 15) Rules 2012. R&O.136/2012.

Superior Number of the Royal Court.

C. DOCUMENTS PRESENTED OR LAID

Income Tax: Report on Personal Income Tax Assessments (P.106/2012) – comments. P.106/2012.
Com.

Presented: 30th November 2012.

Minister for Treasury and Resources.

External Relations: Common Policy. R.140/2012.

Presented: 23rd November 2012.

Council of Ministers.

Land Transactions under Standing Order 168(3) – R.141/2012.

(a) Centre Point Nursery, Rope Walk, Green Street, St. Helier – proposed re-letting;

(b) St. Catherine's RNLI Lifeboat Station, St. Martin – lease;

(c) Railway Walk Marking Store, St. Brelade – proposed sale.

Presented: 28th November 2012.

Minister for Treasury and Resources.

D. NOTIFICATION OF LODGED PROPOSITIONS

Plémont Holiday Village – acquisition by the public and sale to the National Trust for Jersey (P.90/2012) – second amendment. P.90/2012.
Amd.(2)

Lodged: 27th November 2012.

Deputy G.P. Southern of St. Helier.

(re-issue)

Draft Social Security (Amendment of Law No. 4) (Jersey) Regulations 201- (P.101/2012): amendment (P.101/2012 Amd.) – amendment. P.101/2012.
Amd.Amd.

Lodged: 26th November 2012.

Deputy J.H. Young of St. Brelade.

Draft Social Security (Amendment of Law No. 4) (Jersey) Regulations 201- (P.101/2012): amendment (P.101/2012 Amd.) – second amendment. P.101/2012.
Amd.

Lodged: 27th November 2012.

Deputy G.P. Southern of St. Helier.

Amd.(2)



Draft Community Provisions (Goods Infringing Intellectual Property Rights) (Jersey) Regulations 201-. P.125/2012.
Lodged: 27th November 2012.
Minister for Home Affairs.

Draft Public Employees (Contributory Retirement Scheme) (States of Jersey Prison Service – Amendments) (Jersey) Regulations 201-. P.126/2012.
Lodged: 29th November 2012.
States Employment Board.

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 Chief Minister will table an answer to a question asked by the Connétable of St. John regarding the number of civil servants employed within his Department and by the States as a whole.
2. The Minister for Planning and Environment will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding his decision to approve a development at Plémont.
3. The Minister for Economic Development will table an answer to a question asked by the Connétable of St. John regarding the new fixed Based Operation developed by Hangar8.
4. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the implications for information exchange arising from the signing of a Foreign Account Tax Compliance Act with the United States.
5. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the terms of conditions of service offered to Connex staff by CT Plus.
6. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding discrepancies between the terms of conditions of service offered to staff by Connex and CT Plus.
7. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact that the Department's annual transfer of funds to the Treasury has had on the ability to build and maintain affordable social housing.
8. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the levels of interest subject to EU Savings Tax Directive (EUSTD) and declared under voluntary disclosure.



9. The Chief Minister will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the option of utilising Compulsory Purchase to acquire Plémont.
10. The Minister for Home Affairs will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the way in which cyber-bullying is being dealt with by the States of Jersey Police.
11. The Chief Minister will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the proposed purchase of Plémont.
12. The Minister for Treasury and Resources will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding increasing taxes for the wealthy.
13. The Minister for Economic Development will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the appointment of consultants.
14. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the impact of the Comprehensive Spending Review on staffing levels.
15. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding prosecutions or applications for injunctions or court orders brought under the Data Protection (Jersey) Law 2005.

(b) – Oral Questions

(120 minutes)

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

“Would the Minister advise what construction works were being undertaken at the General Hospital in or around the Emergency Assessment unit during the nights of 9th to 11th November 2012, what required such urgent works, by whom were they authorised and what action, if any, has been taken to discipline this person given that patients were kept awake all night by the noise?”
2. Deputy T.M. Pitman of St. Helier will ask the following question of the Chief Minister –

“Will the Chief Minister advise whether there any are earlier versions of the Napier report in existence other than the one published as R.132/2010 and, if so, will he agree to release these to Members?”
3. Deputy M.R. Higgins of St. Helier will ask the following question of H.M. Attorney General –

“Will H.M. Attorney General inform members of the extent of the Island’s power as a Crown Dependency to negotiate treaties on its own behalf as referred to in the Report entitled ‘External Relations: Common Policy’ (R.140/2012) and the extent of our powers to act independently of the United Kingdom Government?”
4. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Health and Social Services –

“Given that in her response to the report by the Health, Social Security and Housing Scrutiny Panel (S.R.2.Res), it was anticipated that the report of Action for Children Review would be published at the end of June 2012, will the Minister explain why there has been a delay and when it will be published?”



