



# STATES OF JERSEY ORDER PAPER

29th JANUARY 2019

## SUMMARY

- 9.30 a.m. Communications by the Presiding Officer and other announcements  
*Appointments, matters of privilege, petitions (if any)*
- Approx. 9.40 a.m. Summary of written questions
- Up to 2 hours Oral questions with notice  
*Urgent questions (if any)*
- Up to 30 minutes, divided between the two Ministers Oral questions without notice:
- Minister for the Environment
  - Chief Minister
- Statements (if any)*
- Approx. 11.45 a.m. **Draft Damages (Jersey) Law 201-** (P.131/2018)
- Draft Damages (Jersey) Law 201-** (P.131/2018): amendment (P.131/2018 Amd.)
- Draft Cybercrime (Jersey) Law 201-** (P.134/2018)
- Andium Homes: authorisation of loan to develop the Ann Court site** (P.146/2018)
- Jersey Overseas Aid Commission: appointment of non-States Commissioner** (P.147/2018)
- States of Jersey Development Company Limited: re-appointment of Chairman** (P.8/2019)
- Note: Because of the requirement for a four-week lodging period the proposition lodged by the Minister for Treasury and Resources cannot be debated before Tuesday 26th February 2019 without the agreement of the Assembly. The Minister will therefore seek the agreement of the Assembly, under Standing Order 26(7), to reduce the lodging period in order that this matter can be debated at the meeting.*

Arrangement of public business at subsequent meetings

*Lunch adjournment likely around 12.45 p.m., until 2.15 p.m.*

*If business is not completed by around 5.30 p.m. the Assembly usually adjourns for the evening and will resume its meeting at 9.30 a.m. on Wednesday 30th and Thursday 31st January 2019 if necessary.*



# STATES OF JERSEY ORDER PAPER

29th JANUARY 2019

## CONSOLIDATED

### A. COMMUNICATIONS BY THE PRESIDING OFFICER

### B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

Immigration (Fees) (Amendment No. 2) (Jersey) Order 2019. R&O.2/2019.  
*Minister for Home Affairs.*

\* Road Traffic (Periodic Technical Inspections – Fees) (Jersey) Order 2019. R&O.7/2019.  
*Minister for Infrastructure.*

### C. DOCUMENTS PRESENTED

\* Draft Cybercrime (Jersey) Law 201- (P.134/2018): comments. P.134/2018.  
Presented: 28th January 2019, *Education and Home Affairs Scrutiny Panel.* Com.

\* Andium Homes: authorisation of loan to develop the Ann Court site P.146/2018.  
(P.146/2018) – comments. Com.  
Presented: 28th January 2019, *Minister for Children and Housing.*

Commissioner for Standards: Investigation of Complaint of breach of the Code R.7/2019.  
of Conduct for Elected Members by Deputy M.R. Higgins of St. Helier.  
Presented: 23rd January 2019, *Privileges and Procedures Committee.*

Jersey Financial Services Commission: appointment of Commissioner. R.8/2019.  
Presented: 23rd January 2019. (re-issue)  
*Chief Minister.*

\* Accounting Standards to be adopted for the States of Jersey's Annual Financial R.9/2019.  
Statements 2018.  
Presented: 29th January 2019, *Minister for Treasury and Resources.*

\* Draft Damages (Jersey) Law. S.R.1/2019.  
Presented: 28th January 2019, *Corporate Services Scrutiny Panel.*

Response to the Care Inquiry: Update Report Quarter Four 2018 S.R.17/2018.  
(S.R.17/2018) – response of the Minister for Children and Housing. Res.  
Presented: 21st January 2019, *Minister for Children and Housing.*

\* Retail in Jersey (S.R.18/2018): response of the Minister for the Environment. S.R.18/2018.  
Presented: 28th January 2019, *Minister for the Environment.* Res.

### D. NOTIFICATION OF LODGED PROPOSITIONS

Jërriais: promotion by the Public Sector (P.143/2018) – amendment. P.143/2018.  
Lodged: 23rd January 2019, *Deputy M. Tadier of St. Brelade.* Amd.



