



STATES OF JERSEY ORDER PAPER

30th JANUARY 2017

SUMMARY

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| 2.45 p.m. | Communications by the Presiding Officer and other announcements |
| | Appointments, matters of privilege, petitions (if any) |
| | Appointment of a Member who is either a Minister or Assistant Minister to the Privileges and Procedures Committee. |
| Approx. 3.00 p.m. | Summary of written questions |
| Up to 2 hours | Oral questions with notice |
| | <i>Urgent questions (if any)</i> |
| Up to 30 minutes, divided between the two Ministers | Oral questions without notice: <ul style="list-style-type: none">• Minister for Housing• Chief Minister |
| | <i>Statements (if any)</i> |

31st January 2017
9.30 a.m.

Future Hospital Funding Strategy (as amended) (P.130/2016)

Note: The Chairman of the Corporate Services Scrutiny Panel will confirm whether or not the Panel wishes to have the proposition, as amended, referred to it under Standing Order 79(4). In the event the Chairman wishes the proposition to be referred to it, the Assembly must decide at which meeting the debate should be listed to resume. In the event the Chairman does not wish the proposition to be referred to it, the debate may either continue immediately or the Assembly must decide at which meeting the debate should be listed to resume. The debate must be listed to resume no later than the fourth meeting following this meeting, that fourth meeting being the meeting of 18th April 2017.

Vote of No Confidence: States Employment Board (P.137/2016)

Draft Commissioner for Standards (Jersey) Law 201- (P.87/2016)

Draft Commissioner for Standards (Jersey) Law 201- (P.87/2016): second amendment (P.87/2016 Amd.(2))

Composition and Election of the States Assembly (P.133/2016)

Composition and Election of the States Assembly (P.133/2016): amendment (P.133/2016 Amd.)

Composition and Election of the States Assembly (P.133/2016): amendment (P.133/2016 Amd.) – amendment (P.133/2016 Amd.Amd)

Note: Because of the requirement for a four-day lodging period Senator Ozouf's Amendment to his Amendment cannot be debated before Friday



3rd February 2017. If other business on the Order Paper for the 30th January 2017 is completed before the 3rd February, Senator Ozouf has indicated that he will 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 present meeting.

Composition and Election of the States Assembly (P.133/2016): second amendment (P.133/2016 Amd.(2))

Composition and Election of the States Assembly (P.133/2016): third amendment (P.133/2016 Amd.(3))

Composition and Election of the States Assembly (P.133/2016): fourth amendment (P.133/2016 Amd.(4))

Draft The Law Society of Jersey (Amendment No. 4) Law 201-(P.136/2016)

Arrangement of public business at subsequent sittings

The Assembly will convene at 9.30 a.m. on 31st January 2017 to consider public business.

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 1st February, Thursday 2nd February and Friday 3rd February 2017 if necessary.



STATES OF JERSEY ORDER PAPER

30th JANUARY 2017
at 2.45 p.m.

CONSOLIDATED

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

| | | |
|---|---|--------------|
| | Education (Discretionary Grants – Amounts) (Amendment No. 8) (Jersey) Order 2017. <i>Minister for Education</i> | R&O.5/2017. |
| | Road Traffic (Public Parking Places – Charges) (Jersey) Order 2017. <i>Minister for Infrastructure.</i> | R&O.6/2017. |
| | Animal Health (African Horse Sickness) (Jersey) Order 2017. <i>Minister for the Environment.</i> | R&O.7/2017. |
| * | Animal Health (Amendment of Law and Miscellaneous Revocations) (Jersey) Order 2017. <i>Minister for the Environment.</i> | R&O.8/2017. |
| | Animal Health (Bird Diseases) (Jersey) Order 2017. <i>Minister for the Environment.</i> | R&O.9/2017. |
| | Animal Health (Foot and Mouth Disease) (Jersey) Order 2017. <i>Minister for the Environment.</i> | R&O.10/2017. |
| | Animal Health (Importation of Miscellaneous Goods and Animals) (Jersey) Order 2017. <i>Minister for the Environment.</i> | R&O.11/2017. |
| | Animal Health (Miscellaneous Exotic Diseases) (Jersey) Order 2017. <i>Minister for the Environment.</i> | R&O.12/2017. |
| | Animal Health (Surveillance) (Jersey) Order 2017. <i>Minister for the Environment.</i> | R&O.13/2017. |
| | Animal Health (Swine) (Jersey) Order 2017. <i>Minister for the Environment.</i> | R&O.14/2017. |
| | Animal Health (Tuberculosis) (Jersey) Order 2017. <i>Minister for the Environment.</i> | R&O.15/2017. |
| | Artificial Insemination of Domestic Animals (Bovine Semen) (Amendment No. 2) (Jersey) Order 2017. <i>Minister for the Environment.</i> | R&O.16/2017. |
| | EU Legislation (Aquatic Animal Health – Amendment of Regulations) (Jersey) Order 2017. <i>Minister for the Environment.</i> | R&O.17/2017. |



