STATES OF JERSEY ORDER PAPER

Tuesday 15th March 2011 CONSOLIDATED

A. COMMUNICATIONS BY THE PRESIDING OFFICER

Α.	COMMUNICATIONS BY THE PRESIDING OFFICER	
В.	TABLING OF SUBORDINATE ENACTMENTS (Explanatory note attached)	
	Road Traffic (Saint Saviour) (Amendment No. 5) (Jersey) Order 2011. Minister for Transport and Technical Services.	R&O.26/2011.
	Community Provisions (Belarus Sanctions) (Amendment) (Jersey) Order 2011. Chief Minister.	R&O.27/2011.
	Community Provisions (Restrictive Measures – Libya) (Jersey) Order 2011. <i>Chief Minister</i> .	R&O.28/2011.
*	Community Provisions (Restrictive Measures – Tunisia) (Jersey) Order 2011. Deputy Chief Minister, for and on behalf of Chief Minister.	R&O.29/2011.
*	Community Provisions (Restrictive Measures – Libya) (Amendment) (Jersey) Order 2011. Deputy Chief Minister, for and on behalf of Chief Minister.	R&O.30/2011.
C.	DOCUMENTS PRESENTED OR LAID	
	Elected members' access to information: media releases (P.22/2011) – comments. Presented: 10th March 2011. Council of Ministers.	P.22/2011. Com.
	States Strategic Plan: annual debate on progress (P.27/2011) – comments. Presented: 10th March 2011. <i>Council of Ministers</i> .	P.27/2011 Com.
	States Strategic Plan: annual debate on progress (P.27/2011) – comments. Presented: 11th March 2011. <i>Chairmen's Committee.</i>	P.27/2011. Com.(2)
	 Land Transactions under Standing Order 168(3) – (a) Don Farm Estate Roads, St. Brelade– proposed sale of land to the south of 44 Don Farm; (b) Jersey Electricity Company Sub-Station leases – Housing sites. Presented: 10th March 2011. Minister for Treasury and Resources. 	R.25/2011.
	States of Jersey Complaints Board: findings – complaint against a decision of the Minister for Planning and Environment regarding Cliffside House, 65 New St. John's Road, St. Helier. Presented: 11th March 2011. Privileges and Procedures Committee.	R.26/2011.
*	Jersey Advisory and Conciliation Service: Annual Report 2010. Presented: 14th March 2011. Minister for Social Security.	R.27/2011.

Review of the Role of the Crown Officers ("Carswell Review"): 'in

R.28/2011.

	Committee' debate. Presented: 14th March 2011. Privileges and Procedures Committee.	
*	Jersey Electricity: report and accounts 2010. Presented: 15th March 2011. Minister for Treasury and Resources.	R.29/2011.
*	Public Lotteries: report for 2010. Presented: 15th March 2011. Minister for Economic Development.	R.30/2011.
*	Housing Development Fund: cost/benefit analysis. Presented: 15th March 2011. Minister for Treasury and Resources.	R.31/2011.
*	Jersey Development Company (S.R.1/2011): response of the Council of Ministers. Presented: 15th March 2011. Council of Ministers.	S.R.1/2011. Res.
D.	NOTIFICATION OF LODGED PROPOSITIONS	
	States Members' training. Lodged: 8th March 2011. Deputy M. Tadier of St. Brelade.	P.34/2011.
	Draft Amendment (No. 15) of the Standing Orders of the States of Jersey. Lodged: 9th March 2011. Privileges and Procedures Committee.	P.35/2011.
	Goods and Services Tax: exemption or zero-rating for foodstuffs, domestic energy and fuel. Lodged: 10th March 2011. Senator A. Breckon.	P.36/2011.
*	Draft Control of Housing and Work (Jersey) Law 201 Lodged: 15th March 2011. Chief Minister.	P.37/2011.
*	Draft Register of Names and Addresses (Jersey) Law 201 Lodged: 15th March 2011. Chief Minister.	P.38/2011.
*	Draft Freedom of Information (Jersey) Law 201 Lodged: 15th March 2011. Privileges and Procedures Committee.	P.39/2011.
*	Public elections: voting on Sunday 16th October 2011. Lodged: 15th March 2011. Deputy T.M. Pitman of St. Helier.	P.40/2011.
E.	WITHDRAWAL OF LODGED PROPOSITIONS	
F.	APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS	

G.

H.

