

STATES OF JERSEY ORDER PAPER

Tuesday 19th October 2004

FOURTH SUPPLEMENTARY

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Civil Service Administration (Salaries) (Amendment No. 24) (Jersey) Order 2004. R&O 124/2004.

Policy and Resources Committee.

Mental Health (General Provisions) (Amendment) (Jersey) Order 2004. R&O 125/2004.

Health and Social Services Committee.

Mental Health (Review Tribunal) (Procedure) (Amendment) (Jersey) Order 2004. R&O 126/2004.

Health and Social Services Committee.

Lodging Houses (General Provisions) (Amendment No. 11) (Jersey) Order 2004. R&O 127/2004.

Housing Committee.

D. PRESENTATION OF PAPERS

(a) Papers for information

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

Responding to Drug use in Jersey: Shadow Scrutiny Panel Report. S.R.1/2004.

Deputy J.L. Dorey of St. Helier.

Public Sector Manpower Report: June 2004. R.C.47/2004.

Finance and Economics Committee.

States Members' parking: withdrawal of provision (P.152/2004) – comments. P.152/2004.
Com.(2)

Finance and Economics Committee.

Draft Amendment (No. 27) to the Standing Orders of the States of Jersey (P.171/2004): amendment (P.171/2004 Amd.) – comments. P.171/2004.
Amd.Com.

Privileges and Procedures Committee.

Draft Amendment (No. 27) to the Standing Orders of the States of Jersey (P.171/2004): second amendments (P.171/2004 Amd.(2)) – comments. P.171/2004.
Amd.(2) Com.

Privileges and Procedures Committee.

Draft Amendment (No. 27) to the Standing Orders of the States of Jersey (P.171/2004): third amendments (P.171/2004 Amd.(3)) – comments. P.171/2004.
Amd.(3) Com.

Privileges and Procedures Committee.

(b) Notification of Standing Order decisions

14th October 2004

Decisions under delegated functions.
Finance and Economics Committee.

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

Draft States of Jersey Law 200- (P.124/2004): amendments. P.124/2004.
Deputy S.C. Ferguson of St. Brelade. Amd.

Jersey Airport: Fireground Remediation – Deed of Settlement. P.176/2004.
Harbours and Airport Committee.

Draft Restriction on Smoking (Sales of Cigarettes to Children) P.177/2004.
(Amendment) (Jersey) Regulations 200-.
Health and Social Services Committee.

States Auditors: further extension of contract. P.178/2004.
Finance and Economics Committee.

K. PUBLIC BUSINESS

(outstanding matters)

Fields 519, 520, 521, 524, 527 and 528, Trinity – rescindment of P.74/2004.
planning permit. *(re-issue)*
Lodged: 20th April 2004.
Senator P.V.F. Le Claire.

Fields 519, 520, 521, 524, 527 and 528, Trinity – rescindment of P.74/2004.
planning permit (P.74/2004) – comments. Com.
Presented 28th September 2004.
Health and Social Services Committee.

Fields 519, 520, 521, 524, 527 and 528, Trinity – rescindment of P.74/2004.
planning permit (P.74/2004) – comments. Com.(2)
Presented: 28th September 2004.
Finance and Economics Committee.

Fields 519, 520, 521, 524, 527 and 528, Trinity – rescindment of P.74/2004.
planning permit (P.74/2004) – comments – addendum. Com.(2) Add.
Presented: 12th October 2004.
Finance and Economics Committee.

Fields 519, 520, 521, 524, 527 and 528, Trinity – rescindment of P.74/2004.
planning permit (P.74/2004) – comments. Com.(3)
Presented: 12th October 2004.
Environment and Public Services Committee.

Draft Road Traffic (Amendment No. 3) (Jersey) Law 200. Lodged: 7th September 2004. <i>Environment and Public Services Committee.</i>	P.146/2004.
Car parking charges: allocation of additional income to the funding of transport initiatives. Lodged: 7th September 2004. <i>Environment and Public Services Committee.</i>	P.147/2004.
Car Parking Charges: allocation of additional income to the funding of transport initiatives (P.147/2004) – comments. Presented: 28th September 2004. <i>Finance and Economics Committee.</i>	P.147/2004. Com.
Car parking charges: allocation of additional income to the funding of transport initiatives (P.147/2004) – amendments. Lodged: 28th September 2004. <i>Deputy J.B. Fox of St. Helier.</i>	P.147/2004. Amd.
Car parking charges: allocation of additional income to the funding of transport initiatives (P.147/2004) – amendments (P.147/2004 Amd.)– comments. Presented: 12th October 2004. <i>Finance and Economics Committee.</i>	P.147/2004. Amd.Com.
Car parking charges: allocation of additional income to the funding of transport initiatives (P.147/2004) – amendments (P.147/2004 Amd.)– comments. Presented: 12th October 2004. <i>Environment and Public Services Committee.</i>	P.147/2004. Amd.Com.(2)
Bus Service: rescindment of decisions relating to concessionary fares and adult fares after 8.00 p.m. Lodged: 14th September 2004. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.150/2004.
Bus Service: rescindment of decisions relating to concessionary fares and adult fares after 8.00 p.m. (P.150/2004)– comments. Presented: 12th October 2004. <i>Finance and Economics Committee.</i>	P.150/2004. Com.
Bus Service: rescindment of decisions relating to concessionary fares and adult fares after 8.00 p.m. (P.150/2004)– comments. Presented: 12th October 2004. <i>Environment and Public Services Committee.</i>	P.150/2004. Com.(2)
Field 812A, Bagot Manor Farm, St. Saviour: rezoning. Lodged: 14th September 2004. <i>Environment and Public Services Committee.</i>	P.155/2004.

