



# STATES OF JERSEY ORDER PAPER

Tuesday 29th January 2013

## A. COMMUNICATIONS BY THE PRESIDING OFFICER

## B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

Royal Court (Amendment No. 16) Rules 2013. R&O.1/2013.  
*Superior Number of the Royal Court.*

Teachers' Superannuation (Existing Members) (Amendment No. 4) (Jersey) Order 2013. R&O.6/2013.  
*Chief Minister.*

Money Laundering and Weapons Development (Directions) (Iran) (Jersey) Order 2013. R&O.7/2013.  
*Chief Minister.*

## C. DOCUMENTS PRESENTED OR LAID

Jersey Employment Tribunal: re-appointment of Side Members. R.3/2012.  
Presented: 22nd January 2013.  
*Minister for Social Security.*

States of Jersey Law 2005: delegation of functions – Planning and Environment – revised delegations January 2013. R.4/2013.  
Presented: 23rd January 2013.  
*Minister for Planning and Environment.*

Land Transactions under Standing Order 168(3) – R.5/2013.  
(a) Mont Mado Shed Site, La Rue de la Mare des Pres, St. John – proposed sale;  
(b) Lease of Former Harbour Office, Liberty Wharf, St. Helier;  
(c) Ronez Quarry, La Route du Nord, St. John – grant of lease and right of extraction;  
(d) Les Cinq Chênes Estate, Prince's Tower Road, St. Saviour – boundary with the properties known as "Pura Vida" and "Myona";  
(e) Clos de Roncier, La Rue au Blancq, St. Clement – boundary with Fields 167 and 170;  
(f) JEC Section Pillar No. 1047, Hampshire Gardens, Poonah Road, St. Helier – lease;  
(g) Café Lease Renewals – St. Aubin's Café; Driftwood Café, Archirondel; First Tower Café; Gunsite Café, Beaumont and Old Station Café, near Millbrook.  
Presented: 23rd January 2013.  
*Minister for Treasury and Resources.*

Bankruptcy (Désastre) (Jersey) Law 1990: 'Social Désastre' – Consultation Paper. R.6/2013.  
Presented: 23rd January 2013.  
*Council of Ministers.*



Aircraft Registry (S.R.6/2012) – response of the Minister for Economic Development.  
Presented: 23rd January 2013.  
*Minister for Economic Development.*

S.R.6/2012.  
Res.

#### **D. NOTIFICATION OF LODGED PROPOSITIONS**

Draft Financial Regulation (Disclosure of Information) (Amendments) (Jersey) Regulations 201-  
Lodged: 18th January 2013.  
*Minister for Economic Development.*

P.7/2013.

Jersey Financial Services Commission: appointment of Commissioner.  
Lodged: 22nd January 2013.  
*Minister for Economic Development.*

P.8/2013.

Rate Appeal Board: appointment of members.  
Lodged: 22nd January 2013.  
*Minister for Treasury and Resources.*

P.9/2013.

#### **E. WITHDRAWAL OF LODGED PROPOSITIONS**

#### **F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS**

#### **G. MATTERS OF PRIVILEGE**

#### **H. PETITIONS**

#### **I. QUESTIONS**

(a) – **Written Questions**  
(attached)

1. The Chief Minister will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the Court case involving the Acting Magistrate.
2. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding consultation regarding the Harbour cycle track scheme.
3. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the Rank Taxi service.
4. The Minister for Planning and Environment will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the visual state of La Collette reclamation site.
5. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the implications of the Foreign Account Tax Compliance Act (FATCA) agreements with Austria and Luxembourg.
6. The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding job opportunities announced in his recent media release.



7. The Minister for Home Affairs will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the costs of disciplinary actions.
8. H.M. Attorney General will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding legal powers of U.K. to prevent Jersey signing a Foreign Account Tax Compliance Act (FATCA) agreement with the USA.
9. The Minister for Treasury and Resources will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding use of rooms in the Magistrate Court Building.
10. H.M. Attorney General will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the amount spent on a super injunction case.
11. The Chief Minister will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding proposed changes to the Royal Court (Jersey) Law 1948.
12. The Chairman of the Electoral Commission will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the base figures used in its report.
13. The Minister for Treasury and Resources will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the Jersey Finance industry in 2012.
14. The Minister for Economic Development will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding details of 400 jobs created.
15. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the accountability of Law Officers to the States of Jersey.
16. The Minister for Social Security will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding checks and balances regarding Health Insurance Fund (HIF) payments to GPs.
17. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding a recent Court case.
18. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding a breakdown of expenditure of the Data Protection Commissioner for legal advice and prosecutions.
19. The Minister for Health and Social Services will table an answer to a question asked by Senator S.C. Ferguson regarding the capacity of Orchard House.
20. The Minister for Economic Development will table an answer to a question asked by Senator S.C. Ferguson regarding charges made on parcels to the U.K.
21. The Minister for Education, Sport and Culture will table an answer to a question asked by Senator S.C. Ferguson regarding the length of residence in the Island of Highlands students.
22. The Chief Minister will table an answer to a question asked by Senator S.C. Ferguson regarding Jersey's position in the U.K.'s membership of the European Union.