MATTERS OF PRIVILEGE

PETITIONS

I. QUESTIONS

(a) - Written Questions

(attached)

- 1. The Minister for Economic Development will table an answer to a question asked by the Deputy of St. John regarding the lifeguard service for the Island.
- 2. The Minister for Planning and Environment will table an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier by regarding the Kyoto Protocol.
- 3. The Minister for Housing will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding maintenance works.
- 4. The Minister for Planning and Environment will table an answer to a question asked by the Deputy of St. John regarding the Jersey Energy Trust.
- 5. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. John regarding Jersey Post services.
- 6. The Minister for Treasury and Resources will table an answer to a question asked by Senator F. du H. Le Gresley regarding options for raising ISE fees.
- 7. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. John regarding the contract of the Hospital Manager.
- 8. The Minister for Education, Sport and Culture will table an answer to a question asked by the Deputy of St. John regardingprogrammes to prepare students to enter the work place.
- 9. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding company and personal tax revenues.
- 10. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding Company taxation.
- 11. The Minister for Health and Social Services will table an answer to a question asked by Senator S.C. Ferguson regarding middle grade doctors.
- 12. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. Martin regarding middle grade posts.
- 13. The Chief Minister will table an answer to a question asked by the Deputy of St. Martin regarding the Napier Terms of Reference.
- 14. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding staff resources.
- 15. The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the Advance to Work Scheme.
- 16. The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the development of an economic growth policy.
- 17. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. Mary regarding the use of consultants.
- 18. The Chief Minister will table an answer to a question asked by the Deputy of St. Mary regarding the Migration policy.
- 19. The Minister for Planning and Environment will table an answer to a question asked by the Deputy of St. Mary regarding protocols governing investigations into pollution incidents.

- 20. The Minister for Planning and Environment will table an answer to a question asked by the Deputy of St. Mary regarding the availability of Agendas and Minutes.
- 21. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. Mary regarding nursing posts.

(b) - Oral Questions

(120 minutes)

* The following oral question asked by Senator F. du H. Le Gresley has been deferred at the request of the Minister for Planning and Environment until the meeting of 29th March 2011–

"Does the Minister consider that the fact that a developer has won national awards such as 'Large Development of the Year', 'Best Architecture- Multiple Units', 'Best House' and 'Best Interior Layout' should influence any assessment of the impact on our coastline of the current development of 46 apartments and 7 houses on the former holiday village site at Portelet Bay?"

* The following oral question asked by Deputy P.V.F. Le Claire of St. Helier of the Minister for Treasury and Resources has been withdrawn—

"Will the Minister please circulate for all Members the European Union documents that set out the terms of the Code of Conduct, as he undertook to do on the 15th February 2011, and explain why, despite having a personal secretary and a Blackberry, he has chosen or is unable to respond to my e-mails following up requests on this matter?"

- * The following oral question has been redirected from the Minister for Education, Sport and Culture (as shown on the Principal Order Paper) to the Minister for Treasury and Resources
 - 1. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Treasury and Resources –

"Following yet more break-ins and vandalism at the old Fort Regent swimming pool, will the Minister give the order to demolish the building as it is now beyond repair and could be a danger to the public, and, if not, why not?

2. Deputy A.E. Jeune of St. Brelade will ask the following question of the Minister for Health and Social Services –

"Would the Minister outline the initial contractual terms under which the Director of Social Services was engaged and the terms under which this has been extended including the annual total cost and contract period, if any?"

3. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Education, Sport and Culture –

"Will the Minister explain why the Scrutiny Panel was refused access to examination results which were subsequently released to a member of the public under the Code of Practice on Public Access to Official Information?"

4. The Deputy of St. Mary will ask the following question of the Minister for Treasury and Resources –

"Would the Minister advise whether there is or will be a new senior post for Human Resources (HR) at Health and Social Services, and, if so, will be explain how the current policy providing a centralised HR function is affected by having departmental HR capacity as well?

5. Senator A. Breckon will ask the following question of the Minister for Treasury and Resources –

"Can the Minister advise the Assembly when he will provide the report as he was requested to do during the Housing Development Fund debate (P.61/2010) on 6th July 2010?"