Draft The Law Society of Jersey Law 200-. Lodged: 28th September 2004. <i>Legislation Committee.</i>	P.162/2004.
Draft The Law Society of Jersey Law 200- (P.162/2004): comments. Presented: 28th September 2004. <i>Finance and Economics Committee.</i>	P.162/2004. Com.
Draft The Law Society of Jersey Law 200- (P.162/2004): amendments. Lodged: 28th September 2004. <i>Deputy R.G. Le Hérisier of St. Saviour.</i>	P.162/2004. Amd.
Shadow Public Accounts Committee: appointment of member. Lodged: 28th September 2004. <i>Deputy S.C. Ferguson of St. Brelade.</i>	P.163/2004

M.N. DE LA HAYE
Greffier of the States

18th October 2004.

Explanatory Note regarding subordinate legislation tabled at this meeting.

R&O 124/2004.

This Order, which was made by the Policy and Resources Committee on 13th October 2004, prescribes Civil Service salaries with effect from 1st June 2004.

The new rates of salary implement an increase of 2.5 per cent.

R&O 125/2004

This Order prescribes the class of nurse who may detain a patient for up to 3 hours under the new Article 17A of the Mental Health (Jersey) Law 1969 (*Article 2*). It also deletes some provisions from 2 prescribed forms that have been made redundant by another amendment to that Law that removes a requirement for a member of the Health and Social Services Committee to satisfy himself as to certain matters and to designate the hospital to which the patient is to be admitted (*Article 3*).

The Order was made on 13th October 2004, and comes into force on 1st November 2004, the same day as the amendments to the 1969 Law come into force.

R&O 126/2004

The purpose of this Order is to make minor changes to the procedure governing mental health review tribunals as a consequence of changes to the Mental Health (Jersey) Law 1969.

Article 1 defines “principal Order” as the Mental Health (Review Tribunal) (Procedure) (Jersey) Order 1971

The change to Article 10 of the principal Order is a consequence of the constitution of the tribunal being changed in the Law so that only one medical member (and only one lay member) now sits (*Article 2*). The change to Article 25(1) of the principal Order removing the chairman or deputy chairman’s casting vote is also a consequence of the tribunal numbers being now fixed at 3 members and the change in Article 25(2) to refer to “president” is a consequence of the addition of this term to the law to refer to the chairman, vice-chairman or deputy chairman who is presiding in any given case (*Article 3*).

Article 4 inserts a new Article 25A in the principal Order to provide for the procedure on applications to remove a patient from Jersey under the new Article 42C of the Law and *Article 5* makes changes to Article 26 to allow for this new procedure and to enable the vice-chairman to re-constitute tribunals when the chairman is unable to act.

Article 6 makes changes in the First Schedule to the principal Order consequential on the reduction of medical members to one. *Article 7* substitutes a new Fourth Schedule setting out new forms for applications and the new Article 42C reviews under the Law, to be signed by the president. The Fifth Schedule is also changed to refer to the president (*Article 8*).

Article 9 names the Order and provides for it to come into force on the same day as the changes are made to the Law.

The Order was made on 13th October 2004, and comes into force on 1st November 2004.

R&O 127/2004

This Order increases the fee payable per lodger on registration or renewal of registration of a lodging house from £10.40 in 2004 to £10.66 in 2005, an increase of 2.5%.

The Order was made on 15th October 2004 and comes into force on 1st January 2005.

**NOTIFICATION OF STANDING ORDER DECISIONS -
FINANCE AND ECONOMICS COMMITTEE
(delegated functions)**

14th October 2004

- (a) as recommended by the Environment and Public Services Committee, the assignment of lease to Premier Service Marine Engineering of the ground site currently known as The Quarry, Gorey Pier, Gorey Pier Road, St. Martin for a period of 99 years at a commencing annual rent of four per cent of the estimated rental value of the completed development, rising to six per cent of the estimated rental after 15 years. The first payment of rent would be due 18 months after the lease commencement date in order to allow for demolition and the construction period. The rent would be reviewed on the fifth anniversary of the commencement date and thereafter every five years. The property was to be used for the redevelopment of the site as a mixed use site for marine workshop and residential units in accordance with plans yet to be approved by the Environment and Public Services Committee. Each party was to be responsible for its own legal costs arising from the transaction;
- (b) as recommended by the Environment and Public Services Committee –
- (i) the sub-lease by Avo Shocks International Limited to Sonnic Cleaning Services Limited of premises (measuring 3,684 square feet with an additional yard area of 775 square feet) at Unit 5, La Rue Gosse La Collette, St. Helier, for a period of nine years from 25th September 2004, on the basis that the public's reasonable professional fees arising from the transaction would be met; and
- (ii) the assignment of the lease from Channel Islands Welding Limited to Edmondson Electrical Limited, of a gross internal area of 3,915 square feet with an external yard and store (measuring 160 square feet) for a period of nine years, at an annual rent of £34,250, subject to the conditions contained in the report of the Director of Property Services dated 14th September 2004, on the basis that the public's reasonable surveyor's fees of £100 arising from the transaction would be met; and,
- (c) as recommended by the Environment and Public Services Committee, the lease to Mr. Charles Richard Lee of Field No. 87, La Route des Quennevais, St. Brelade (measuring approximately 4.30.00 vergées), to be used for agricultural purposes only, for a period of three years from 1st July 2004, at an annual rent of £200 payable on 1st January each year, on the basis that the Committee retains the right to recover a strip of the field along the main road for the creation of a cycle track, with each party to be responsible for its own legal costs arising from the transaction.