



STATES OF JERSEY ORDER PAPER

Tuesday 26th April 2016

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Firearms (General Provisions) (Amendment No. 2) (Jersey) Order 2016. R&O.43/2016.
Minister for Home Affairs.
Chief Minister.

Immigration (Fees) (Amendment No. 6) (Jersey) Order 2016. R&O.44/2016.
Minister for Home Affairs.
Chief Minister.

EU Legislation (Veterinary and Zootechnical Checks – Trade with Member States) R&O.45/2016.
(Fees and Expenses) (Jersey) Order 2016.
Minister for the Environment.

Building Bye-laws (Amendment No. 5) (Jersey) 2016. R&O.46/2016.
Minister for the Environment.

C. DOCUMENTS PRESENTED OR LAID

States of Jersey Police: Annual Performance Report 2015. R.34/2016.
Presented: 18th April 2016.
Minister for Home Affairs.

Jersey Advisory and Conciliation Service: Board Members' Report and Financial R.35/2016.
Statements for the year ended 31st December 2015.
Presented: 18th April 2016.
Minister for Social Security.

States of Jersey Law 2005: delegation of functions – Chief Minister to Assistant R.36/2016.
Minister – Digital, Competition and Innovation.
Presented: 19th April 2016.
Chief Minister.

States of Jersey Prison Service: H.M. Prison La Moye – Annual Report 2015. R.37/2016.
Presented: 19th April 2016.
Minister for Home Affairs.

Jersey Police Complaints Authority: report for 2015. R.38/2016.
Presented: 19th April 2016.
Minister for Home Affairs.

Land Transactions under Standing Order 168(3) – 1 Bel Horizon, La Route des R.39/2016.
Côtils, Grouville – lease.
Presented: 19th April 2016.
Minister for Infrastructure.



Jersey Multi-Agency Public Protection Arrangements (JMAPP) Annual Report 2015. R.40/2016.

Presented: 21st April 2016.

Minister for Home Affairs.

States of Jersey Complaints Panel: report for 2015. R.41/2016.

Presented: 22nd April 2016.

Privileges and Procedures Committee.

Jersey Electricity: Report and Accounts 2015 – Sustaining Life and Growth, Investing for the Future. R.42/2016.

Presented: 22nd April 2016.

Minister for Treasury and Resources.

D. NOTIFICATION OF LODGED PROPOSITIONS

Rate Appeal Board: appointment of members. P.41/2016.

Lodged: 21st April 2016.

Minister for Treasury and Resources.

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 Health and Social Services will table an answer to a question asked by Deputy R.J. Rondel of St. Helier regarding the use of locums.
2. The Chief Minister will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the publication of a report into higher education.
3. The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the time allowed to answer oral questions.
4. The Chief Minister will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the cost of civil servants' flights.
5. The Minister for Treasury and Resources will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding Corporation Tax.
6. The Minister for Treasury and Resources will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding tax agreements reached with High Value Residents.



7. The Chief Minister will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding requests from UK enforcement agencies for information held on the Central Register of beneficial ownership.
8. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the measurement of nursing vacancies.
9. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding housing poverty.
10. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding consultation on the minimum wage.
11. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding action taken by the Jersey Financial Services Commission following the release of the 'Panama papers'.
12. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding Jersey's future housing needs.
13. The Minister for Infrastructure will table an answer to a question asked by Deputy L.M.C. Doublet of St. Saviour regarding future plans for the Police Station site at Rouge Bouillon.