- Public Elections (Expenditure and Donations) (Jersey) Law 2014: proposed amendments. P.6/2019.  
Lodged: 18th January 2019, *Deputy J.H. Young of St. Brelade.*
- Public Elections (Expenditure and Donations) (Jersey) Law 2014: proposed review. P.7/2019.  
Lodged: 18th January 2019, *Deputy J.M. Maçon of St. Saviour.*
- Public Elections (Expenditure and Donations) (Jersey) Law 2014: proposed review (P.7/2019) – amendment. P.7/2019.  
Lodged: 22nd January 2019, *Deputy J.A. Martin of St. Helier.* Amd.
- States of Jersey Development Company Limited: re-appointment of Chairman. P.8/2019.  
Lodged: 22nd January 2019, *Minister for Treasury and Resources.*
- \* Draft European Union (United Kingdom Exit – Animal Health and Welfare) (Jersey) Regulations 201-. P.9/2019.  
Lodged: 28th January 2019, *Minister for the Environment.*
- \* Draft European Union (Amendment – Withdrawal Agreement) (Jersey) Regulations 201-. P.10/2019.  
Lodged: 28th January 2019, *Minister for External Relations.*
- \* Draft European Union (Financial Services – Miscellaneous Amendments) (Jersey) Regulations 201-. P.11/2019.  
Lodged: 28th January 2019, *Chief Minister.*

## **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 they it is to be withdrawn –

Draft Amendment (No. 37) of the Standing Orders of the States of Jersey. P.103/2018.  
Lodged: 18th September 2018, *Privileges and Procedures Committee.*

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

## **G. MATTERS OF PRIVILEGE**

## **H. PETITIONS**

## **I. QUESTIONS**

(a) – **Written Questions**  
(attached)

- WQ.38/2019 1. The Minister for Home Affairs will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding applications for Settled Status.
- WQ.39/2019 2. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. Peter regarding the Income Tax paid by High Value Residents.



- WQ.40/2019 3. The Chairman of the States Employment Board will table an answer to a question asked by Deputy J.H. Perchard of St. Saviour regarding the training provided to States of Jersey employees on equality and diversity.
- WQ.41/2019 4. The Minister for Economic Development, Tourism, Sport and Culture will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the importation of frozen food.
- WQ.42/2019 5. The Minister for Home Affairs will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the sentencing of child sex offenders.
- WQ.43/2019 6. The Minister for Education will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the funding of the Island's schools.
- WQ.44/2019 7. The Minister for Education will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding pupil premium funding.
- WQ.45/2019 8. The Chairman of the States Employment Board will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding a review of H.R. policies.
- WQ.46/2019 9. The Minister for Infrastructure will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding an investigation into the provision of a free bus service.
- WQ.47/2019 10. The Minister for Treasury and Resources will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the investment policy of the Government of Jersey.
- WQ.48/2019 11. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the provision of support for the establishment of an electronic register.
- WQ.49/2019 12. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the development of Target Operating Models for public sector departments.
- WQ.50/2019 13. The Chief Minister will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the commemoration of the 250th anniversary of the Corn Riots.
- WQ.51/2019 14. The Minister for Education will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the commemoration of Reform Day in schools.
- WQ.52/2019 15. The Minister for Health and Social Services will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding a breakdown of emergency calls for an ambulance.
- WQ.53/2019 16. The Minister for Treasury and Resources will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the grants paid in 2018 in respect of arts-related applications.
- WQ.54/2019 17. The Minister for Health and Social Services will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding waiting times at the General Hospital.
- WQ.55/2019 18. The Minister for Treasury and Resources will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the assistance provided by Andium Homes with residents' emergency problems.
- WQ.56/2019 19. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding political oversight groups.
- WQ.57/2019 20. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the care of dementia patients in the Island.



