



STATES OF JERSEY ORDER PAPER

19th JANUARY 2021

SUMMARY

- 9.30 a.m. Communications by the Presiding Officer and other announcements
- Appointments, matters of privilege, petitions
- Appointment of the Chair of the Economic and International Affairs Scrutiny Panel
 - Nomination of the Deputy of St. Martin and Deputy G.J. Truscott as members of the Environment, Housing and Infrastructure Scrutiny Panel
 - Nomination of Senator T.A. Vallois as a member of the Children, Education and Home Affairs Scrutiny Panel
- Approx. 10.15 a.m. Oral questions with notice
Up to 2 hours 20 minutes
- Urgent questions (if any)*
- Up to 45 minutes, divided between the three Ministers Oral questions without notice:
- Minister for Children and Housing
 - Minister for Economic Development, Tourism, Sport and Culture
 - Chief Minister
- Statements (if any)*
- Approx. 2.45 p.m. **Draft Amendment (No. 51) of the Standing Orders of the States of Jersey (P.161/2020)**
- Draft Financial Services Ombudsman (Board – Amendment) (Jersey) Regulations 202-** (P.162/2020)
- Jersey Employment and Discrimination Tribunal: Appointment of Side Members (P.164/2020)**
- Amendment of the Standing Orders of the States of Jersey to Provide for Political Parties (P.166/2020)**
- Jersey Police Complaints Authority: Appointment of Chair (P.169/2020)**
- 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 20th and Thursday 21st January 2021 if necessary.



STATES OF JERSEY ORDER PAPER

19th JANUARY 2021

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Sanctions and Asset-Freezing (Implementation of EU Regulations) (Amendment – Libya) (Jersey) Order 2020. <i>Minister for External Relations.</i>	R&O.170/2020.
Covid-19 (Workplace Restrictions) (Amendment No. 6) (Jersey) Order 2020. <i>Minister for Health and Social Services.</i>	R&O.171/2020.
Road Traffic (St. Saviour) (Amendment No. 13) (Jersey) Order 2020. <i>Minister for Infrastructure.</i>	R&O.172/2020.
Road Traffic (St. Peter) (Amendment No. 10) (Jersey) Order 2020. <i>Minister for Infrastructure.</i>	R&O.173/2020.
Infrastructure (Driver and Vehicle Standards – 2021 Fees) (Jersey) Order 2020. <i>Minister for Infrastructure.</i>	R&O.174/2020.
Prison (Amendment No. 4) (Jersey) Rules 2020. <i>Minister for Home Affairs.</i>	R&O.175/2020.
Home Affairs (Fire and Rescue and Petroleum – 2021 Fees) (Jersey) Order 2020. <i>Minister for Home Affairs.</i>	R&O.176/2020.
Customs and Excise (Import and Export Control) (Amendment No. 3) (Jersey) Order 2020. <i>Minister for Home Affairs.</i>	R&O.177/2020.
Immigration (EU Withdrawal) (Commencement) (Jersey) Order 2020. <i>Minister for Home Affairs.</i>	R&O.178/2020.
Immigration (Control of Entry Through Republic of Ireland) (Amendment – End of Transition Period) (Jersey) Order 2020. <i>Minister for Home Affairs.</i>	R&O.179/2020.
Covid-19 (Workplace – Sixteenth Extension) (Jersey) Order 2020. <i>Minister for Health and Social Services.</i>	R&O.180/2020.
Covid-19 (Gathering Control) (Amendment) (Jersey) Order 2020. <i>Minister for Health and Social Services.</i>	R&O.181/2020.
Nursing Homes (2021 Fees) (Jersey) Order 2020. <i>Chief Minister.</i>	R&O.182/2020.
Covid-19 (Workplace Restrictions) (Amendment No. 7) (Jersey) Order 2020. <i>Minister for Health and Social Services.</i>	R&O.183/2020.



Financial Services (Disclosure and Provision of Information) (Jersey) Order 2020. <i>Minister for External Relations.</i>	R&O.184/2020.
Environment (2021 Fees) (Jersey) Order 2020. <i>Minister for the Environment.</i>	R&O.185/2020.
Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 8) Regulations (Commencement) Order 2020. <i>Minister for the Environment.</i>	R&O.187/2020.
Plant Health (Phytosanitary Certificates and UK Plant Passports) (Jersey) Order 2020. <i>Minister for the Environment.</i>	R&O.188/2020.
European Union (Law and Regulations to United Kingdom Exit) (Commencement No. 2) (Jersey) Order 2020. <i>Minister for External Relations.</i>	R&O.189/2020.
European Union Legislation (Addition of Treaties) (Jersey) Order 2020. <i>Minister for External Relations.</i>	R&O.190/2020.
Covid-19 (Gathering Control – Extension) (Jersey) Order 2021. <i>Minister for Health and Social Services.</i>	R&O.1/2021.
Covid-19 (Workplace – Seventeenth Extension) (Jersey) Order 2021. <i>Minister for Health and Social Services.</i>	R&O.2/2021.