(b) – Oral Questions

(120 minutes)

1. The Deputy of St. Ouen will ask the following question of the Minister for Social Security –
“With regard to the proposed Employment (Amendment No. 10) (Jersey) Law 201- (P.38/2016), what risk is there that, in asking members to approve the potential introduction of a differential rate for the minimum wage based on age, the timing of that decision could pre-empt the outcome of any public consultation process by the Employment Forum?”
2. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Housing –
“What measures, if any, are in place to reduce housing poverty in the Island?”
3. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Treasury and Resources –
“Will the Minister provide a breakdown of the sources of the additional £1.4 million in tax revenues that resulted from the last tax amnesty and indicate how much revenue is expected to be collected from the current tax amnesty, along with its sources?”
4. Deputy P.D. McLinton of St. Saviour will ask the following question of the Minister for Environment –
“Further to the statement of the Minister for Infrastructure on 3rd November 2015 that he would work with the Minister for Environment to bring a provision into the Animal Welfare Law to make it illegal to strike a cat with a vehicle of any description and not report it to a recommended body or organisation, what progress, if any, has the Minister made towards the drafting of legislation to date?”
5. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Education –
“Will the Minister state what plans he has to make savings from the resourcing and support provided to users of nursery care and private education?”



6. Deputy A.D. Lewis of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Further to proposals in the Medium Term Financial Plan 2016 to 2019 and the draft Budget 2106 to reach a target figure of £20 million in both 2017 and 2019 for asset disposals, making a total of £40 million, what progress has been made to date and what are the disposals likely to consist of?”

7. Deputy S.Y. Mézec of St. Helier will ask the following question of the Chief Minister –

“Can civil servants obtain personal Avios points when flying specifically on States business and, if so, what action, if any, does the Chief Minister propose to take to ensure that, in future, any such points are returned to the States?”

8. Deputy R.J. Rondel of St. Helier will ask the following question of the Minister for Health and Social Services –

“Does the Minister consider that full time consultants are preferable to using locums and if so, does he believe we are employing enough consultants to fulfil their roles and if not, why not?”

9. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Health and Social Services –

“Are kinship fostering arrangements different from other fostering and, if they are, can the Minister explain why and how?”

10. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for Home Affairs –

“Can the Minister advise whether consideration is being given to making any changes to the way in which births are registered in the Island?”

11. The Connétable of St. John will ask the following question of the Minister for Infrastructure –

“Following the trial resurfacing of La Route de Mont Mado in St. John, could the Minister provide the results of the trial and detail what studies, if any, were undertaken?”

12. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Health and Social Services –

“How many front line medical staff have reported suffering from, or have been signed off with, severe stress, how many have cited staff shortages as a stress factor, and what action, if any, is the Minister taking to address this?”

13. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Social Security –

“How does Social Security treat payments made to foster carers when considering earned income and are those arrangements different if the foster child is in a kinship foster care placement?”



14. Deputy A.D. Lewis of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Further to the economic assumptions in the draft 2016 Budget which forecast a growth in average earnings of 3% in 2016 and 4% in 2017, what assessment was made of the likelihood of such growth levels being achieved; do economic indicators suggest that such growth will occur; and if this level of wage growth is not achieved, what impact will this have on income tax receipts?”

15. Deputy S.Y. Mézec of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Why has the Minister not asked for the substantial States underspend of last year to be redirected towards providing support to those Islanders in the poorest quintile of Jersey society to compensate for the cuts to support which were approved last year?”

16. Deputy R.J. Rondel of St. Helier will ask the following question of the Minister for Health and Social Services –

“With regard to possible sites for the future hospital, would the Minister advise under what, if any, circumstances, he would support building on Green Zone land?”

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

“Has the Chief Minister, or the Council of Ministers, received an explanation from the Jersey Financial Services Commission as to the reasons for the establishment of Panamanian companies through Mosack Fonseca by Jersey registered companies, detailed in the documents known as the Panama Papers?”

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

1st question period – Minister for Economic Development, Tourism, Sport and Culture

2nd question period – Chief Minister

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Draft Former La Motte Street School (Validation and Abrogation of Covenants) (Jersey) Law 201-. P.9/2016.

Lodged: 17th February 2016.

Minister for Infrastructure.

Draft Education (Provided Schools – Amendment of Law) (Jersey) Regulations 201-. P.14/2016.

Lodged: 29th February 2016.

Minister for Education.