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

“Will the Chief Minister state why he is prepared to accede to the US Foreign Account Tax Compliance Act (FATCA), inform members whether he is willing to agree to a UK equivalent and will he outline what the impact of a UK FATCA style agreement would be on Jersey’s finance sector?”
6. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Education, Sport and Culture –

“Would the Minister agree to circulate a list of the properties currently owned/administered by the Jersey Heritage Trust?”
7. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Minister for Health and Social Services –

“What procedures, if any, are in place to prevent the over prescribing of medicine and how effective are they?”
8. Deputy M. Tadier of St. Brelade will ask the following question of the Chief Minister –

“Will the Chief Minister explain why the Verita recommendation (agreed by the States in 2011) to ‘review what actions the government took when concerns came to light in 2008 and what, if any, lessons there are to be learned’ has been omitted from the Council of Ministers’ proposition ‘Committee of Inquiry – Historical Child Abuse’ P.118/2012?”
9. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Chairman of the Environment Scrutiny Panel –

“Does the Panel intend to undertake a scrutiny review of the Planning Process and of the Island Plan 2011 in the near future and, if so, when?”
10. Deputy M.R. Higgins of St. Helier will ask the following question of the Chief Minister –

“Would the Chief Minister advise Members what impact any the failure to sign up to the requirements of the US Foreign Account Tax Compliance Act provisions will have on the Jersey economy and the delivery of the Medium Term Financial Plan and what impact similar agreements across the European Union will have?”
11. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Education, Sport and Culture –

“Further to the recent proposals regarding parental payments for university fees, is the Minister planning to undertake additional work to ensure the correct balance is achieved?”
12. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Transport and Technical Services–

“Will the Minister inform members how many bus drivers have now been transferred to CT Plus on full time contracts from Connex, how many driving positions remain to be filled and whether non-driving staff (administrators, cleaners, mechanics) have been transferred and, if not, why not?”



13. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Home Affairs –

“Will the Minister advise whether someone from within the States of Jersey Police forwarded the original email complaint regarding allegations of land re-zoning corruption to the former Bailiff in 2008?”

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

1st question period – Minister for Economic Development

2nd question period – Chief Minister

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Draft Budget Statement 2013. Lodged: 17th October 2012. <i>Minister for Treasury and Resources.</i>	P.102/2012.
Draft Budget Statement 2013 (P.102/2012): amendment. Lodged: 2nd November 2012. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.102/2012. Amd.
Draft Budget Statement 2013 (P.102/2012): second amendment. Lodged: 20th November 2012. <i>Deputy G.P. Southern of St. Helier.</i>	P.102/2012. Amd.(2)
Draft Budget Statement 2013 (P.102/2012): third amendment. Lodged: 20th November 2012. <i>Connétable of St. Helier.</i>	P.102/2012. Amd.(3)
Draft Finance (2013 Budget) (Jersey) Law 201-. Lodged: 17th October 2012. <i>Minister for Treasury and Resources.</i>	P.103/2012.
Draft Income Tax (Amendment No. 41) (Jersey) Law 201-. Lodged: 17th October 2012. <i>Minister for Treasury and Resources.</i>	P.104/2012.
Draft Income Tax (Amendment No. 41) (Jersey) Law 201- (P.104/2012): amendment. Lodged: 20th November 2012. <i>Minister for Treasury and Resources.</i>	P.104/2012. Amd.
Draft Goods and Services Tax (Amendment No. 4) (Jersey) Law 201-. Lodged: 17th October 2012. <i>Minister for Treasury and Resources.</i>	P.105/2012.
Old Age Pension: increase for 2012. Lodged: 9th October 2012. <i>Deputy G.P. Southern of St. Helier.</i>	P.97/2012.