C. DOCUMENTS PRESENTED

Amendment of the Standing Orders of the States of Jersey to Provide for Political Parties (P.166/2020): comments. Presented: 13th January 2021, <i>Privileges and Procedures Committee.</i>	P.166/2020. Com.
Review of Estate Management (P.A.C.1/2019): comments. Presented: 23rd December 2020, <i>Public Accounts Committee.</i>	P.A.C.1/2019. Com.
Accounting Standards to be Adopted for the States of Jersey’s Annual Financial Statements 2020. Presented: 23rd December 2020, <i>Minister for Treasury and Resources.</i>	R.144/2020.
States of Jersey Complaints Board: Findings – Complaint by Mr. A. Liddle Against the Minister for the Environment Regarding the Lack of Enforcement Action Relating to the Operation by an Online Retailer Within St. Peter’s Technical Park. Presented: 6th January 2021, <i>Privileges and Procedures Committee.</i>	R.1/2021.
Policy Guidance in Respect of the Lodging and Presentation Process. Presented: 8th January 2021, <i>Privileges and Procedures Committee.</i>	R.2/2021.
Time Limits on Speeches in Debates: Guidance on the Exercise of Discretion. Presented: 8th January 2021, <i>Privileges and Procedures Committee.</i>	R.3/2021.
Land Transactions Under Standing Order 168(3) – Office Accommodation Project, 31-41 Broad Street & 19-29 Commercial Street, St. Helier – Lease. Presented: 8th January 2021, <i>Minister for Infrastructure.</i>	R.4/2021.



Office of the Financial Ombudsman: Appointment of Board Member. Presented: 11th January 2021, <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	R.5/2021.
Andium Homes Limited: Appointment of an Independent Director to Act as Chair. Presented: 12th January 2021, <i>Minister for Treasury and Resources.</i>	R.6/2021.
States of Jersey Investment Strategies (January 2021). Presented: 12th January 2021, <i>Minister for Treasury and Resources.</i>	R.7/2021.
Foreshore Encroachment Policy Review. Presented: 14th January 2021, <i>Environment, Housing and Infrastructure Scrutiny Panel.</i>	S.R.1/2021.
Change to the Deployment of Taser by the States of Jersey Police Force (S.R.6/2020) – Response of the Minister for Home Affairs. Presented: 13th January 2021, <i>Minister for Home Affairs.</i>	S.R.6/2020. Res.
Government Plan: 2021-2024 (S.R.10/2020) – Joint Response of the Ministers for Social Security and Health and Social Services. Presented: 12th January 2021, <i>Minister for Social Security.</i>	S.R.10/2020. Res.

D. NOTIFICATION OF LODGED PROPOSITIONS

(Note: The lodging of proposition P.170/2020 and P.171/2020 were listed on the Order Paper for the meeting held on 27th December 2020).

Encroachments on the Foreshore: Revised Policy (P.111/2020): amendment. Lodged: 31st December 2020, <i>Deputy of Grouville.</i>	P.111/2020. Amd.
Draft Covid-19 (Island Plan) (Jersey) Regulations 202-. Lodged: 22nd December 2020, <i>Minister for the Environment.</i>	P.168/2020.
Jersey Police Complaints Authority: Appointment of Chair. Lodged: 22nd December 2020, <i>Minister for Home Affairs.</i>	P.169/2020.
Draft Taxation (Companies – Economic Substance) (Amendment No. 2) (Jersey) Law 202-. Lodged: 29th December 2020, <i>Minister for External Relations.</i>	P.172/2020.
Skatepark at Les Quennevais Sports Centre. Lodged: 6th January 2021, <i>Senator S.W. Pallett.</i>	P.1/2021.

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 it is to be withdrawn –

Immigration Acts: Extension to Jersey by Order in Council. Lodged: 22nd September 2020, <i>Chief Minister.</i>	P.119/2020.
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F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

Appointment of the Chair of the Economic and International Affairs Scrutiny Panel.



Nomination of the Deputy of St. Martin and Deputy G.J. Truscott as members of the Environment, Housing and Infrastructure Scrutiny Panel.

Nomination of Senator T.A. Vallois as a member of the Children, Education and Home Affairs Scrutiny Panel.

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions

There are no Written Questions to which answers have been tabled since the previous meeting.

(b) – Oral Questions

(140 minutes)

- OQ.12/2021** 1. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for Health and Social Services –
- “Will the Minister update the Assembly on the current medical advice with regards to the safe opening of schools during the Covid-19 pandemic; and give a comparative assessment of the health and wellbeing effects of continuing to keep the schools open as opposed to closing them?”
- OQ.14/2021** 2. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Treasury and Resources –
- “Will the Minister explain the current position in relation to ensuring that bodies such as E-Bay, Amazon, or other British national and international trading bodies and foreign States, are not charging Islanders V.A.T. on goods purchased or, alternatively, that mechanisms are in place to refund any V.A.T. charged; and what action, if any, her department is taking to ensure that Jersey consumers are not being disadvantaged in this regard?”
- OQ.2/2021** 3. Deputy J.M. Maçon of St. Saviour will ask the following question of H.M. Attorney General –
- “Will H.M. Attorney General advise whether there are any legal considerations involved in decisions taken to change the priority order for people to receive a Covid vaccination and what legal recourse, if any, is available to any members of the public who are adversely impacted by such decisions?”
- OQ.23/2021** 4. Deputy S.M. Ahier of St. Helier will ask the following question of the Minister for Children and Housing –
- “Will the Minister advise the Assembly what plans, if any, he has to increase the age of criminal responsibility in Jersey?”