- WQ.58/2019 21. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the care and treatment of children placed in the U.K.
- WQ.59/2019 22. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the undertaking of a 'Pareto analysis' of his Department.
- WQ.60/2019 23. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the accommodation of children in care.
- WQ.61/2019 24. The Chairman of the States Employment Board will table an answer to a question asked by Deputy M.R. Le Hegarat of St. Helier regarding the interim appointment of employees to work on public sector transformation.
- WQ.62/2019 25. The Minister for Infrastructure will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the presence of asbestos in States-owned buildings.
- WQ.63/2019 26. The Minister for Health and Social Services will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the work being undertaken on Orchard House.
- WQ.64/2019 27. The Minister for Treasury and Resources will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the status of school breakfast clubs and after-school clubs in the Income Tax regime.
- WQ.65/2019 28. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. Peter regarding High Value Residents who have gained Entitled status due to the length of their ordinary residence in the Island.
- WQ.66/2019 29. The Chairman of the States Employment Board will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the maintenance of public-facing services.
- WQ.67/2019 30. The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the 250th anniversary of the Corn Riots.

**(b) – Oral Questions**  
(120 minutes)

- OQ.27/2019 1. Deputy M.R. Higgins of St. Helier will ask the following question of the Chief Minister –
- “What steps will the Chief Minister take, and by when, to ensure that States members and the public know which ministers and civil servants are responsible for what; from where they operate; and how to contact them when either seeking information or registering complaints in relation to their areas of responsibility?”
- OQ.18/2019 2. Deputy J.H. Perchard of St. Saviour will ask the following question of the Chairman of the States Employment Board –
- “Will the Chairman explain how the employment of one woman at Director General level, out of 8 such roles, meets the indicator of success listed in the States of Jersey’s Equality and Diversity policy to “*demonstrate that we actively promote equality and diversity through all our policies, practices and structures*”?”



- OQ.23/2019 3. Deputy K.F. Morel of St. Lawrence will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –
- “Following last year’s publication of a strategic review by BOP Consulting into Jersey’s culture, arts and heritage, has the Minister decided to accept any of the report's recommendations and, if so, which ones?”
- OQ.19/2019 4. Deputy J.M. Maçon of St. Saviour will ask the following question of the Minister for Infrastructure –
- “Given recent reports of increasing levels of fly-tipping, will the Minister be reviewing the charging policies for disposal-of-waste services; will he produce figures to show the number of reported incidents of fly-tipping since the current charging regime was introduced; and if not, will he explain why not?”
- OQ.31/2019 5. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for External Relations –
- “Further to Written Question 227/2018, will the Minister update members on work to have the Convention on the Elimination of Discrimination Against Women extended to Jersey?”
- OQ.20/2019 6. The Deputy of St. John will ask the following question of the Minister for Health and Social Services –
- “Will the Minister advise whether the Positive Behavioural Support Team is currently unable to provide support for children with learning difficulties due to staffing shortages; and if so, what action, if any, will he be taking to address this as soon as possible?”
- OQ.21/2019 7. Deputy K.G. Pamplin of St. Saviour will ask the following question of the Minister for Children and Housing –
- “Given the latest Retail Price Index produced by Statistics Jersey last week revealed the cost of living had increased by 3.9% and that a key driver of inflation during this period was the 5.6% increase in housing costs, what action is the Minister taking to ensure middle- and lower-income Islanders are helped to access affordable housing?”
- OQ.29/2019 8. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Health and Social Services –
- “Will the Minister update members on the progress he has made, if any, on the implementation of an Ethical Care Charter, as agreed with the adoption of P.48/2017, and if there has been no progress, will he explain why?”
- OQ.26/2019 9. Deputy R.J. Ward of St. Helier will ask the following question of the Minister for Social Security –
- “Further to her answer to Written Question 18/2019, how will the Minister ensure a balance between flexibility and fairness for employees and workers in the use of zero-hours and short-term contracts; and is it her plan that the current model of using such contracts should not continue indefinitely?”



OQ.24/2019 10. Deputy K.F. Morel of St. Lawrence will ask the following question of the Minister for Treasury and Resources –

“As the cost of joining Liberation Square with Weighbridge Place for the ‘Liberation 75’ celebrations is now being borne by the States of Jersey Development Company, rather than the Growth, Housing and Environment Department, will the Minister advise the Assembly of any new plans she has for the £2 million that had been allocated in the recent budget to the Department for that same work?”