Old Age Pension: increase for 2012 (P.97/2012) – comments. Presented: 7th November 2012. <i>Minister for Social Security.</i>	P.97/2012. Com.
Old Age Pension: increase for 2012 (P.97/2012) – amendment. Lodged: 20th November 2012. <i>Deputy G.P. Southern of St. Helier.</i>	P.97/2012. Amd.
Draft Social Security (Amendment of Law No. 4) (Jersey) Regulations 201- Lodged: 9th October 2012. <i>Minister for Social Security.</i>	P.101/2012.
Draft Social Security (Amendment of Law No. 4) (Jersey) Regulations 201- (P.101/2012): amendment. Lodged: 20th November 2012. <i>Minister for Social Security.</i>	P.101/2012. Amd.
Draft Social Security (Amendment of Law No. 4) (Jersey) Regulations 201- (P.101/2012): amendment (P.101/2012 Amd.) – amendment. Lodged: 26th November 2012. <i>Deputy J.H. Young of St. Brelade.</i>	P.101/2012. Amd.Amd.
Draft Social Security (Amendment of Law No. 4) (Jersey) Regulations 201- (P.101/2012): amendment (P.101/2012 Amd.) – second amendment. Lodged: 27th November 2012. <i>Deputy G.P. Southern of St. Helier.</i>	P.101/2012. Amd. Amd.(2)
Income Tax: Report on Personal Income Tax Assessments. Lodged: 18th October 2012. <i>Deputy G.P. Southern of St. Helier.</i>	P.106/2012.
Income Tax: Report on Personal Income Tax Assessments (P.106/2012) – comments. Presented: 30th November 2012. <i>Minister for Treasury and Resources.</i>	P.106/2012. Com.
Draft Alternative Investment Funds (Jersey) Regulations 201- Lodged: 23rd October 2012. <i>Minister for Economic Development.</i>	P.109/2012.
Draft Financial Services (Amendment of Law No. 4) (Jersey) Regulations 201- Lodged: 23rd October 2012. <i>Minister for Economic Development.</i>	P.110/2012.
Commissioner of Appeal for Taxes Office: appointment. Lodged: 31st October 2012. <i>Minister for Treasury and Resources.</i>	P.116/2012.
Jersey Heritage Trust: appointment of Chairman. Lodged: 2nd November 2012. <i>Minister for Education, Sport and Culture.</i>	P.117/2012.



M. ARRANGEMENT OF PUBLIC BUSINESS

11th December 2012

Draft Intellectual Property (Unregistered Rights) (Application, Transitional Provisions and Savings) (Jersey) Regulations 201-. Lodged: 30th October 2012. <i>Minister for Economic Development.</i>	P.112/2012.
Draft Intellectual Property (Unregistered Rights) (Jersey) Law 2011 (Appointed Day) Act 201-. Lodged: 30th October 2012. <i>Minister for Economic Development.</i>	P.111/2012.
Plémont Holiday Village – acquisition by the public and sale to the National Trust for Jersey. Lodged: 27th September 2012. <i>Chief Minister.</i>	P.90/2012.
Plémont Holiday Village – acquisition by the public and sale to the National Trust for Jersey (P.90/2012) – amendment Lodged: 10th October 2012. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.90/2012. Amd.
Plémont Holiday Village – acquisition by the public and sale to the National Trust for Jersey (P.90/2012) – second amendment. Lodged: 27th November 2012. <i>Deputy G.P. Southern of St. Helier.</i>	P.90/2012. Amd.(2) (re-issue)
Jersey Appointments Commission: appointment of Commissioner. Lodged: 23rd October 2012. <i>Chief Minister.</i>	P.108/2012.
Tourism Shadow Board: establishment. Lodged: 30th October 2012. <i>Minister for Economic Development.</i>	P.113/2012.
Draft Fire Precautions (Amendment No. 2) (Jersey) Law 2012 (Appointed Day) Act 201-. Lodged: 30th October 2012. <i>Minister for Home Affairs.</i>	P.114/2012.
Draft Fire Precautions (Designated Premises) (Jersey) Regulations 201-. Lodged: 30th October 2012. <i>Minister for Home Affairs.</i>	P.115/2012.
Draft Repatriation of Prisoners (Jersey) Law 2012 (Appointed Day) Act 201-. Lodged: 13th November 2012. <i>Minister for Home Affairs.</i>	P.121/2012.
Draft Health Insurance (Amendment No. 14) (Jersey) Law 2012 (Appointed Day) Act 201-. Lodged: 13th November 2012. <i>Minister for Social Security.</i>	P.122/2012.