- OQ.1/2021 5. Deputy K.F. Morel of St. Lawrence will ask the following question of the Minister for the Environment –
- “Will the Minister advise the Assembly if any research or studies have taken place to identify whether there are any clusters of PFAS (perfluoroalkyl substances) related illnesses or conditions within the PFAS plume area, the wider St. Ouen’s Bay area or the Island as a whole?”
- OQ.21/2021 6. Senator S.Y. Mézec will ask the following question of the Chief Minister –
- “What evidence, if any, can the Chief Minister provide to demonstrate whether levels of income inequality, and the number of Islanders living on relative low incomes, have either risen or fallen during his time in office?”
- OQ.19/2021 7. Deputy K.G. Pamplin of St. Saviour will ask the following question of H.M. Attorney General –
- “Will H.M. Attorney-General advise members of the extent, if any, to which the Island’s road traffic legislation protects the most vulnerable road users by the means of presumed liability?”
- OQ.16/2021 8. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –
- “Will the Chief Minister explain how the proposal to create the new post of Director of Analytics and Statistics, operating from the Strategy, Policy, Planning and Performance (S.P.P.P.) Department and ultimately responsible to the S.P.P.P. Director General, does not remove the necessary independence of Statistics Jersey?”
- OQ.4/2021 9. Senator S.W. Pallett will ask the following question of the Minister for Health and Social Services –
- “Given the increased risk of mental distress to Islanders as a result of both past and present Covid-19 restrictions, will the Minister advise the Assembly of the current waiting times for an appointment at the Listening Lounge, Jersey Talking Therapies and Adult Mental Health Services?”
- OQ.8/2021 10. The Connétable of St. Martin will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –
- “Will the Minister advise what action, if any, is being taken to ensure that senior leads and officers for the new Arts and Culture strategies are sourced locally?”
- OQ.5/2021 11. Deputy I. Gardiner of St. Helier will ask the following question of the Assistant Chief Minister –
- “Will the Minister provide States members and the public with diagrams of what the proposed hospital and suggested access routes will look like ahead of the planned debate of ‘Our Hospital: Preferred Access Route’ (P.167/2020)?”
- OQ.10/2021 12. Deputy R.J. Ward of St. Helier will ask the following question of the Minister for Social Security –
- “Given that pay-as-you-go mobile phone users can pay up to 39p a minute when held in a queue for the Social Security or Covid-19 helplines, will the Minister advise whether there is any facility for members of the public to make these calls for free; and if not, will the Minister commit to enabling this as a matter of urgency?”



- OQ.18/2021 13. Deputy C.S. Alves of St. Helier will ask the following question of the Minister for Social Security –
- “Will the Minister advise why taxpayers on the marginal rate tax are paying 1.95% of their taxable income for long-term care, whereas those on the standard tax rate are charged only 1.5% on their taxable income?”
- OQ.20/2021 14. Deputy K.G. Pamplin of St. Saviour will ask the following question of the Minister for Health and Social Services –
- “What has been the response from Islanders to date to the letters inviting them to take part in the Assisted Dying Citizens’ Jury; and is its establishment on track to meet the timetable for delivery?”
- OQ.22/2021 15. Senator S.Y. Mézec will ask the following question of the Minister for Infrastructure –
- “Since the relocation of Government offices from Cyril Le Marquand House to Broad Street in 2018, as part of a wider office strategy to free up Government-owned sites for affordable housing, will the Minister advise how many Government-owned sites have been officially identified for this purpose?”
- OQ.7/2021 16. Deputy K.F. Morel of St. Lawrence will ask the following question of the Chief Minister –
- “In light of the incorporation of Statistics Jersey into Strategic Policy, Performance, and Planning (S.P.P.P.), will the Chief Minister explain what further measures, if any, are planned in respect of the status of Statistics Jersey; and will he state why the Chief Statistician has been placed on gardening leave?”
- OQ.6/2021 17. Deputy I. Gardiner of St. Helier will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –
- “Given that the E-petition calling for additional support to small businesses has received over 1,000 signatures, will the Minister advise what plans he has, if any, to offer one-off grants to those that have been worst affected by forced closures?”
- OQ.15/2021 18. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Children and Housing –
- “Given the impacts of Covid-19 and the acute shortage of housing, especially for low paid and vulnerable members of society, will the Minister advise what actions, if any, are being taken to prevent Islanders being evicted from their homes during the pandemic; will he also state whether the use of hotels or sofa-surfing are considered viable policy alternatives by the Government to the prevention of eviction?”
- OQ.3/2021 19. Deputy J.M. Maçon of St. Saviour will ask the following question of H.M. Attorney General –
- “Further to Oral Question 193/2020 regarding access to the electoral register, will H.M. Attorney General advise whether individuals can apply to each Parish to receive a copy of the electoral registers for the purpose of promoting enrolment on the register; and, if so, how they are able to do so?”



OQ.9/2021 20. The Connétable of St. Martin will ask the following question of the Minister for Health and Social Services –

“Will the Minister update the Assembly on how the proposed changes to the Assisted Reproduction Unit are progressing; will he assure members that there will be no interruption to patient treatments or services during any transition period and, if he cannot make such an assurance, will the Minister explain why?”

OQ.13/2021 21. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for Health and Social Services –

“Will the Minister advise what the current position is in relation to ensuring support partners are able to accompany pregnant women for scans; and whether it is possible for individuals to be tested, and to isolate in advance of planned scans, to enable this to happen?”

OQ.11/2021 22. Deputy R.J. Ward of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Further to the adoption of P.94/2019, will the Minister update members on the implementation of the commitments to work with Statistics Jersey on the requirement that all States expenditure be classified in accordance with the United Nations Classification of the Functions of Government system and to ensure that Government documents present and classify financial information in accordance with international best practice?”

OQ.17/2021 23. 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 activity that is taking place in the Hospital to address routine elective and urgent treatments; will he provide the latest waiting lists for surgery for December 2020 compared to December 2019, and state what alternative treatment, if any, is offered in the event of patients being turned away from the Hospital?”