OQ.25/2019 11. Deputy J.M. Maçon of St. Saviour will ask the following question of the Minister for Infrastructure –

“Will the Minister advise how the ‘Jèrriais Plan 2017 – 2019’ (R.72/2017) informs the work of his department; will he state whether the planned establishment of public sector offices in Broad Street has incorporated the provision of signage in Jèrriais; and if not, will he explain why not?”

OQ.22/2019 12. Deputy K.G. Pamplin of St. Saviour will ask the following question of the Minister for Infrastructure –

“Following the decision of the Minister for the Environment to reject the Future Hospital planning application, will the Minister advise whether he plans to appeal that decision?”

OQ.28/2019 13. Deputy M.R. Higgins of St. Helier will ask the following question of the Chairman of the States Employment Board –

“Will the Chairman explain the rationale for the payment under compromise agreements to the civil servants who were responsible for the scheme that wrongly led to 126 members of staff in the Health and Community Services Department being given salary increases, only for them to be withdrawn, especially given that they had submitted evaluations and information which were not representative of the jobs that were being undertaken?”

OQ.30/2019 14. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Infrastructure –

“In drawing up spending plans for 2020, will the Minister give consideration to the in-principle decision of the States (in adopting P.156/2011) to support the introduction of a ‘hoppa bus’ service in the urban areas of St. Helier and its environs?”

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

1st question period – Minister for the Environment

2nd question period – Chief Minister

**J. PERSONAL STATEMENTS**

**K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY**

**L. PUBLIC BUSINESS**



- Draft Damages (Jersey) Law 201- (P.131/2018): amendment.** P.131/2018.  
Lodged: 14th January 2019, *Chief Minister.* Amd.
- Draft Cybercrime (Jersey) Law 201-** P.134/2018.  
Lodged: 29th October 2018, *Minister for Home Affairs.*
- \* Draft Cybercrime (Jersey) Law 201- (P.134/2018): comments. P.134/2018.  
Presented: 28th January 2019, *Education and Home Affairs Scrutiny Panel.* Com.
- Andium Homes: authorisation of loan to develop the Ann Court site.** P.146/2018.  
Lodged: 21st December 2018, *Deputy of St. Martin.*
- \* Andium Homes: authorisation of loan to develop the Ann Court site P.146/2018.  
(P.146/2018) – comments. Com.  
Presented: 28th January 2019, *Minister for Children and Housing.*
- Jersey Overseas Aid Commission: appointment of non-States Commissioner.** P.147/2018.  
Lodged: 27th December 2018, *Minister for International Development.*
- States of Jersey Development Company Limited: re-appointment of Chairman.** P.8/2019.  
Lodged: 22nd January 2019, *Minister for Treasury and Resources.*

*Note: Because of the requirement for a four-week lodging period the proposition lodged by the Minister for Treasury and Resources cannot be debated before Tuesday 26th February 2019 without the agreement of the Assembly. The Minister has indicated that she will therefore seek the agreement of the Assembly, under Standing Order 26(7), to reduce the lodging period in order that this matter can be debated at the meeting.*

## M. ARRANGEMENT OF PUBLIC BUSINESS

### 12th February 2019

- States Assembly Diversity Forum: establishment.** P.135/2018.  
Lodged: 5th November 2018, *Deputy L.M.C. Doublet of St. Saviour.*
- Jèrriais: promotion by the Public Sector.** P.143/2018.  
Lodged: 6th December 2018, *Deputy J.M. Maçon of St. Saviour.*
- Jèrriais: promotion by the Public Sector (P.143/2018) – amendment.** P.143/2018.  
Lodged: 23rd January 2019, *Deputy M. Tadier of St. Brelade.* Amd.
- Draft European Union (United Kingdom Exit – Miscellaneous Amendments) (Jersey) Regulations 201-** P.148/2018.  
Lodged: 28th December 2018, *Minister for External Relations.*
- Draft Amendment (No. 38) of the Standing Orders of the States of Jersey.** P.1/2019.  
Lodged: 14th January 2019, *Privileges and Procedures Committee.*
- Jersey Employment and Discrimination Tribunal: appointment of members.** P.2/2019.  
Lodged: 14th January 2019, *Minister for Social Security.*
- Credit-related checks.** P.3/2019.  
Lodged: 15th January 2019, *Deputy J.M. Maçon of St. Saviour.*