- 6. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Minister for Treasury and Resources
 - "What local tax arrangements, if any, apply to persons employed by the States on 'contracts of service'?"
- 7. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Treasury and Resources
 - "Does the Minister consider that following the full implementation of the Zero/10 tax regime the Island has achieved a sustainable balanced economy?"
- 8. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Economic Development
 - "Would the Minister please describe the advice he sought before approving the job description for the proposed position of Group Chief Executive Officer at the Harbours and Airport?"
- 9. Deputy T.M. Pitman of St. Helier will ask the following question of the Chief Minister-
 - "Will the Chief Minister state the total sum, if anything, paid out to employees upon early termination of contract since December 2008 outside of those monies entitled under contract; further still, how many individuals, if any, have received such payments?"
- The Deputy of St. Martin will ask the following question of the Minister for Health and Social Services –
 - "Will the Minister inform Members of the main findings of the Income Data Services Repor commissioned jointly by the States' Employment Board and the Department of Health and Social Services, into the difficulty in recruiting and retaining suitably qualified nurses across the Health Service, and will the Minister inform Members of what actions, if any, she proposes to take in regard to this matter?"
- 11. The Deputy of St. John will ask the following question of the Minister for Transport and Technical Services
 - "Does the Minister consider £300,000 to be an adequate budget to undertake full repairs on pot holes, given the poor state of some Island roads, and what action is being taken to get extra funding?"
- 12. The Deputy of St. Mary will ask the following question of the Chief Minister—
 - "Would the Chief Minister explain to members exactly what happened within his Department which meant that items (d) and (e) of the Terms of Reference for the Napier Review did not reach the States Greffe and were therefore not printed as part of R.39/2010 and advise how they were transmitted to Mr. Napier?"
- 13. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Economic Development
 - "Further to recent incidents of people firing high powered lasers at incoming aircraft, will the Minister, in conjunction with Ministerial colleagues if necessary, take steps to enable the sale of these items to be banned and, if not, why not?"
- 14. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Treasury and Resources
 - "Could the Minister give an indication or assessment of the loss of tax revenue for the years 2007 to 2010 as a result of the take-over and sale of established Jersey trading companies to non-resident companies?"

15. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Treasury and Resources –

"Will the Minister state when he expects to produce his business tax strategy so that members can fully consider its implications before addressing the Annual Business Plan 2012?"

16. Deputy A.E. Jeune of St. Brelade will ask the following question of the Minister for Health and Social Services –

"Would the Minister advise whether persons have been engaged within Health and Social Services from outside of the Island, other than the 2 Directors and Chief Executive, on an interim/short-term/temporary basis since 1st May 2010 and, if so, would she undertake to provide full written details to Members regarding the positions concerned, contractual terms and total costs?"

17. The Deputy of St. John will ask the following question of the Minister for Transport and Technical Services –

"Despite having been given numerous assurances dating back to 2005 that the work was imminent, the temporary barriers at Les Charrieres de Bonne Nuit have still not been replaced, will the Minister advise when this work will finally be undertaken?"

18. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Health and Social Services –

"Following her statement during the meeting of 1st March 2011 that she could not 'remember' if the issue of the new Health Director's previous salary had been discussed or considered prior to the award of his Jersey remuneration, will the Minister now clarify whether or not this was done and, if not, why not?"

19. The Deputy of St. Martin will ask the following question of the Minister for Treasury and Resources –

"Following the announcement that the Jersey Opera House has been given stimulus funding, will the Minister inform Members how many local staff will be employed in the refurbishment, why was the application for funding made by Property Holdings and not by the Minister for Education Sport Culture and given that Property Holdings comes within the remit of his Ministerial responsibilities, who made the decision to allocate the funding?"

20. Deputy M. Tadier of St. Brelade will ask the following question of the Chief Minister-

"Does the Chief Minister accept that discrimination against women in the workplace remains an issue and to what extent does the responsibility for fighting this and other forms of discrimination fall to his department?"

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

1st question period – Minister for Transport and Technical Services

2nd question period – Minister for Home Affairs

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

The Minister for Education, Sport and Culture will make a statement regarding the appointment of one of his Assistant Ministers.

* The Minister for Housing will make a statement in relation to matters arising from the debate of Deputy P.V.F. Le Claire of St. Helier's proposition 'Housing issues in Jersey' (P.189/2010).