Draft Education (Amendment No. 3) (Jersey) Law 201-. P.15/2016.

Lodged: 29th February 2016.

Minister for Education.



Draft Protection of Children (Nicotine Inhaling Products) (Jersey) Regulations 201-. P.23/2016.
Lodged: 11th March 2016.
Minister for Health and Social Services.

Draft Dormant Bank Accounts (Jersey) Law 201-. P.25/2016.
Lodged: 15th March 2016.
Chief Minister.

Draft Extradition (Amendment) (Jersey) Law 201-. P.26/2016.
Lodged: 15th March 2016.
Chief Minister.

Outsourcing. P.29/2016.
Lodged: 18th March 2016.
Deputy G.P. Southern of St. Helier.

Westaway Donations Council: appointment of member. P.31/2016.
Lodged: 22nd March 2016.
Minister for Health and Social Services.

M. ARRANGEMENT OF PUBLIC BUSINESS

10th May 2016

Draft Motor Vehicle Registration (Amendment No. 5) (Jersey) Law 201-. P.24/2016.
Lodged: 14th March 2016.
Minister for Infrastructure.

Draft Connétables (Miscellaneous Provisions – Consequential Amendments) (No. 2) P.27/2016.
(Jersey) Regulations 201-.
Lodged: 16th March 2016.
Comité des Connétables.

Draft Rates (Amendment) (Jersey) Law 201-. P.28/2016.
Lodged: 17th March 2016.
Comité des Connétables.

Draft Financial Regulation (Miscellaneous Provisions No. 4) (Jersey) Law 201-. P.30/2016.
Lodged: 22nd March 2016.
Chief Minister.

Channel Islands Lottery: allocation of proceeds from 2015. P.32/2016.
Lodged: 6th April 2016.
Minister for Economic Development, Tourism, Sport and Culture.

Law Society of Jersey Disciplinary Panel: re-appointment of lay member. P.35/2016.
Lodged: 11th April 2016.
Chief Minister.

Nursery funding: implementation of proposed changes. P.39/2016.
Lodged: 12th April 2016.
Deputy M. Tadier of St. Brelade.

Collective Responsibility Statements: propositions, amendments, comments or P.40/2016.
statements lodged or submitted by a Minister.
Lodged: 12th April 2016.
Deputy S.M. Wickenden of St. Helier.



24th May 2016

- Draft Criminal Justice (Young Offenders) (No. 2) (Jersey) Law 201-. P.33/2016.
Lodged: 6th April 2016.
Minister for Home Affairs.
- Draft Licensing (No. 18) (Jersey) Regulations 201-. P.34/2016.
Lodged: 11th April 2016.
Minister for Economic Development, Tourism, Sport and Culture.
- Draft Removal of Vehicles (Private Land) (Jersey) Regulations 201-. P.36/2016.
Lodged: 11th April 2016.
Minister for Housing.
- Draft Discrimination (Age) (Jersey) Regulations 201-. P.37/2016.
Lodged: 12th April 2016.
Minister for Social Security.
- Draft Employment (Amendment No. 10) (Jersey) Law 201-. P.38/2016.
Lodged: 12th April 2016.
Minister for Social Security.
- Rate Appeal Board: appointment of members. P.41/2016.
Lodged: 21st April 2016.
Minister for Treasury and Resources.

DR. M. EGAN
Greffier of the States

21st April 2016

Note –

In accordance with the meeting dates fixed for 2016 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 27th and Thursday 28th April 2016.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.43/2016.

This Order amends the Firearms (General Provisions) (Jersey) Order 2011 to introduce a £20 fee for a visitor's permit. The fee is capped at £100 for 6 or more permits for a group participating in an event held by or at an approved shooting club.

The Order was made on 14th April 2016 and came into force on 21st April 2016.

R&O.44/2016.

This Order increases fees for applications for leave to remain in Jersey. The fees for an application for limited leave to remain for a work permit holder or his or her dependant are increased by 2%. The fees for an application for limited leave to remain in respect of any other person and for indefinite leave to remain in respect of any person are increased by 25%.