(c) – Questions to Ministers without notice (45 minutes) –

1st question period – Minister for Children and Housing

2nd question period – Minister for Economic Development, Tourism, Sport and Culture

3rd question period – Chief Minister

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Draft Amendment (No. 51) of the Standing Orders of the States of Jersey.
Lodged: 4th December 2020, *Deputy S.M. Wickenden of St. Helier.*

P.161/2020.



Draft Financial Services Ombudsman (Board – Amendment) (Jersey) Regulations 202-. P.162/2020.

Lodged: 7th December 2020, *Minister for Economic Development, Tourism, Sport and Culture.*

Jersey Employment and Discrimination Tribunal: Appointment of Side Members. P.164/2020.

Lodged: 10th December 2020, *Minister for Social Security.*

Amendment of the Standing Orders of the States of Jersey to Provide for Political Parties. P.166/2020.

Lodged: 11th December 2020, *Senator S.Y. Mézec.*

Amendment of the Standing Orders of the States of Jersey to Provide for Political Parties (P.166/2020): comments. P.166/2020.
Com.

Presented: 13th January 2020, *Privileges and Procedures Committee.*

Jersey Police Complaints Authority: Appointment of Chair. P.169/2020.

Lodged: 22nd December 2020, *Minister for Home Affairs.*

M. ARRANGEMENT OF PUBLIC BUSINESS

9th February 2021

Draft Wildlife (Jersey) Law 202-. P.110/2020.

Lodged: 11th September 2020, *Minister for the Environment.*

(Re-issue)

Note: The 2nd reading of the Draft Regulations will resume, following adoption of the principles on 3rd November 2020 and the subsequent referral to the Environment, Housing and Infrastructure Scrutiny Panel under Standing Order 72(1).

Draft Wildlife (Jersey) Law 2020- (P.110/2020): amendment. P.110/2020.

Lodged: 21st October 2020, *Deputy of St. Martin.*

Amd.

Draft Wildlife (Jersey) Law 202- (P.110/2020): amendment (P.110/2020 Amd.) – P.110/2020.
comments. Amd.Com.

Presented: 30th October 2020, *Minister for the Environment.*

Encroachments on the Foreshore: Revised Policy. P.111/2020.

Lodged: 18th September 2020, *Minister for Infrastructure.*

Foreshore Encroachment Policy Review. S.R.1/2021.

Presented: 14th January 2021, *Environment, Housing and Infrastructure Scrutiny Panel.*

Encroachments on the Foreshore: Revised Policy: amendment. P.111/2020.

Lodged: 31st December 2020, *Deputy of Grouville.*

Amd.

Migration Control Policy. P.137/2020.

Lodged: 20th October 2020, *Chief Minister.*

Migration Control Policy (P.137/2020): amendment. P.137/2020.

Lodged: 23rd October 2020, *Deputy J.H. Perchard of St. Saviour.*

Amd.

Secondary Employment of Public Sector Employees: Review of Policies. P.146/2020.

Lodged: 30th October 2020, *Deputy J.M. Maçon of St. Saviour.*



Residential Properties in the Waterfront Development.

Lodged: 11th December 2020, *Senator S.Y. Mézec.*

P.165/2020.

Our Hospital: Preferred Access Route.

Lodged: 14th December 2020, *Council of Ministers.*

P.167/2020.

Draft Covid-19 (Island Plan) (Jersey) Regulations 202-.

Lodged: 22nd December 2020, *Minister for the Environment.*

P.168/2020.

Draft Taxation (Companies – Economic Substance) (Amendment No. 2) (Jersey) Law 202-.

Lodged: 29th December 2020, *Minister for External Relations.*

P.172/2020.

DR. M. EGAN
Greffier of the States

14th January 2021

Note –

In accordance with the meeting dates fixed for 2019 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 20th and Thursday 21st January 2021.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.170/2020.

Sanctions and Asset-Freezing (Implementation of EU Regulations) (Amendment – Libya) (Jersey) Order 2020.

Minister for External Relations.

This Order amends the Sanctions and Asset-Freezing (Implementation of EU Regulations) (Jersey) Order 2020 (the “Sanctions Order”) to give effect to Council Regulation (EC) No 3275/93 of 29 November 1993 prohibiting the satisfying of claims with regard to contracts and transactions the performance of which was affected by the United Nations Security Council Resolution 883 (1993) and related resolutions. The amendment renders it an offence under Article 4(1) of the Sanctions Order (carrying imprisonment for up to 7 years, an unlimited fine, or both) to contravene or circumvent the prohibition against satisfying those claims. However, under Article 2(c) of the Sanctions Order, the amendment does not have effect to any extent that it is inconsistent with or repugnant to any provision of the Libya (United Nations Sanctions) (Channel Islands) Order 1993 (S.I. 1993/2811 of the United Kingdom), so long as the latter Order is in force and has effect in the law of Jersey.

The Order was made on 18th December 2020 and came into force on 19th December 2020.

R&O.171/2020.

Covid-19 (Workplace Restrictions) (Amendment No. 6) (Jersey) Order 2020.

Minister for Health and Social Services.

This Order –

- (a) closes workplaces (i.e. vehicles) used by registered driving instructors for the purposes of giving driving instruction (*Article 2*);
- (b) restricts non-licensed food and drink premises to providing only take-away services (*Article 3*); and
- (c) requires occupiers and operators of all food and drink premises to require people on the premises to maintain a distance of at least 2 metres from each other so far as reasonably practicable (*Article 4*).