C. DOCUMENTS PRESENTED

- * Vote of No Confidence: States Employment Board (P.137/2016) – comments. P.137/2016.
Presented: 27th January 2017, *States Employment Board*. Com.
- Land Transactions under Standing Order 168(3) – Oxford Road Workshop and R.7/2017.
9 Chevalier Road – sale.
Presented: 25th January 2017, *Minister for Infrastructure*.
- * Tourism (Jersey) Law 1948 – Proposals for Reform. R.8/2017.
Presented: 27th January 2017, *Minister for Economic Development, Tourism, Sport and Culture*.

D. NOTIFICATION OF LODGED PROPOSITIONS

- * Composition and Election of the States Assembly (P.133/2016): amendment P.133/2016.
(P.133/2016 Amd.) – amendment. Amd.Amd.
Lodged: 30th January 2017, *Senator P.F.C. Ozouf*.
- Composition and Election of the States Assembly (P.133/2016): second P.133/2016.
amendment. Amd.(2)
Lodged: 24th January 2017, *Senator L.J. Farnham*.
- Composition and Election of the States Assembly (P.133/2016): third amendment. P.133/2016.
Lodged: 24th January 2017, *Senator L.J. Farnham*. Amd.(3)
- Composition and Election of the States Assembly (P.133/2016): fourth amendment. P.133/2016.
Lodged: 24th January 2017, *Senator L.J. Farnham*. Amd.(4)
- Draft Water Pollution (Amendment No. 3) (Jersey) Law 201-. P.3/2017.
Lodged: 24th January 2017, *Minister for the Environment*.

E. WITHDRAWAL OF LODGED PROPOSITIONS

In accordance with Standing Order 34(1), the proposers of the following proposition lodged ‘au Greffe’ have informed the Greffier of the States that it is to be withdrawn –

- Draft Commissioner for Standards (Jersey) Law 201- (P.87/2016): amendment. P.87/2016.
Lodged: 1st November 2016, *Chief Minister*. Amd.

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

Appointment of a Member who is either a Minister or Assistant Minister to the Privileges and Procedures Committee.

G. MATTERS OF PRIVILEGE

H. PETITIONS



I. QUESTIONS

(a) – Written Questions

(attached)

- 1(55) 1. The Chief Minister will table an answer to a question asked by Deputy R. Labey of St. Helier regarding the parameters of ministerial responsibility and accountability.
- 1(56) 2. The Chief Minister will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the resignation of the Assistant Chief Minister with responsibility for the financial services industry, digital sector, and competition and innovation.
- 1(57) 3. The Minister for Infrastructure will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the junction of Rue des Prés and Longueville Road.
- 1(58) 4. The Minister for Infrastructure will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding traffic-calming measures on Longueville Road and Bagot Road.
- 1(59) 5. The Minister for Education will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the turnover of staff at non-private primary schools.
- 1(60) 6. H.M. Attorney General will table an answer to a question asked by the Connétable of St. Mary regarding the legal status of Long-Term Care contributions.
- 1(62) 7. The Minister for Education will table an answer to a question asked by the Deputy of St. John regarding the funding of nursery education.
- 1(63) 8. The Minister for Social Security will table an answer to a question asked by the Deputy of St. John regarding the Long-Term Care scheme.
- 1(64) 9. The Chief Minister will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding appointments undertaken by the Assistant Chief Minister with responsibility for the financial services industry, digital sector, and competition and innovation.
- 1(65) 10. The Minister for Economic Development, Tourism, Sport and Culture will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding legislative measures taken to promote economic growth.
- 1(66) 11. The Minister for Health and Social Services will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding measures taken to alleviate the burden on Accident and Emergency services.
- 1(67) 12. The Chief Minister will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding loans from the Jersey Innovation Fund approved by the Minister for Economic Development, Tourism, Sport and Culture.
- 1(68) 13. The Chief Minister will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the status of businesses which had applications for loans from the Jersey Innovation Fund refused.
- 1(69) 14. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding ministerial approval of loans from the Jersey Innovation Fund.
- 1(70) 15. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding ministerial responsibility for the financial services industry, digital sector, and competition and innovation.
- 1(71) 16. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the structure and working practices of the Law Officers' Department.