**Draft Amendment (No. 39) of the Standing Orders of the States of Jersey.** P.4/2019.  
Lodged: 15th January 2019, *Chairmen's Committee.*

**Future Hospital: rescindment of Gloucester Street as preferred site.** P.5/2019.  
Lodged: 15th January 2019, *Deputy R. Labey of St. Helier.*

### **26th February 2019**

**Draft Revenue Administration (Jersey) Law 201-.** P.122/2018.  
Lodged: 23rd October 2018, *Minister for Treasury and Resources.*

**Public Elections (Expenditure and Donations) (Jersey) Law 2014: proposed amendments.** P.6/2019.  
Lodged: 18th January 2019, *Deputy J.H. Young of St. Brelade.*

**Public Elections (Expenditure and Donations) (Jersey) Law 2014: proposed review.** P.7/2019.  
Lodged: 18th January 2019, *Deputy J.M. Maçon of St. Saviour.*

**Public Elections (Expenditure and Donations) (Jersey) Law 2014: proposed review (P.7/2019) – amendment.** P.7/2019.  
Lodged: 22nd January 2019, *Deputy J.A. Martin of St. Helier.* Amd.

### **12th March 2019**

\* **Draft European Union (United Kingdom Exit – Animal Health and Welfare) (Jersey) Regulations 201-.** P.9/2019.  
Lodged: 28th January 2019, *Minister for the Environment.*

\* **Draft European Union (Amendment – Withdrawal Agreement) (Jersey) Regulations 201-.** P.10/2019.  
Lodged: 28th January 2019, *Minister for External Relations.*

\* **Draft European Union (Financial Services – Miscellaneous Amendments) (Jersey) Regulations 201-.** P.11/2019.  
Lodged: 28th January 2019, *Chief Minister.*

**DR. M. EGAN**  
**Greffier of the States**

28th January 2019

**Note –**

**In accordance with the meeting dates fixed for 2019 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 30th and Thursday 31st January 2019.**

**An asterisk \* in the left-hand margin denotes either a new item added to this Order Paper since the Order Paper was first published on 24th January 2019, or an item which has been altered or moved.**



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

(See Item B)

### **R&O.7/2019.**

Road Traffic (Periodic Technical Inspections – Fees) (Jersey) Order 2019.

This Order sets the fees for periodic technical inspections under Article 78A of the Road Traffic (Jersey) Law 1956.

The fee is £30 for a light motor cycle or moped, or £90 for a minibus.

If the vehicle does not pass the inspection, but is submitted for re-inspection within 30 days, the fee is half of the fee otherwise applicable to the vehicle. Equally if the vehicle does not pass the inspection, and an aggrieved person appeals to the Minister who arranges a further examination of the vehicle, the fee is similarly half of the fee otherwise applicable to the vehicle.

The fee for an inspection is payable to the Minister, who may refuse to make an appointment for an inspection until the fee is paid. Under Article 3(4)(b) of the Road Traffic (Periodic Technical Inspections – General Provisions) (Jersey) Order 2018, the examiner does not issue a certificate of satisfaction unless the fee has been paid. If the applicant cancels the appointment 3 or more working days beforehand, the Minister may refund the fee. If a copy certificate is lost or defaced, the Minister may authorise a replacement copy to be given to the vehicle's registered owner, on payment of a fee of the same amount as is payable for a replacement certificate of compliance under the Motor Vehicles (Construction and Use) (Jersey) Order 1998 (currently £10).

The Order was made on 25th January 2019 and comes into force on 1st February 2019.