



STATES OF JERSEY ORDER PAPER

Tuesday 17th July 2012

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

C. DOCUMENTS PRESENTED OR LAID

D. NOTIFICATION OF LODGED PROPOSITIONS

Draft Residential Tenancy (Amendment) (Jersey) Law 201-

P.67/2012.

Lodged: 13th July 2012.

Minister for Housing.

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 Deputy G.P. Southern of St. Helier regarding the monitoring of changes in Income Support claimants' circumstances.
2. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding how adult children living in an Income Support unit are treated.
3. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding his actions leading up to the resignation of the Comptroller and Auditor General.
4. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding wage negotiations with the public sector employee representatives.



5. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the use of a private finance initiative deal to fund the refurbishment or rebuilding of the General Hospital.
6. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the cost of the recent judicial review of the UK Government's decision to close the Low Value Consignment Relief on goods.
7. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the payments for the Energy for Waste plant contract.
8. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the publication of a list of all living and deceased members of the board of governors/board of management/board of trustees for Haut de la Garenne since 1960.
9. The Minister for Treasury and Resources will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the payment of Value Added Tax (VAT) to HM Revenue and Customs by Jersey consumers sending goods to the UK.
10. The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding a breakdown of the activity levels of each category of States Member in terms of questions submitted and propositions lodged.
11. The Chairman of the Comité des Connétables will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the use of warrant cards by the Connétables.

(b) – Oral Questions

(120 minutes)

1. Deputy J.H. Young of St. Brelade will ask the following question of the Minister for Planning and Environment –

“Will the Minister advise the Assembly whether he will be producing a Masterplan to promote and guide redevelopment of the Eastern Gateway regeneration Zone of St Helier in consultation with stakeholders and the local community as required by the Island Plan 2011, to enable him to consider the effects of the proposed relocation of the Police to Green Street properly before the decision is made to approve this project?”
2. Deputy M. Tadier of St. Brelade will ask the following question of the Chief Minister –

“Further to his response to an oral question on 26th June 2012, what mechanisms, if any, does the Chief Minister have in place to ensure that the finance industry understands and agrees with his definition of ‘the long term best interest of Jersey’ and how will he be made aware of what Special Purpose Vehicles exist locally and whether they meet this criteria?”
3. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Economic Development –

“Would the Minister advise whether additional witness statements contributed to the higher costs incurred by Jersey in comparison to Guernsey in relation to the recent judicial review of the UK Government's decision to close the Low Value Consignment Relief on goods originating from the Channel Islands and, if so, how many statements were there and what did they cost?”



4. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Minister for Planning and Environment –

“Would the Minister outline the current policy regarding the removal of seaweed from beaches and advise whether it is proving successful?”
5. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Housing –

“Does the Minister propose to publish all of the reports from the consultants engaged by the Department which have contributed towards the Housing Consultation Paper before consultation period ends and, if not, why not?”
6. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –

“Will the Chief Minister state whether he agreed to a request made at the meeting of 9th July 2012 by public sector representatives to respond within 48 hours with a new pay offer and, if so, was he able to do so and, if not, why not?”
7. Deputy M.R. Higgins of St. Helier will ask the following question of H.M. Attorney General –

“Will H.M. Attorney General explain to members how the cost estimate of the recent Low Value Consignment Relief Court case was arrived at, whether the firm chosen to act for Jersey under-budgeted the costs when quoting for the work and why his Department did not take up the pro-bono offer made by Legal Costs Consultant Jim Diamond to cost the exercise properly?”
8. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Chief Minister –

“What reassurances, if any, will be given to candidates for the post of Comptroller and Auditor General that preserve and enhance the independence of the office?”
9. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Will the Minister undertake to arrange a public meeting as soon as possible on the relocation of the Police Station to Green Street car park and ensure that the traffic impact study is published before this meeting and, if not, why not?”
10. Deputy T.M. Pitman of St. Helier will ask the following question of the Chief Minister –

“Does the Chief Minister consider that the provisions of Article 3 of the Royal Court (Jersey) Law 1948 regarding the suitability of candidates for election as a Jurat are adequate and, if not, would he consider, after consultation with the Legislation Advisory Panel, bringing an amendment to this Law?”
11. Deputy G.P. Southern of St. Helier will ask the following question of the Chairman of the Electoral Commission –

“What efforts has the Commission undertaken to seek out the views of the public on electoral reform, how successful have these been and what research, if any, is being undertaken with comparative jurisdictions?”



12. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Health and Social Services –

“Will the Minister state what concrete plans, if any, there are to ensure that it will be possible to recruit the 210 additional staff required to deliver phase 1 of the planned white paper initiative, given that some 100 front line posts remain unfilled, as indicated in the written answer to question 6993 of 10th July 2012?”

13. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Economic Development –

“Will the Minister explain why the estimated costs of the legal action in the Low Value Consignment Relief court case differed so much from the actual costs to date, when Legal Costs consultant Jim Diamond accurately estimated the cost without full view of the facts; who calculated these figures and will he agree to release all the documentation showing how the estimated costs were reached and if not, why not?”

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

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

2nd question period – Minister for Economic Development

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Economic Growth and Diversification Strategy. P.55/2012.
Lodged: 1st June 2012.
Council of Ministers.

Draft Income Support (Amendment No. 8) (Jersey) Regulations 201-. P.56/2012.
Lodged: 1st June 2012.
Minister for Social Security.

Draft Waste Management (Amendment) (Jersey) Regulations 201-. P.57/2012.
Lodged: 1st June 2012.
Minister for Planning and Environment.

Income support: mileage allowance. P.62/2012.
Lodged: 14th June 2012.
Deputy G.P. Southern of St. Helier.

Jersey Financial Services Commission: appointment of Commissioner. P.63/2012.
Lodged: 19th June 2012.
Minister for Economic Development.
(Consideration ‘in camera’)

States of Jersey Complaints Panel: appointment of members. P.64/2012.
Lodged: 19th June 2012.
Privileges and Procedures Committee.



Property and Infrastructure Regeneration: appointment of Member to the
Regeneration Steering Group.
Lodged: 19th June 2012.
Chief Minister.

P.65/2012.

M. ARRANGEMENT OF PUBLIC BUSINESS

11th September 2012

Scrap Metal Contract: approval by States Assembly.
Lodged: 25th June 2012.
Deputy G.C.L. Baudains of St. Clement.

P.66/2012.

Draft Residential Tenancy (Amendment) (Jersey) Law 201-
Lodged: 13th July 2012.
Minister for Housing.

P.67/2012.

M.N. DE LA HAYE
Greffier of the States

12th July 2012

Note –

In accordance with the meeting dates fixed for 2012 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Thursday 19th July 2012.



WRITTEN QUESTIONS

(See Item I(a))

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

“In the light of the large numbers of under and overpayments of Income Support (IS) he refers to in the answer to question 6972 of 26th June 2012 and the potential for these to cause hardship, will the Minister detail for members what measures, if any, he has in place to monitor and respond to those predictable changes of circumstances brought about by specific birthdays for members of IS units which lead to a difference in IS payable such as 16th, 19th, 25th, 60th or 65th birthdays?”

Is such monitoring built into the computer programmes which are used to administer IS, or does it require a manual check?

Given that Section 13.1 of the IS policy guidelines states that IS claims are reviewed once a year and that ‘working claimants’ can expect to receive reviews ‘several times a year, will the Minister inform members how often claims from working claimants are currently reviewed and whether this adequately meets his department's duty of care to its claimants?’

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

“Will the Minister outline for members how adult children, living in an Income Support (IS) unit, whether in work or unemployed, are treated differently under the IS system depending on their age?”

In particular, will he give a worked example to illustrate whether the system provides incentives for the adult child to leave the family home when he or she reaches the age of 25, thereby occupying two accommodation units instead of one?

Given the shortage of housing on the Island, is the Minister content that the IS system contains such incentives, and if not, will he review this policy?”

3. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Does the Minister accept that his actions leading up to the resignation of the Comptroller and Auditor General have damaged the reputation of the Island, making the recruitment of a successor extremely difficult and the holding to account of Ministers by the States impossible and, if so, will he now offer his resignation and, if not, why not?”

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

“Will the Chief Minister inform members what progress, if any, he has made in negotiating a wage agreement with public sector representatives and what schedule of meetings has been arranged in order to try to ensure that agreement is reached by the end of the year?”