L. PUBLIC BUSINESS

Tebble Besit Los	
Draft Loi (No. 7) (201) concernant la charge de Juge d'Instruction. Lodged: 19th October 2010. Chief Minister.	P.148/2010.
Ratification of a Double Taxation Agreement between the States of Jersey and the Government of Estonia. Lodged: 24th January 2011. Chief Minister.	P.7/2011.
Ratification of the Agreement for the Exchange of Information relating to Tax Matters between the Government of Jersey and the Government of Canada. Lodged: 24th January 2011. <i>Chief Minister.</i>	P.8/2011.
Geneva Conventions: Additional Protocol III – extension to Jersey. Lodged: 24th January 2011. <i>Chief Minister</i> .	P.9/2011.
Draft Banking Business (Amendment No. 7) (Jersey) Law 201. Lodged: 25th January 2011. Minister for Economic Development.	P.10/2011.
Draft Public Elections (Amendment No. 4) (Jersey) Law 201. Lodged: 27th January 2011. Privileges and Procedures Committee.	P.14/2010.
Draft Public Elections (Amendment No. 4) (Jersey) Law 201 (P.14/2011): amendment. Lodged: 1st March 2011. Deputy G.P. Southern of St. Helier.	P.14/2011. Amd. (re-issue)
Electoral Commission: establishment. Lodged: 31st January 2011. Deputy of St. Mary.	P.15/2011.
Electoral Commission: establishment (P.15/2011) – comments. Presented: 18th February 2011. Privileges and Procedures Committee.	P.15/2011. Com.
Electoral Commission: establishment (P.15/2011) – comments. Presented: 1st March 2011. Minister for Treasury and Resources.	P.15/2011. Com.(2)
Electoral Commission: establishment (P.15/2011) – amendment. Lodged: 22nd February 2011. Senator B.E. Shenton.	P.15/2011. Amd.
Electoral Commission: establishment (P.15/2011) – amendment (P.15/2011 Amd.) – comments. Presented: 1st March 2011. Minister for Treasury and Resources.	P.15/2011. Amd.Com.
Electoral Commission: establishment (P.15/2011) – second amendment. Lodged: 22nd February 2011. Deputy of St. Mary.	P.15/2011. Amd.(2)
Electoral Commission: establishment (P.15/2011) – second amendment (P.15/2011 Amd.(2))– amendment.	P.15/2011. Amd.(2)

Lodged: 22nd February 2011. Amd. Senator B.E. Shenton. Green waste from commercial operators: introduction of charge. P.20/2011. Lodged: 4th February 2011. (re-issue) Deputy P.V.F. Le Claire of St. Helier. Green waste from commercial operators: introduction of charge (P.20/2011) – P.20/2011. Com. comments. Presented: 28th February 2011 Minister for Transport and Technical Services. Green waste from commercial operators: introduction of charge (P.20/2011) – P.20/2011. comments. Com.(2) Presented: 1st March 2011. Minister for Treasury and Resources. Importation of Fireworks in 2007 for a Charity Event: investigation. P.21/2011. Lodged: 8th February 2011. Deputy of St. John. Elected members' access to information: media releases. P.22/2011. Lodged: 14th February 2011. Deputy P.V.F. Le Claire of St. Helier. Elected members' access to information: media releases (P.22/2011) – P.22/2011. comments. Com. Presented: 10th March 2011. Council of Ministers. States of Jersey Development Company Limited: appointment of Chairman and P.32/2011. Non-Executive Directors. Lodged: 2nd March 2011. Minister for Treasury and Resources. (Can not be debated until 16th March 2011) ARRANGEMENT OF PUBLIC BUSINESS 29th March 2011 Samarès Nursery site. St. Clement: removal from draft Island Plan– petition. P.131/2010. Lodged: 1st October 2010. Connétable of St. Clement. Samarès Nursery site, St. Clement: removal from draft Island Plan– petition P.131/2010. (P.131/2010) – comments. Com. Presented: 22nd December 2010. Minister for Planning and Environment. Jersey Financial Services Commission: imposition of fines. P.150/2010. Lodged: 19th October 2010. Senator A. Breckon. Assistant Ministers: appointment by the States. P.6/2011.

P.24/2011.

M.

Lodged: 19th January 2011.

Lodged: 15th February 2011.

Esplanade Quarter: deferment of works.

Deputy of St. John.

Deputy of St. John.