- 1(72) 17. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding meetings held in relation to the contract with Mr. Alwitry.
- 1(73) 18. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the involvement of consultants in the process to terminate the contract with Mr. Alwitry.
- 1(74) 19. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the terms of reference for reports commissioned into the termination of Mr. Alwitry's contract of employment.
- 1(75) 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 job advertisement and contractual documents provided to Mr. Alwitry.
- 1(76) 21. The Chief Minister will table an answer to a question asked by Deputy R. Labey of St. Helier regarding accountability for the loan provided from the Jersey Innovation Fund in respect of the Logfiller application.

(b) – Oral Questions
(120 minutes)

Note: Questions 3, 7, 9 and 15 were inadvertently missed from the Principal Order Paper and have therefore been inserted in the order of questions in accordance with Standing Order 14, with Question 13 (previously shown as Question 3 on the Principal Order Paper) also affected by this process.

- 1(83) 1. Senator S.C. Ferguson will ask the following question of the Minister for Treasury and Resources –
“When did the last States’ fuel contract finish and when is the new one expected to be signed?”
- 1(78) 2. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for the Environment –
“Further to the media statement from his Department on 24th January 2017 that there has been an incidence of asbestos fly tipping at Maufant, will the Minister, in consultation with colleagues, seek to increase the penalties for those found guilty of such an offence?”
- 1(88) 3. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Social Security –
*
“Will the Minister advise how the housing component of Income Support for private rental accommodation compares with the typical weekly rental costs facing occupants of such accommodation; and will she agree to review the housing component, and update it where necessary, to ensure a greater level of support is provided?”
- 1(86) 4. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Education –
“What negotiations, if any, have taken place (including at what level and with whom) with teachers’ representatives over the restructuring of teachers’ pay scales and, in particular, the decision to reduce the starting salaries for newly qualified teachers; and, if none, why have none taken place?”
- 1(93) 5. Deputy S.Y. Mézec of St. Helier will ask the following question of the Chief Minister –
“What plans, if any, does the Chief Minister have to safeguard the interests of Jersey's finance industry throughout the upcoming Brexit negotiations and what does he perceive to be the biggest risks to the finance industry arising from Brexit?”