Will he further state whether he has any indications that agreement can be reached without significant concessions on the employer's part and that action from employees can be avoided?



What success, if any, has the Minister had in communicating his vision in the related topic of modernisation of the public sector workforce?"

5. 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 rule out the use of a private finance initiative deal or other source of private finance for funding either the refurbishment or rebuilding of the General Hospital on its current site or a new build elsewhere?”

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

“Will H.M. Attorney General –

- (i) summarise for Members the legal arguments put forward by Jersey’s legal representatives in the recent judicial review of the UK Government’s decision to close the Low Value Consignment Relief on goods originating from Jersey and Guernsey and state where these arguments differed from the legal arguments put forward by Guernsey’s legal representatives;
- (ii) explain how many times Jersey’s legal representatives appeared before the judge in this case and the number of hours these appearances entailed;
- (iii) explain how many hours the lawyers representing Jersey are claiming for preparation of the case;
- (iv) explain why he believes the cost of the Jersey’s action has resulted in a legal bill of £656,370.67 just for the judicial review when the original estimate was £360,000 for all court actions;
- (v) advise whether Jersey’s legal costs are almost eight times the cost of Guernsey’s action and, if so, explain why; and;
- (vi) explain how much (in Pounds sterling) firms engaged in the fulfilment industry in the Island contributed to the cost of Jersey’s legal action?”

7. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“(a) How much of the £99,414,332 paid out to date to contractors under the Energy for Waste (EFW) contract has been paid in Euros and what is the final cost of failing to hedge this sum?

(b) How much of the £5,482,715 to be paid to the contractor once the performance and availability tests have been completed is to be paid in Euros?

(c) What are the performance and availability standards/benchmarks laid down in the EFW contract?

(d) Have the contractors successfully met the aforementioned standards/benchmarks to date?

(e) Using the table contained within his response to question 6956 on 26th June 2012, would the Minister advise–

- (i) the amount of electricity consumed by the EFW plant for its own consumption/operations on a monthly basis;



- (ii) the value in pounds sterling earned by the plant for electricity sold to the JEC on a monthly basis;
 - (iii) the different types and amount of ash produced through incineration on a monthly basis?
- (f) Have any problems occurred at any time over the dual use of the JEC chimney?
- (g) Would the Minister detail what problems, if any, have been experienced to date with the operation of the EfW plant?"
8. The Chief Minister will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –
- “Further to the response given by the Minister for Health and Social Services on 26th June 2012, will the Chief Minister, given his responsibility for the Historic Abuse Committee of Inquiry, publish a list of all living and deceased members of the board of governors/board of management/board of trustees for Haut de la Garenne since 1960, and if not, why not?”
9. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –
- “Does the Minister consider it fair and equitable that Jersey consumers sending goods to the UK have to pay Value Added Tax (VAT) to HM Revenue and Customs at 20% when the sender may have previously paid VAT on them when they purchased the goods in question in the UK, or if the goods were exempt or zero rated from VAT and, if not, what action, if any, will the Minister be taking to resolve this situation?”
10. The Chairman of the Privileges and Procedures Committee will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –
- “Will the Privileges and Procedures Committee provide a list of the following information from 2005 to date:
- (i) the number of questions to Ministers (oral, written and with or without notice - excluding supplementaries) asked by each category of States Member (Deputies, Senators and Constables) and
 - (ii) the number of propositions/amendment lodged by each type of States Member?”
11. The Chairman of the Comité des Connétables will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –
- “Will the Chairman explain what steps, if any, he has taken or will take to make sure that the advice of HM Attorney General given during the debate of P.36/2012 ‘Connétables (Miscellaneous Provisions) (Jersey) Law’ on 16th May 2012, that ‘there should be no warrant cards held by Connétables’ is carried out once the Law is in force and will he also state how many of the current Comité des Connétables carry warrant cards, and if none, when the last ones were surrendered?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

2nd session 2012

September 11th	Home Affairs	Chief Minister
September 25th	Housing	Planning and Environment
October 9th	Social Security	Chief Minister
October 23rd	Transport and Technical Services	Economic Development
November 6th	Treasury and Resources	Chief Minister
November 20th	Education, Sport and Culture	Health and Social Services
December 4th	Home Affairs	Chief Minister
December 11th	Housing	Planning and Environment