Article 5 provides the name by which the Order may be cited and for it to come into force the day after it is made.

The Order was made on 18th December 2020 and came into force on 19th December 2020.

R&O.172/2020.

Road Traffic (St. Saviour) (Amendment No. 13) (Jersey) Order 2020.

Minister for Infrastructure.

This Order amends the Road Traffic (St. Saviour) (Jersey) Order 2000 by creating a one-way traffic route and prohibiting parking in Bagatelle Lane and deleting an obsolete provision relating to Les Varines.

This Order comes into force 7 days after the day it is made.

The Order was made on 18th December 2020 and came into force on 25th December 2020.



R&O.173/2020.

Road Traffic (St. Peter) (Amendment No. 10) (Jersey) Order 2020.

Minister for Infrastructure.

This Order amends the Road Traffic (St. Peter) (Jersey) Order 1992 by (a) prohibiting parking on specified parts of certain roads and (b) creating a counter flow cycle route on the one-way southbound section of La Vallée de Bas.

This Order comes into force 7 days after the day it is made.

The Order was made on 18th December 2020 and came into force on 25th December 2020.

R&O.174/2020.

Infrastructure (Driver and Vehicle Standards – 2021 Fees) (Jersey) Order 2020.

Minister for Infrastructure.

This Order increases certain fees charged by Driver and Vehicle Standards from 1st January 2021 by an average of approximately 2.5% (the fee increases being rounded to the nearest pound).

The Order was made on 18th December 2020 and came into force on 1st January 2021.

R&O.175/2020.

Prison (Amendment No. 4) (Jersey) Rules 2020.

Minister for Home Affairs.

These Rules amend the Prison (Jersey) Rules 2007 to extend the application of Rule 63 (which allows the remission of sentences of imprisonment) and Rule 64 (which allows prisoners to be temporarily released) to prisoners in youth detention.

The Rules were made on 19th December 2020 and came into force on 20th December 2020.

R&O.176/2020.

Home Affairs (Fire and Rescue and Petroleum – 2021 Fees) (Jersey) Order 2020.

Minister for Home Affairs.

This Order increases, with effect from 1st January 2021, various fees and charges associated with the Fire and Rescue Service and licensing fees under the Petroleum (Jersey) Law 1984. The fees and charges were last increased on 1st January 2020, and the increases range from 1.8% to 2.5%.

The Order was made on 21st December 2020 and came into force on 1st January 2021.

R&O.177/2020.

Customs and Excise (Import and Export Control) (Amendment No. 3) (Jersey) Order 2020.

Minister for Home Affairs.



This Order amends Schedule 3 to the Customs and Excise (Import and Export Control) (Jersey) Order 2006, which specifies goods for which an export licence is required.

This Order amends an incorrect reference to the Export of Objects of Cultural Interest (Control) Order 2003 of the United Kingdom in paragraph 4 of Schedule 3 and ensures that the reference to Export Control Order 2008 of the United Kingdom in paragraph 5 is a reference to that Order as amended from time to time. This Order also adds a new paragraph 6 which covers goods that are controlled radioactive sources listed in the Schedule to the Export of Radioactive Sources (Control) Order 2006 of the United Kingdom, as amended from time to time.

The Order comes into force 7 days after it is made.

The Order was made on 21st December 2020 and came into force on 28th December 2020.

R&O.178/2020.

Immigration (EU Withdrawal) (Commencement) (Jersey) Order 2020.

Minister for Home Affairs.

This Order brings the Immigration (EU Withdrawal) (Jersey) Order 2020 into force when Article 2 of the European Union (Repeal and Amendment) (Jersey) Law 2018 is brought into force. That Article repeals the European Union (Jersey) Law 1973 and is to be brought into force by an Order made with the approval of the Council of Ministers.

The Immigration (EU Withdrawal) (Jersey) Order 2020 was registered by the Royal Court on 18th December 2020. It is an Order of Her Majesty in Council extending to Jersey, with modifications, certain parts of the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 of the United Kingdom.

The Commencement Order was made on 21st December 2020 and came into force forthwith.

R&O.179/2020.

Immigration (Control of Entry Through Republic of Ireland) (Amendment – End of Transition Period) (Jersey) Order 2020.

Minister for Home Affairs.

This Order amends the Immigration (Control of Entry Through Republic of Ireland) (Jersey) Order 2018 to make provision for the end of the Brexit transition period.

The Order repeals and replaces the previous amending Order for Brexit, the Immigration (Control of Entry Through Republic of Ireland) (Amendment) (Jersey) Order 2019, which has not yet commenced. This Order commences when Article 2 of the European Union (Repeal and Amendment) (Jersey) Law 2018 is brought into force to repeal the remaining provisions of the European Union (Jersey) Law 1973.

The effect of the Order is to place nationals of European Economic Area states (other than Irish citizens) on the same footing as nationals of other countries that are not part of the Common Travel Area, when they come to Jersey through the Republic of Ireland. The Order also lists India and China as countries whose citizens may travel to Jersey on the basis of a visa granted by the Republic of Ireland for a 90 day visit.

The Order also makes provision to reflect changes, resulting from Brexit, to equivalent United Kingdom legislation, namely the Immigration (European Economic Area) Regulations 2016 (S.I. 2016/1052), the Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020 (S.I. 2020/1209) and the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020 (S.I. 2020/1309). The Order also makes provision to reflect changes, resulting from Brexit, to Jersey's Immigration Rules, which are the directions (as amended from time to time) given under sections 1(4A)



and 3(2) of the Immigration Act 1971 of the United Kingdom as extended to Jersey with modifications by the Immigration (Jersey) Order 1993 and the Immigration (Jersey) (Amendment) Order 2017. In particular those changes to Jersey's Immigration Rules include restrictions and conditions on engaging in an occupation or employment, or receiving payment for work.