- 1(90) 6. Deputy J.M. Maçon of St. Saviour will ask the following question of the Chief Minister –
- “Following the debate on P.130/2016 and its referral to Scrutiny, what lessons have the Council of Ministers learned from those circumstances; and what changes to processes and procedures, if any, will be put in place as a result?”
- 1(61) 7. The Connétable of St. Mary will ask the following question of the Minister for Social Security –
*
- “Following the confirmation to the Assembly on 19th January 2017 that, in at least some circumstances, Long-Term Care contributions are to be treated as a tax, will the Minister advise whether members were properly informed of that when the Long-Term Care scheme was originally proposed?”
- 1(77) 8. The Deputy of Grouville will ask the following question of the Minister for Education –
- “Will the Minister tell the Assembly to what extent the citizenship programme is regularly taught in all the Island’s secondary schools and how much of the programme, if any, is based on Jersey’s constitution, political system and local politics?”
- 1(84) 9. Deputy M.R. Higgins of St. Helier will ask the following question of the Chief Minister –
*
- “Will the Chief Minister inform members when he was first made aware, or read documents to show, that Mr. Alwitry had not made a complaint to the British Medical Association against the Clinical Director; and what actions, if any, did he take in response to this information?”
- 1(81) 10. The Deputy of St. Ouen will ask the following question of the Minister for Social Security –
- “Given the unanimous decision of the Assembly on 16th November 2016 that exclusivity clauses in zero-hour contracts should be prohibited, why does the Minister’s Business Plan for 2017 not include any proposals to implement that decision?”
- 1(82) 11. The Deputy of St. Ouen will ask the following question of the Minister for Health and Social Services –
- “Following the launch in the United Kingdom of the Faculty of Physician Associates at the Royal College of Physicians in July 2015, will the Minister undertake to consider whether or not the recruitment of physician associates would support consultants and staff and ease recruitment pressures on hospital services in Jersey?”
- 1(79) 12. The Deputy of Grouville will ask the following question of the Minister for Treasury and Resources –
- “Given that, in his answer to a written question from the Deputy of St. John on 17th January 2017, the Minister indicated that balanced budgets would be achieved by 2019 by, amongst other things, “*future revenue raising measures to replace the health charge funding*”, will he advise what such measures will consist of?”
- 1(89) 13. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Housing –
*
- “Given the 2015 report on Housing Affordability in Jersey, published in December 2016, stated that “*almost three-quarters (73%) of lower-income households living in qualified private rental accommodation could be considered as being in ‘rental stress’*”, what measurable steps, if any, will the Minister take to ensure that this figure is significantly reduced?”



- 1(87) 14. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –

“When recipients of Income Support are subject to the withholding of benefits, what criteria are used by the Department to assess what repayment regime is reasonable?”

- 1(85) * 15. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Health and Social Services –

“Will the Minister inform members when he was first made aware, or read documents to show, that Mr. Alwitry had not made a complaint to the British Medical Association against the Clinical Director; and what actions, if any, did he take in response to this information in relation to any of his Department’s employees?”

- 1(94) 16. Deputy S.Y. Mézec of St. Helier will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –

“What individual measures, if any, has the Minister taken since taking office for which a tangible benefit for small businesses in the Island can be demonstrated?”

- 1(92) 17. Deputy J.M. Maçon of St. Saviour will ask the following question of the Chief Minister –

“Will the Chief Minister explain when changes will be brought forward to remove the requirement for official notices to be published in the local newspaper and advise of the reasons for the time taken for these changes to be implemented?”

- 1(91) 18. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –

“Further to news that some competitors are withdrawing from the Island Games in Gotland, Sweden, due to the high cost involved, what further measures, if any, is the Minister taking to assist with travel and accommodation expenses?”

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

1st question period – Minister for Housing

2nd question period – Chief Minister

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

(Consideration of Public Business to commence at 9.30 a.m. on Tuesday 31st January 2017)

Future Hospital Funding Strategy (as amended)

P.130/2016.

Lodged: 30th November 2016, *Minister for Treasury and Resources.*

Note: The Chairman of the Corporate Services Scrutiny Panel will confirm whether or not the Panel wishes to have the proposition, as amended, referred to it under Standing Order 79(4). In the event the Chairman wishes the proposition to be referred to it, the Assembly must decide at which meeting the debate should be listed to resume. In the event the Chairman does not wish the proposition to be referred to it, the debate may either continue immediately or the Assembly must decide at which meeting the debate should be listed to resume. The debate must be listed to resume no later than the fourth meeting following this meeting, that fourth meeting being the meeting of 18th April 2017.