15th January 2013

- Committee of Inquiry: Historical Child Abuse. P.118/2012.
Lodged: 6th November 2012.
Council of Ministers.
- Connétables and other parish officials: explanatory document and new legislation. P.119/2012.
Lodged: 6th November 2012.
Deputy M.R. Higgins of St. Helier.
- Minister for Justice and Department of Justice: report. P.120/2012.
Lodged: 13th November 2012.
Senator L.J. Farnham.
- Greville Bathe Fund: appointment of Jurat. P.123/2012.
Lodged: 16th November 2012.
Minister for Treasury and Resources.
- Jersey Innovation Fund: establishment, funding and operation. P.124/2012.
Lodged: 20th November 2012.
Minister for Treasury and Resources.
- Draft Community Provisions (Goods Infringing Intellectual Property Rights) P.125/2012.
(Jersey) Regulations 201-
Lodged: 27th November 2012.
Minister for Home Affairs.
- Draft Public Employees (Contributory Retirement Scheme) (States of Jersey Prison P.126/2012.
Service – Amendments) (Jersey) Regulations 201-
Lodged: 29th November 2012.
States Employment Board.

29th January 2013

19th February 2013

- Police Station Relocation: review of decision (as amended). P.92/2012.
Lodged: 2nd October 2012.
Deputy J.A. Martin of St. Helier.
- Police Station Relocation: review of decision (P.92/2012) – comments. P.92/2012.
Presented: 19th November 2012. Com.
Council of Ministers.
- Police Station Relocation: review of decision (P.92/2012) – comments. P.92/2012.
Presented: 20th November 2012. Com.(2)
Minister for Planning and Environment.

M.N. DE LA HAYE
Greffier of the States

29th November 2012

Note –

In accordance with the meeting dates fixed for 2012 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 5th and Thursday 6th December 2012.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.134/2012.

This Order increases, by approximately 2.5% fees connected with –

- (a) examination or re-examination of a public service vehicle for a certificate of fitness;
- (b) an application for a badge to drive a public service vehicle;
- (c) registration of a motor vehicle, changes of registration mark, issue of trade licences and issue of certificates in respect of vehicle standards;
- (d) registration of driving instructors;
- (e) licensing of a vehicle that does not comply with construction and use requirements;
- (f) driving tests.

There is one exception to the above: the fee for compulsory basic training under the Motor Vehicles (Driving Licences) (Jersey) Order 2003. That fee rises by 2.8%, being the Retail Prices Index for September 2012.

The increases take effect from 1st January 2013. Fees were last increased on 1st January 2012.

The Order was made on 23rd November 2012 and comes into force on 1st January 2013.

R&O.135/2012.

The Superior Number of the Royal Court is empowered by Article 21 of the Court of Appeal (Jersey) Law 1961 to make Rules of Court fixing scales of payment for transcripts of civil proceedings before the Royal Court against which an appeal is made to the Court of Appeal.

The Court of Appeal and the Superior Number of the Royal Court, sitting together, are empowered under Article 42 of the Court of Appeal (Jersey) Law 1961 to make Rules of Court fixing scales of payment for transcripts of certain proceedings criminal before the Royal Court against which an appeal is made to the Court of Appeal.

These Rules fix a charge, for both of the above purposes, of £7.00 per sheet for the furnishing of a copy of the transcript of any such proceedings. They repeal the Court of Appeal (Transcripts) Rules 1990 which previously fixed the charge at £5.00.

The Rules were made by the Superior Number of the Royal Court and by the Court of Appeal on 28th November 2012 and come into force on 1st January 2013.

R&O.136/2012.

These Rules of Court are necessitated by the enactment of the Money Laundering and Weapons Development (Directions) (Jersey) Law 2012 (“the 2012 Law”) which empowers the Chief Minister to require measures to be taken in response to threats relating to money laundering, terrorist financing or weapons development. The Chief Minister may give a direction to a person carrying on a financial services business in or from within Jersey, or to any legal person established under Jersey law that is carrying on a financial services business in any part of the world. A direction may require a person to –

- undertake enhanced customer due diligence measures;
- provide information and documents;
- limit or cease a transaction or business relationship.