The Order was made on 21st December 2020 and comes into force on the commencement of Article 2 of the European Union (Repeal and Amendment) (Jersey) Law 2018, except for Article 7 which came into force on 22nd December 2020.

R&O.180/2020.

Covid-19 (Workplace – Sixteenth Extension) (Jersey) Order 2020.

Minister for Health and Social Services.

This Order amends the Covid-19 (Workplace Restrictions) (Jersey) Order 2020, to extend the restriction period to end at the end of Wednesday 6th January 2021.

The Order was made on 22nd December 2020 and came into force on 24th December 2020.

R&O.181/2020.

Covid-19 (Gathering Control) (Amendment) (Jersey) Order 2020.

Minister for Health and Social Services.

This Order amends the Covid-19 (Gathering Control) Order 2020 (as stated in Article 1) as follows.

Article 2 amends the date when all the gathering control restrictions expire to 6th January.

Article 3 limits gatherings of people in the open air to 10 people.

Article 4 substitutes new exceptions to the provisions that limit gatherings to 10 people. Controlled gatherings of up to 20 people are allowed at weddings and civil partnership celebrations, funerals and religious services as well as children's activity groups established before the gathering control restrictions were first introduced. Controlled gatherings are those at which a responsible person has taken all reasonable steps to assist in controlling the spread of Covid-19. These gatherings must have been arranged before this Order came into force and take place no later than 6th January. A further general exception is allowed for gatherings organised by the Jersey Youth Service.

Article 5 provides for how the Order may be cited and for it to commence the day after it is made.

The Order was made on 22nd December 2020 and came into force on 23rd December 2020.

R&O.182/2020.

Nursing Homes (2021 Fees) (Jersey) Order 2020.

Chief Minister.

This Order amends the Nursing Homes (General Provisions) (Jersey) Order 1995 to increase, from 1st January 2021, the registration and annual fees set out in that Order by 2.5% in line with Government of Jersey inflation Policy. Those fees were last increased with effect from 1st January 2020.

The Order was made on 23rd December 2020 and came into force on 1st January 2021.



R&O.183/2020.

Covid-19 (Workplace Restrictions) (Amendment No. 7) (Jersey) Order 2020.

Minister for Health and Social Services.

This Order amends the Covid-19 (Workplace Restrictions) (Jersey) Order 2020 (*Article 1*) (the “principal Order”) as follows.

Article 2 inserts a new interpretation provision, as Article A1, into the principal Order that includes the definitions applying to more than one Article.

Article 3 substitutes provisions in the principal Order that specify the workplaces that must be closed to the public completely and those that are permitted to be open for certain purposes only. The workplaces that are completely closed are –

- (a) amusement centres;
- (b) art galleries;
- (c) auction houses and betting agencies;
- (d) places doing cosmetic and beauty treatments, tattoo and massage parlours and hairdressers;
- (e) jacuzzis, steam rooms, saunas, etc.;
- (f) entertainment facilities;
- (g) swimming pools;
- (h) soft play areas;
- (i) workplaces used by registered driving instructors (including vehicles); and
- (j) retail premises that are not “permitted shops” (these are defined; essentially they are businesses considered to be providing essential retail services).

The workplaces that are open to the public only for certain purposes are –

- (a) food and drink premises for take-away only;
- (b) licensed premises other than off-licences and hotels for very limited purposes;
- (c) permitted shops for the purpose of selling their usual products;
- (d) markets to the extent of allowing food and drink premises and shops as permitted by the Article;
- (e) libraries, for the purpose of public access to computers;
- (f) indoor facilities for recreation, sport and exercise that are not part of schools, only for limited purposes connected with accessing outdoor areas;
- (g) the indoor areas of visitor attractions only for limited purposes connected with accessing outdoor areas.

There are exceptions relating to reasonable access to toilet facilities or to administer appropriate first aid, to provide free services to vulnerable people or to accommodate people who have nowhere else to go, are essential workers or who are accessing a public service.

Article 4 extends the requirement for visitors to workplaces to wear masks to take-away food and drink premises, markets, libraries, the indoor facilities for recreation, etc. mentioned above and the indoor areas of visitor attractions.

Article 5 extends the requirement for workers to wear masks or visors to markets, libraries, the indoor facilities for recreation, etc. mentioned above and the indoor areas of visitor attractions.

Article 6 makes a small amendment as a result of some definitions being relocated to Article A1.

Article 7 extends the 2 metre distancing requirements markets, libraries, indoor recreation facilities and the indoor areas of visitor attractions.

Article 8 provides for how the Order may be cited and provides for it to come into force at 6 p.m. on 24th December 2020.

The Order was made on 23rd December 2020 and came into force at 6 p.m. on 24th December 2020.



R&O.184/2020.

Financial Services (Disclosure and Provision of Information) (Jersey) Order 2020.

Minister for External Relations.

The Financial Services (Disclosure and Provision of Information) (Jersey) Order 2020 prescribes the information required to be provided under the Financial Services (Disclosure and Provision of Information) (Jersey) Law 2020 (“the Law”) in particular circumstances, and also sets out circumstances in which certain entities are exempt from providing certain information, or where the information to be provided is varied. In particular –

Article 1 is the interpretation provision for the Order.

Article 2 prescribes the information that comprises the “beneficial owner information” as defined in Article 1 of the Law.