- Vote of No Confidence: States Employment Board.** P.137/2016.
Lodged: 20th December 2016, *Deputy M.R. Higgins of St. Helier.*
- * **Vote of No Confidence: States Employment Board (P.137/2016) – comments.** P.137/2016.
Presented: 27th January 2017, *States Employment Board.* Com.
- Draft Commissioner for Standards (Jersey) Law 201-.** P.87/2016.
Lodged: 23rd August 2016, *Privileges and Procedures Committee.*
- Draft Commissioner for Standards (Jersey) Law 201- (P.87/2016): second amendment.** P.87/2016.
Lodged: 17th January 2017, *Chief Minister.* Amd.(2)
- Composition and Election of the States Assembly.** P.133/2016.
Lodged: 12th December 2016, *Deputy A.D. Lewis of St. Helier.*
- Composition and Election of the States Assembly (P.133/2016): comments. P.133/2016.
Presented: 19th January 2017, *Privileges and Procedures Committee.* Com.
- Composition and Election of the States Assembly (P.133/2016): amendment.** P.133/2016.
Lodged: 13th January 2017, *Senator P.F.C. Ozouf.* Amd.
- * **Composition and Election of the States Assembly (P.133/2016): amendment (P.133/2016 Amd.) – amendment.** P.133/2016.
Lodged: 30th January 2017, *Senator P.F.C. Ozouf.* Amd.Amd.
- Note: Because of the requirement for a four-day lodging period Senator Ozouf's Amendment to his Amendment cannot be debated before Friday 3rd February 2017. If other business on the Order Paper for the 30th January 2017 is completed before the 3rd February, Senator Ozouf has indicated that he will 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 present meeting.*
- Composition and Election of the States Assembly (P.133/2016): second amendment.** P.133/2016.
Lodged: 24th January 2017, *Senator L.J. Farnham.* Amd.(2)
- Composition and Election of the States Assembly (P.133/2016): third amendment.** P.133/2016.
Lodged: 24th January 2017, *Senator L.J. Farnham.* Amd.(3)
- Composition and Election of the States Assembly (P.133/2016): fourth amendment.** P.133/2016.
Lodged: 24th January 2017, *Senator L.J. Farnham.* Amd.(4)
- Draft The Law Society of Jersey (Amendment No. 4) Law 201-.** P.136/2016.
Lodged: 20th December 2016, *Chief Minister.*

M. ARRANGEMENT OF PUBLIC BUSINESS

14th February 2017

- Draft Employment of States of Jersey Employees (Amendment No. 8) (Jersey) Regulations 201-.** P.105/2016.
Lodged: 5th October 2016, *States Employment Board.*



- Draft Employment of States of Jersey Employees (Amendment No. 8) (Jersey) Regulations 201- (P.105/2016): amendment.** P.105/2016.
Lodged: 23rd December 2016, *States Employment Board.* Amd.
- Draft Employment of States of Jersey Employees (Amendment No. 8) (Jersey) Regulations 201- (P.105/2016): amendment (P.105/2016 Amd.) – comments. P.105/2016.
Presented: 12th January 2017, *Corporate Services Scrutiny Panel.* Amd.Com.
- Television Licence Fee: exemption for Jersey residents aged 75 and over.** P.117/2016.
Lodged: 4th November 2016, *Deputy M. Tadier of St. Brelade.*
- Funding for Family Nursing and Home Care services – petition.** P.122/2016.
Lodged: 15th November 2016.
Deputy G.P. Southern of St. Helier.
- Draft Bank (Recovery and Resolution) (Jersey) Law 201-.** P.134/2016.
Lodged: 20th December 2016, *Chief Minister.*
- Draft States of Jersey Police Force (Chief Officer and Deputy Chief Officer) (Jersey) Regulations 201-.** P.139/2016.
Lodged: 30th December 2016, *Minister for Home Affairs.*
- Draft States of Jersey Police Force (Police Negotiating Board) (Jersey) Regulations 201-.** P.140/2016.
Lodged: 30th December 2016, *Minister for Home Affairs.*
- Senators and Deputies: candidates' qualifications.** P.1/2017.
Lodged: 6th January 2017, *Deputy M. Tadier of St. Brelade.*
- 14th March 2017**
- Draft Criminal Justice (Compensation Orders) (Amendment No. 3) (Jersey) Law 201-.** P.2/2017.
Lodged: 10th January 2017, *Chief Minister.*
- Draft Water Pollution (Amendment No. 3) (Jersey) Law 201-.** P.3/2017.
Lodged: 24th January 2017, *Minister for the Environment.*
- 18th April 2017**
- Draft Bank Depositors Compensation (Jersey) Law 201-.** P.135/2016.
Lodged: 20th December 2016, *Chief Minister.*
- 20th June 2017**
- Millennium Town Park: additional open space and public parking.** P.123/2016.
Lodged: 22nd November 2016, *Connétable of St. Helier.*

DR. M. EGAN
Greffier of the States

30th January 2017

Note: In accordance with the meeting dates fixed for 2017 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 1st February, Thursday 2nd February and Friday 3rd February 2017.

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 25th January 2017, or an item which has been altered or moved.