*	States Strategic Plan: annual debate on progress. Lodged: 18th February 2011. Deputy P.V.F. Le Claire of St. Helier.	P.27/2011.
*	States Strategic Plan: annual debate on progress (P.27/2011) – comments. Presented: 10th March 2011. <i>Council of Ministers</i> .	P.27/2011 Com.
*	States Strategic Plan: annual debate on progress (P.27/2011) – comments. Presented: 11th March 2011. <i>Chairmen's Committee.</i>	P.27/2011. Com.(2)
	Salaries over £100,000: notification to States Assembly. Lodged: 23rd February 2011. Deputy R.G. Le Hérissier of St. Saviour.	P.30/2011.
	Salaries over £100,000: notification to States Assembly (P.30/2011) – amendment. Lodged: 1st March 2011. Deputy T.A. Vallois of St. Saviour.	P.30/2011. Amd.
	Public Holidays and Bank Holidays: designation of 19th October 2011. Lodged: 3rd March 2011. Deputy G.P. Southern of St. Helier.	P.33/2011.
	States Members' training. Lodged: 8th March 2011. Deputy M. Tadier of St. Brelade.	P.34/2011.
	Draft Amendment (No. 15) of the Standing Orders of the States of Jersey. Lodged: 9th March 2011. Privileges and Procedures Committee.	P.35/2011.
*	Public elections: voting on Sunday 16th October 2011. Lodged: 15th March 2011. Deputy T.M. Pitman of St. Helier.	P.40/2011.
*	States to sit 'in Committee' to discuss -	
	Review of the role of the Crown Officers ("Carswell Review"): 'in Committee' debate. Presented: 14th March 2011. Privileges and Procedures Committee.	R.28/2011.
	<u>5th April 2011</u>	
	Speed Limits: revised policy. Lodged: 2nd November 2010. Minister for Transport and Technical Services.	P.167/2010.
	Speed Limits: revised policy (P.167/2010) – amendment. Lodged: 29th December 2010. <i>Minister for Economic Development.</i>	P.167/2010. Amd.
	Speed Limits: revised policy (P.167/2010) – second amendment. Lodged: 5th January 2011. Connétable of St. Helier.	P.167/2010. Amd.(2)
	Speed Limits: revised policy (P.167/2010) – third amendment. Lodged: 13th January 2011. <i>Deputy M.R. Higgins of St. Helier.</i>	P.167/2010. Amd.(3)

Income Tax: introduction of higher rate. Lodged: 14th February 2011. Deputy G.P. Southern of St. Helier.	P.23/2011.
Draft States of Jersey (Transfer of Functions No. 4) (Treasury and Resources to Chief Minister) (Jersey) Regulations 201 Lodged: 16th February 2011. Chief Minister.	P.25/2011.
Draft Licensing (No. 17) (Jersey) Regulations 201. Lodged: 22nd February 2011.	P.28/2011.
Minister for Economic Development. Draft Income Support (Amendment No. 6) (Jersey) Regulations 201. Lodged: 22nd February 2011. Minister for Social Security.	P.29/2011.
Committee of Inquiry: States owned or controlled utilities. Lodged: 24th February 2011. Senator A. Breckon.	P.31/2011.
<u>3rd May 2011</u>	
North of Town Masterplan (Revised). Lodged: 21st December 2010. Minister for Planning and Environment.	P.190/2010.
North of Town Masterplan (Revised) (P.190/2010): amendment. Lodged: 22nd December 2010. Deputy P.V.F. Le Claire of St. Helier.	P.190/2010. Amd.
North of Town Masterplan (Revised) (P.190/2010): second amendment. Lodged: 10th January 2010. Deputy A.K.F. Green of St. Helier.	P.190/2010. Amd.(2)
North of Town Masterplan (Revised) (P.190/2010): third amendment. Lodged: 25th January 2011. <i>Connétable of St. Helier</i> .	P.190/2010. Amd.(3)
North of Town Masterplan (Revised) (P.190/2010): fourth amendment. Lodged: 15th February 2011. Deputy of St. Mary.	P.190/2010. Amd.(4)
Draft Freedom of Information (Jersey) Law 201 Lodged: 15th March 2011. Privileges and Procedures Committee.	P.39/2011.
17th May 2011	
Goods and Services Tax: exemption or zero-rating for foodstuffs, domestic energy and fuel. Lodged: 10th March 2011. Senator A. Breckon.	P.36/2011.
7th June 2011	
Draft Control of Housing and Work (Jersey) Law 201 Lodged: 15th March 2011. Chief Minister.	P.37/2011.
Draft Register of Names and Addresses (Jersey) Law 201	P.38/2011.

Lodged: 15th March 2011. *Chief Minister.*

M.N. DE LA HAYE Greffier of the States

14th March 2011

Note – An asterix * in the left hand margin denotes either a new item added to this Order Paper since the principal Order Paper was published on 10th March 2011, or an item which has been moved.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.29/2011.

This Order gives effect in Jersey to Council Regulation (EU) No. 101/2011 of 4 February 2011 concernir restrictive measures directed against certain persons, entities and bodies in view of the situation in Tunisia. The Order was made on 11th March 2011 and came into force on 12th March 2011.

R&O.30/2011.

This Order gives effect in Jersey to Council Implementing Regulation (EU) No. 233/2011 of 10 March 201 implementing Article 16(2) of Regulation (EU) No. 204/2011 concerning restrictive measures in view of th situation in Libya. The Council Implementing Regulation adds to the list of persons and entities listed in Regulation (EU) 204/2011 against whom restrictions are imposed, in view of the situation in Libya.

The Order was made on 11th March 2011 and came into force on 12th March 2011.