Article 3 prescribes the information that comprises “significant person information” as defined in Article 1 of the Law.

Article 4 prescribes the information that must be provided to the Jersey Financial Services Commission (“the Commission”) in respect of a nominated person of an entity under Article 4(1)(d) of the Law.

Article 5 prescribes the information that must be provided to the Commission by an entity in its annual confirmation statement under Article 5(1) of the Law.

Article 6 prescribes that the Viscount is exempted from the duty to comply with Articles 4, 5, 6 or 7 of the Law.

Article 7 prescribes that an entity with a state owner need not provide the information required under Articles 4(1)(a), 4(3), 4(2)(b) or 5(1) of the Law, if it instead provides to the Commission the name and contact details of the senior official of its state owner.

Article 8 prescribes that an entity that is wholly owned by a regulated entity need not comply with Articles 4(1)(a), 4(2)(b), 4(3) and 5(1) of the Law, if it instead provides the name; address; registration number; jurisdiction of incorporation; the regulated market on which it is listed; the location of the latest published accounts, and the exchange listing ID of its owner; along with an annual confirmation to the Commission that this information remains correct.

Article 9 prescribes that an entity listed on a regulated market need not comply with Articles 4(1)(a), 4(2)(b), 4(3) or 5(1) of the Law if it instead provides to the Commission its registered office address; confirmation that it is listed on a regulated market; the location of its latest accounts, and its exchange listing ID, along with annual confirmation that these details remain correct.

Article 10 prescribes that an entity that is owned by a Jersey-incorporated or registered regulated entity is exempt from providing the information required under Articles 4(1)(a), 4(2)(b), 4(3) and 5(1) of the Law, if it instead provides the name of the regulated person who owns it and that regulated person’s registered number, and provides annual confirmation that these details remain correct and complete.

Article 11 prescribes that a charity registered under the Charities (Jersey) Law 2014 is exempt from payment of any fee charged under Article 7(1)(b) of the Law.

Article 12 gives the citation and provides that the Order will come into force on 6th January 2021.

The Order was made on 23rd December 2020 and came into force on 6th January 2021.

R&O.185/2020.

Environment (2021 Fees) (Jersey) Order 2020.

Minister for the Environment.

This Order increases, with effect from 1st January 2021, fees charged under the legislation relating to animals and veterinary matters, planning, plant health, sea fisheries, waste management, water resources



and ice-cream vehicles and stalls. The fees have been increased from a year ago by up to 2.5% (subject to rounding). The exceptions are fees under the Endangered Species (CITES) (Fees) (Jersey) Order 2012 which were not increased last year and are increased by 2.5% on the 2019 fees, and the maximum aggregate fee for an application for planning permission for more than one item in Schedule 1 to the Planning and Building (Fees) (Jersey) Order 2008 which has increased by 31.25%.

The Order was made on 24th December 2020 and came into force on 1st January 2021.

R&O.187/2020.

Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 8) (Jersey) Regulations (Commencement) Order 2020.

Minister for the Environment.

This Order makes provision for the Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 8) (Jersey) Regulations 2020 to come into force at 11 p.m. on 31st December 2020.

The Order was made on 31st December 2020 and came into force forthwith.

R&O.188/2020.

Plant Health (Phytosanitary Certificates and UK Plant Passports) (Jersey) Order 2020.

Minister for the Environment.

This Order makes provision for phytosanitary certificates to be used for the movement of plants, plant products and other objects (“plants”) into Jersey from Member States of the European Union, and for UK plant passports to be used for the introduction of plants into Jersey, their movement in Jersey and their movement from Jersey to Great Britain, Guernsey and the Isle of Man.

Part 1 contains general provisions.

Article 1 contains definitions. The definitions “Jersey pest-free area” and “Jersey PFA quarantine pest” refer to the pests and plants listed in the Schedule to the Order. Expressions that are used in the Order and in Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants (“the EU Plant Health Regulation”) but are not defined in the Order have the same meaning as in the EU Plant Health Regulation.

Article 2 provides that the Order applies to plants brought into Jersey from a Member State, Great Britain, Guernsey or the Isle of Man, moved within Jersey, or taken from Jersey to Great Britain, Guernsey or the Isle of Man. It also provides that nothing in the Order derogates from the EU Legislation (Plant Health) (Jersey) Regulations 2020.

Part 2 makes provision for phytosanitary certificates.

Article 3 sets out which plants must be accompanied by a phytosanitary certificate and the circumstances in which a certificate is required. It also requires that their arrival is pre-notified to the Minister for the Environment (“the Minister”). A person who, without reasonable excuse, contravenes this Article commits an offence and is liable to an unlimited fine.

Article 4 sets out the requirements of the phytosanitary certificate.

Article 5 makes provision for the invalidation of a phytosanitary certificate if any of the requirements have not been fulfilled.

Part 3 makes provision for UK plant passports.

Article 6 provides that a UK plant passport is an official label used for the introduction of specified plants into Jersey from Great Britain, Guernsey or the Isle of Man, their movement within Jersey, and their movement from Jersey to Great Britain, Guernsey or the Isle of Man.



Article 7 sets out when a UK plant passport is required. A person who, without reasonable excuse, contravenes this Article commits an offence and is liable to an unlimited fine.

Article 8 provides for exceptions to the requirement for a UK plant passport where plants are provided directly to a final user, plants are moved between the premises of a registered operator which are in close proximity, and where plants that were introduced into Jersey with a phytosanitary certificate are moved within Jersey.