Decisions of the Chief Minister under the 2012 Law may be based wholly or partly on intelligence that is withheld from an applicant on public interest grounds (“closed source material”). Under the 2012 Law, any person affected by a decision of the Chief Minister may apply to the Royal Court to set aside the decision. These Rules apply the procedure relating to closed source material, in Part 16A of the Royal



Court Rules 2004, to such applications. That procedure was introduced following the enactment of the Terrorist Asset-Freezing (Jersey) Law 2011.

The Rules were made by the Superior Number of the Royal Court on 28th November 2012 and come into force on 5th December 2012.



WRITTEN QUESTIONS

(See Item I(a))

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

“Further to his recent radio interview on BBC Radio Jersey’s ‘politics hour’, could the Chief Minister state how many civil servants are employed within his Department and by the States as a whole and what the figures were at the end of the last Council of Ministers in November 2011?”

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

“As required by Article 22 (2) of the Planning and Building law (Jersey) 2002 for development which is inconsistent with the Island Plan, will the Minister provide the Assembly with a statement of his reasons for his decision to approve the application for the development of 28 Homes on the site of the former Holiday Village at Plémont, and in particular his conclusions and the evidence of compliance, whether in the Inspector’s report or otherwise, in respect of each of the six mandatory conditions of Policy ERE3 of the Island Plan 2011 for enabling or linked development, sufficient to provide the ‘cogent, exceptional, justification’ for the development to be approved as enabling development?”

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

“Further to suggestions that the new fixed Based Operation developed by Hangar8 will create an expansion in the services of Jersey Airport, does the Minister not consider it better to focus on ensuring that the services already offered at Jersey Airport are delivered to a high quality, rather than increasing the quantity?”

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

“Do the ‘wider implications for information exchange arising from the signing of an intergovernmental agreement between Jersey and the USA of a Foreign Account Tax Compliance Act (FATCA)’ mentioned in his response to question 7147 on 23rd October 2012, extend to the introduction by the UK of a similar FATCA agreement?”

What credence, if any, does the Chief Minister give to the report in the International Tax Review that the UK government has already drafted its own version of the US FATCA legislation which it will seek to impose on its Crown Dependencies and Overseas Territories by January 2014?

What assistance, if any, has he or the Minister for Treasury and Resources had from the UK government in responding to the US FATCA approach?

What discussion, or contact, if any, has he had with his colleagues in Guernsey and the Isle of Man to develop a joint approach to the US FATCA demands or the automatic exchange of tax information and, if none, why not?

What implications for Jersey arise from any agreement which requires disclosure of full details of all beneficial owners of relevant accounts, including those whose identities might otherwise be hidden by trusts or companies?”



5. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Given that in response to part (iii) of question 7196 on 6th November 2012, the Minister stated that discussions regarding terms and conditions were undertaken as part of the first stage tender evaluations, between October 2011 and end of January 2012, but later during oral questions that information concerning terms and conditions ‘was very slow in forthcoming’ - which of these versions is correct?

Did the Minister succeed or fail to ensure that bids were made on the basis of the transfer of all staff on the same terms and conditions of service based on a full understanding of those terms and conditions of service?”

6. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Further to the response to question 7152 on 23rd October 2012, how does the Minister explain the discrepancies between the statement that staff terms and conditions would not be changed for the first nine months of the contract, and later indications that there were already 14 differences between the Connex and CT Plus contracts?

Does the Minister accept that his duty was to deliver the transfer of all staff on the same rather than “equivalent” terms and conditions?

Failing this, can the Minister produce figures which demonstrate that on a basic 39-hour week and with up to 10 hours overtime, drivers will receive the same pay on the new terms as they did on the Connex contracts, and if not, why not since the new terms have been described as equivalent?”

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

“Will the Minister explain to members what the impact of the annual transfer of over £20m (currently £24.5m) to the Treasury has been on the Housing department’s ability to build and maintain affordable social housing over the past decade?

Will he further state what impact the continuing payment of this sum (indexed) to the Treasury will have on the ability of the new arms-length Housing organisation to fund the building, maintenance and repair of social housing over the coming decade with specific reference to the business plans on which the Housing Transformation Project (HTP) is based?

Will he then state whether the reduction of this payment to the Treasury has been rejected in the HTP and, if not, why not?