The increases take effect on 1st June 2016, a year since they were last increased.

The Order was made on 14th April 2016 and comes into force on 1st June 2016.

R&O.45/2016.

This Order prescribes –

- (a) a fee for the issue of a health certificate required for the export of animals or animal products to a member State, and a fee for the verification of such a certificate by an inspector who is not an official veterinarian;
- (b) charges for an official veterinarian's or other inspector's time spent conducting inspections and examinations under the EU Legislation (Veterinary and Zootechnical Checks – Trade with Member States) (Jersey) Regulations 2016 and for the costs of tests undertaken by an official veterinarian or other inspector under those Regulations.

The Order was made on 15th April 2016 and came into force on 22nd April 2016.

R&O.46/2016.

These Bye-laws make changes to the energy performance requirements of the Building Bye-laws (Jersey) 2007 (the "2007 Bye-laws").

Bye-law 2 substitutes a new bye-law 5A of the 2007 Bye-laws which expands the requirements relating to the renovation or replacement of thermal elements.

Bye-law 3 amends Part 3A of the 2007 Bye-laws concerning energy efficiency requirements, this being the substituted heading for this Part which more accurately reflects its contents. A new bye-law 17A is substituted, retitled "application of energy efficiency requirements" and now sets out the circumstances where the requirements of Part 3A applies, which is to such buildings that use energy to condition the indoor climate as are specified in subsequent bye-laws, subject to some exceptions set out in this bye-law.



Bye-law 17B is also replaced with a new bye-law headed “energy performance rates for new buildings”. The new bye-law specifies energy performance and fabric energy efficiency rates by reference to a technical guidance document.

Bye-law 17C is amended to apply its requirements linked to Part 11 of Schedule 2 to existing dwellings where it is proposed to construct an extension.

Bye-law 17D is amended to expand it to apply to all newly-constructed buildings and requires notice of the energy performance rating to be given to the owner of the building instead of to the Chief Officer.

Bye-law 17E is replaced with a new bye-law requiring the person carrying out the work to provide the owner with sufficient information about the building, the fixed building services and their maintenance requirements for the building to be operated in such a manner as to use no more fuel and power than is reasonable in the circumstances.

The heading to bye-law 17F is changed to “pressure testing” to reflect more accurately the content of the bye-law.

Bye-law 17H is replaced by new provision headed “energy rate calculations. The existing requirement in the bye-law is extended so that energy rate calculations have to be provided at the application stage in addition to at completion of the work.

Bye-law 4 provides for the Bye-laws to come into force on 18th July 2016 but for them to apply only to applications for building permission made or required to have been made on or after that date.

The Bye-laws were made on 15th April 2016 and come into force on 18th July 2016.



WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Health and Social Services will table an answer to the following question asked by Deputy R.J. Rondel of St. Helier –

“Would the Minister produce a table listing the following for the years 2014, 2015 and 2016 to date –

1. departments within Health that use locums; and
2. the number of locums that have been brought to the Island each month, together with the time each one spent in Jersey (on each occasion) and the cost to each department within Health?”

2. The Chief Minister will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –

“Given that the Chief Minister’s original deadline for the publication of a report into higher education and its funding has now passed, and the report has yet to be published, can the Chief Minister advise when it will be issued and the reason for the delay?”

3. The Chairman of the Privileges and Procedures Committee will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –

“Could the Chairman explain what the basis is for the ‘90 second rule’ applying to answers to oral questions and what right do members have to challenge the Presiding Officer with regard to this rule?”

4. The Chief Minister will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –

“Further to the Chief Minister’s answer to question 9317 regarding the cost of civil servants’ flights, could the Chief Minister provide a breakdown for each of the journeys, including accommodation costs and other expenses, including food and taxis?”

5. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –

“Further to the Minister’s answer to question 9341, tabled on 12th April 2016, regarding the collection of Corporation Tax, could he provide a breakdown of how much profit was registered for those companies in each tax band?”

6. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –

“Further to the Minister’s answer to question 9345, tabled on 12th April 2016, could the Minister explain how and under what circumstances the tax agreements reached with those High Value Residents who came to the Island before 2005 could be altered by the government?”



7. The Chief Minister will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –

“Could the Chief Minister provide the details of how many times in each year for the past 5 years UK enforcement agencies have sought information from Jersey’s Central Register of beneficial ownership and on how many occasions the request was indicated to be urgent?”

Also, how many of the requests related to investigations concerning –

- (a) terrorism;
- (b) money laundering;
- (c) tax avoidance;
- (d) tax evasion?”

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

“Further to the Minister’s response during questions without notice on 12th April 2016 to my question regarding the measurement of nursing vacancy rates, during which he provided a figure which differed from previous figures reported to Scrutiny, could the Minister set out the precise mechanism by which this measure will be reported in future along with the justification for what posts are and are not included?”

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

“Can the Minister advise what measures are in place to reduce housing poverty in the Island, and, in the light of those measures, could the Minister advise –

- (a) how housing poverty is measured and how that measure compares with those used in other jurisdictions;
- (b) what figures are available which detail the prevalence of housing poverty amongst the tenants of Andium Homes, housing trusts and in the private rental sector and, if none, why;
- (c) what estimate has been made of the impact on tenants of the decision to raise rents in the social rental sector and, if none, why?”

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

“Further to the Minister’s statement in P.38/2016 ‘Draft Employment (Amendment No. 10) (Jersey) Law 201-’ that: “The debate of this draft Law will provide an opportunity for States Members to demonstrate whether they support a move to higher minimum wage rate for older employees, in principle, before the Forum releases its public consultation on the minimum wage”, for what reasons has she chosen to seek members’ opinions and to ask the Employment Forum to consult on the minimum wage at the same time and what assessment has she made of the risk that this approach may skew any results thereby obtained?”



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

“Further to the Chief Minister’s response to question 9374 during the States sitting of 12th April 2016, what action, if any, has been taken by the Jersey Financial Services Commission in line with his assurance that “appropriate action and investigation will be undertaken by the appropriate authorities” in response to the disclosures made in the Panama papers in relation to Jersey’s activities?”

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

“In response to the ‘Jersey’s Future Housing Needs 2016 to 2018 Report’, what targets for the creation of additional housing supply does the Minister have for 2-year, 5-year and 10-year timescales in social rental, First Time Buyer and Category B housing? Given the current and predicted housing price/earnings ratios, is it her priority to increase the affordable rental sector supply to house the population adequately, and if not, why not?”

13. The Minister for Infrastructure will table an answer to the following question asked by Deputy L.C.M. Doublet of St. Saviour –

“Can the Minister provide a plan of the Police Station site at Rouge Bouillon, including Summerland, detailing –

- (a) any listed buildings;
- (b) whether neighbouring properties are residential/businesses/States-owned, how many storeys high they are and if there are any outstanding planning permissions;
- (c) the current intended future use for each section of the site, including the categories below and any others being considered –
 - car parking
 - private housing
 - social housing;
 - States departmental use;
 - open space?

Can the Minister also provide a timeline indicating what decisions need to be made about the site and when they will be made by?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

Questions without notice 2016

1st Session 2016

May 10th	Housing	Infrastructure
May 24th	Home Affairs (moved from 12/4/2016)	Chief Minister
June 14th	External Relations	Social Security
June 28th	Home Affairs	Chief Minister
July 12th	Treasury and Resources	Education

2nd Session 2016

September 13th	Health and Social Services	Chief Minister
September 27th	Economic Development, Tourism, Sport and Culture	Housing
October 11th	Infrastructure	Chief Minister
November 1st	Environment	External Relations
November 15th	Social Security	Chief Minister
November 29th	Home Affairs	Treasury and Resources
December 13th	Education	Chief Minister