Article 9 makes detailed provision for the content and format of a UK plant passport. These requirements are by reference to the United Kingdom's legislation on UK plant passports.

Article 10 provides that UK plant passports are to be issued by authorised operators and sets out the requirements an authorised operator must comply with. A person who, without reasonable excuse, contravenes these requirements commits an offence and is liable to an unlimited fine. The Article also allows the Minister to issue UK plant passports.

Article 11 sets out the detailed requirements for issuing a UK plant passport.

Article 12 makes provision for the examination of plants for which a UK plant passport is issued.

Article 13 makes provision for the Minister to authorise operators to issue UK plant passports.

Article 14 provides that Articles 88, 90 to 93 and 95 of the EU Plant Health Regulation apply to UK plant passports. A person who, without reasonable excuse, fails to comply with a requirement of those Articles commits an offence and is liable to an unlimited fine.

Article 15 makes provision for the replacement of a phytosanitary certificate by a UK plant passport when checks have been made under Article 49 of Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products (OJ L 95, 7.4.2017, p.1).

Article 16 provides for a plant passport issued in Great Britain, Guernsey or the Isle of Man to be recognised in Jersey if it meets certain requirements.

Article 17 allows plants originating in Northern Ireland that pass through Great Britain, Guernsey or the Isle of Man to be treated as originating in those jurisdictions and, where they are treated in this way, they must be accompanied by a plant passport issued by the relevant jurisdiction or by a certificate in a form and containing the information the Minister considers appropriate.

Part 4 contains the provision on commencement and citation.

Article 18 gives the title by which the Order may be cited and provides that it comes into force when the European Union (Jersey) Law 1973 is repealed by the bringing into force of Article 2 of the European Union (Repeal and Amendment) (Jersey) Law 2018.

The Order was made on 31st December 2020 and came into force at 11 p.m. on 31st December 2020.

R&O.189/2020.

European Union (Law and Regulations Related to United Kingdom Exit) (Commencement No. 2) (Jersey) Order 2020.

Minister for External Relations.

The European Union (Law and Regulations Related to United Kingdom Exit) (Commencement No. 2) (Jersey) Order 2020 brings into force, at 11 p.m. on 31st December 2020, further Law and Regulations required to provide for the effects of the United Kingdom ceasing to be a member State of the European Union.

Article 1 brings Articles 2 and 3 of the European Union (Repeal and Amendment) (Jersey) Law 2018 into force at 11 p.m. on 31st December 2020. Those Articles repeal the European Union (Jersey) Law 1973 and the European Economic Area (Jersey) Law 1995.



Article 2 brings into force, at 11 p.m. on 31st December 2020, a set of Regulations that provide for the effects of the United Kingdom ceasing to be a member State of the European Union. The Regulations commenced by this Article are –

- (a) the European Union (Financial Services – Miscellaneous Amendments) (Jersey) Regulations 2019;
- (b) the European Union (United Kingdom Exit – Alternative Investment Funds) (Jersey) Regulations 2019;
- (c) the European Union (Wines, Spirits, Milk and Dairies – Savings) (Jersey) Regulations 2019.

Article 3 gives the name by which this Order may be cited.

The Order was made on 31st December 2020 and came into force forthwith.

R&O.190/2020.

European Union Legislation (Addition of Treaties) (Jersey) Order 2020.

Minister for External Relations.

The European Union Legislation (Addition of Treaties) (Jersey) Order 2020 amends the European Union Legislation (Implementation) (Jersey) Law 2014 to add the Withdrawal Agreement and the Trade Cooperation Agreement signed between the European Union and the United Kingdom to the list of Treaties in Article 1. This Order comes into force when the European Union (Jersey) Law 1973 is repealed by the bringing into force of Article 2 of the European Union (Repeal and Amendment) (Jersey) Law 2018.

The Order was made on 31st December 2020 and came into force at 11 p.m. on 31st December 2020.

R&O.1/2021.

Covid-19 (Gathering Control – Extension) (Jersey) Order 2021.

Minister for Health and Social Services.

This Order amends the Covid-19 (Gathering Control) (Jersey) Order 2020, to extend the gathering control period to end at the end of Wednesday 20th January 2021.

This Order comes into force on 7th January 2021.

The Order was made on 4th January 2021 and came into force on 7th January 2021.

R&O.2/2021.

Covid-19 (Workplace – Seventeenth Extension) (Jersey) Order 2021.

Minister for Health and Social Services.

This Order amends the Covid-19 (Workplace Restrictions) (Jersey) Order 2020, to extend the restriction period to end at the end of Wednesday 20th January 2021.

This Order comes into force on 7th January 2021.

The Order was made on 4th January 2021 and came into force on 7th January 2021.



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

Questions without notice 2021

1st Session 2021

9th February	Education	Environment	Chief Minister
2nd March	External Relations	Health and Social Services	Chief Minister
23rd March	Home Affairs	Infrastructure	Chief Minister
20th April	International Development	Social Security	Chief Minister
11th May	Treasury and Resources	Children and Housing	Chief Minister
8th June	Economic Development, Tourism, Sport and Culture	Education	Chief Minister
29th June	Environment	External Relations	Chief Minister
20th July	Health and Social Services	Home Affairs	Chief Minister

2nd Session 2021

14th September	Infrastructure	International Development	Chief Minister
5th October	Social Security	Treasury and Resources	Chief Minister
2nd November	Children and Housing	Economic Development, Tourism, Sport and Culture	Chief Minister
23rd November	Education	Environment	Chief Minister
14th December	External Relations	Health and Social Services	Chief Minister