Will he further rule out rent increases to fund future day-to-day repairs and scheduled maintenance (historically running at £7.5m annual under-funding) when figures produced by the Cambridge Centre report suggest that £2.5m would be produced by a £35 increase in weekly rent, but cost £3.3m in additional Income Support?”



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

“Does the Chief Minister accept Treasury figures which indicate that the “lion’s share” of interest subject to EU Savings Tax Directive (EUSTD), and declared under voluntary disclosure, referred to in the Minister’s response to question 7233, is 80% of the total?”

In the context of the decline in the totals of tax subject to the EUSTD, detailed in the table below, which show that his “good neighbour policy” has improved rates of voluntary disclosure to 80%, and reduced the return from the withholding tax, would the Chief Minister consider a move to automatic tax information exchange which would result in the loss of only £1.5 m of withholding tax and the loss of 20% of European deposits in Jersey which are clearly evading tax?”

Year	2006	2007	2008	2009	2010	2011
Tax retained, £m	29.1	34.98	35.62	11.8	5.3	6.1
Tax to EU (75%) £m	21.9	26.24	26.71	8.85	4.0	4.6
Tax to Jersey (25%) £m	7.2	8.74	8.91	2.95	1.3	1.5
Withholding Tax rate	15%	15%	20%	20%	20%	35%
% voluntary disclosed	----	----	57%	65%	80%	---
% of total EU to UK	62%	63%	58%	56%	55%	59%

9. The Chief Minister will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“Given that the proposition P.90/2012 includes the option of utilising Compulsory Purchase to acquire Plémont, will the Chief Minister clarify what safeguards, if any, are in place to protect the interests of those who may be forced by government to sell land against their wishes and would he outline what criteria is in place permitting such compulsory purchase?”

10. The Minister for Home Affairs will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“Given that cyber-bullying and internet ‘trolling’ as it is commonly known has actually led to the deaths of vulnerable people/children and has resulted in prosecutions in both the UK and US and that the Minister has previously stated that the States of Jersey Police has both resourcing and expertise to match that of the UK, how seriously is this issue taken in Jersey?”

Have there been a number of complaints to the Police from different victims relating to one particular individual making threats and, if so, how is such cyber-bullying being dealt with currently?”

11. The Chief Minister will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“How does the Chief Minister justify supporting the purchase of Plémont, at a cost of millions of pounds of taxpayers' money when many within the Island are struggling simply to survive financially and keep their families fed and housed and is he satisfied that the purchase is the correct priority in the current economic climate?”



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

“Does the Minister agree with observations such as those expressed in his post election success speech by U.S. President Barack Obama that, given the global economic situation, it is essential that those individuals who are the most wealthy need to be willing to pay a little more in tax and, if not, why not?”

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

“Further to my oral question of 20th November 2012, could the Minister advise, in relation to the recent appointment of consultants at a cost of £990,000,

- (a) how the decision to appoint the consultant was instigated,
- (b) who made the decision,
- (c) what aspects of the work could not have been provided on-Island,
- (d) details of the tendering process involved?”

14. The Chief Minister will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Chief Minister list by Department –

- (a) the job losses since the start of the Comprehensive Spending Review (CSR) process giving date, job, title, pay grade, transformation fund allocation to facilitate the loss of the position;
- (b) the jobs which have been created in each of those Departments since the start of the CSR process giving date, job title, pay grade and any non-monetary assistance to recruit these personnel; and,
- (c) figures for the overall change in job count since the start of CSR?”

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

“Further to his responses to written questions on 6th and 20th November 2012, will H.M. Attorney General list details of how many successful prosecutions or applications for injunctions or court orders his Department has brought under the Data Protection (Jersey) Law 2005 (since the date of the Appointed Day Act) instigated by the Police or Data Protection Commissioner, giving for each the date, nature of prosecution/injunction/Order etc and the instigator?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

2012

December 11th Housing Planning and Environment

2013

1st Session 2013

January 15th	Social Security	Chief Minister
January 29th	Transport and Technical Services	Home Affairs
February 19th	Treasury and Resources	Chief Minister
March 5th	Education, Sport and Culture	Health and Social Services
March 19th	Economic Development	Chief Minister
April 16th	Housing	Planning and Environment
April 30th	Social Security	Chief Minister
May 14th	Transport and Technical Services	Home Affairs
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