**(b) – Oral Questions**

(120 minutes)

1. Deputy J.H. Young of St. Brelade will ask the following question of H.M. Attorney General -  
  
“Will the Attorney General inform the Assembly whether Royal Court judgments in appeals made against decisions made by the Minister under the Planning and Building Law are subject to review by the Court of Appeal, and if so whether the appeal procedure is available to litigants in person under the modified Planning appeals procedure which protects appellants from costs being awarded against them?”
2. Connétable of St. John will ask the following question of the Minister for Economic Development -  
  
“Would the Minister give estimated costs of providing alternative provision for a new freight area, associated car park and access roads to enable Hanger8 to establish operations in Jersey on the existing freight buildings and car park site, and advise whether the funds are inscribed into the department’s current capital or revenue budgets or whether the works until after the incorporation of the Harbours and Airport?”
3. Deputy M.R. Higgins of St. Helier will ask the following question of the Chief Minister -  
  
“Will the Chief Minister advise the Assembly the current position regarding the Historic Child Abuse Redress Scheme and in particular the number of claims accepted, rejected and in dispute, and in the case of the latter will he outline the nature of the disputes and the current position regarding the extension of the scheme to cover people who were abused whilst in foster care or abused by persons who either lived in the care homes or were visiting them?”
4. Deputy M. Tadier of St. Brelade will ask the following question of H.M. Attorney General –  
  
“Given the criticism of States Police and a Lawyer in the Law Officers’ Department by the Privy Council in relation to the Curtis Warren prosecution and the alleged involvement of the Attorney General in the subsequent police disciplinary case, would the Attorney General make a statement clarifying the situation?”
5. Deputy J.A. Hilton of St. Helier will ask the following question of the Minister for Planning and Environment –  
  
“Can the Minister explain whether any discussions have taken place between him and the Minister for Housing on the vacant glass house sites and their use for social housing? And, if so, can he explain the outcome of those discussions?”
6. Deputy S. Pitman of St. Helier will ask the following question of the Chairman of Privileges and Procedures Committee –  
  
“Will the Chairman advise whether any consideration has been given to having a separate referendum question on the same day as the proposed electoral reform referendum, namely on the ‘Carswell’ recommendation that the *Bailiff should cease to act as President of the States?* And if not, why not?”
7. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Minister for Home Affairs –  
  
“Given the verdict of the Police Disciplinary Tribunal, is the Minister satisfied that the police acted with complete authority in the matter of bugging a vehicle in the case *Re Curtis Warren?*”



8. Senator S.C. Ferguson will ask the following question of the Minister for Health and Social Services –

“Would the Minister confirm the size of population upon which the size of the proposed new hospital is being based?”

9. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Transport and Technical Services –

“Would the Minister advise why the No 18 bus to Le Squez / Le Marais was discontinued, and whether he will be reinstating a service for residents of the northern part of Le Squez who at present either have to walk to Le Marais to catch the No 15, or rely on the Inner Road bus?”

10. Deputy T.M. Pitman of St. Helier will ask the following question of the Chief Minister –

“Does the Chief Minister consider that option B of the Electoral Commission meets international standards outlined by the Venice Commission - in that it proposes the votes of those in urban areas such as St. Helier for example would be worth less than others? If so, how does he believe this to be compatible with Council of Ministers’ commitment to promoting fairness as part of a strong and successful Island?”

11. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Economic Development –

“Would the Minister confer with Condor Ferries Limited and seek clarification on the recently changed tariff policy on its online booking site? In particular, how charges for non-commercial freight are levied (a) in 2013 compared to 2012; and (b) compared to charges on commercial freight? Whether a clear list of tariffs for non commercial freight may be published on the website to assist the travelling public, especially with recreational vehicles?”

12. Deputy R.J. Rondel of St. Helier will ask the following question of the Chief Minister –

“With reference to a written question I asked of the Minister for Housing at the last Assembly on 15th January 2013, is the Chief Minister satisfied with the present proposed delivery of just 51 Affordable Homes for purchase over the next 5 years? Furthermore is he content that all of his Council are working satisfactorily together in order to deliver an appropriate level of Affordable Housing as quickly as possible?”

13. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Economic Development –

“Will the Minister inform members how many of the companies registered in Jersey by foreign owners in 2012 listed in his Invest Jersey press release are trading or conducting business on the Island, and is he aware how many other companies listed in 2012 have made arrangements or are preparing to trade or conduct business in Jersey in 2013 and beyond?”

14. Deputy J.M. Maçon of St. Saviour will ask the following question of the Chairman of Privileges and Procedures Committee –

“Can the Chairman explain whether the proposed referendum will carry a participation threshold, before the results will be deemed credible as there is no provision for this in the 2002 Referendum (Jersey) Law 2002 or in P.52/2013 and, if not, why not?”



15. Connétable of St. John will ask the following question of the Minister for Transport and Technical Services –

“On 18th January 2013 during the snow disruption, how many miles of States’ roads were gritted or salted? When was it decided to remove grit boxes from major junctions or hills across the Island?”

16. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Home Affairs –

“Due to the important public interest issues involved will the Minister publish the written decision of the disciplinary tribunal involving the three police officers involved in the Curtis Warren car bugging case, and if not why not? And if so when?”

17. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Given the Electoral Commission has put forward Option B which suggests that votes of those in urban areas such as St. Helier for example would be worth less than others, would the Minister be able to balance this discrimination by reducing taxation for such electors?”

18. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Minister for Treasury and Resources –

“Given, from information released last week, that only 737 home connections have been made between August 2012 and now in the Gigabyte Jersey project, how does the Minister reconcile this with his answer to Senator Ferguson on 26th June 2012 that the rate of connections was anticipated to rise to 2000 per month? How much of the Budget of £41.5 million remains to be spent?”

19. Deputy J. A. Hilton of St. Helier will ask the following question of the Minister for Planning and Environment –

“In what circumstances, if any, would the Minister reduce the standards for parking and amenity space on new developments? And, does he believe there is a need to provide storage space in applications for apartment blocks?”

20. Deputy J.H. Young of St. Brelade will ask the following question of the Minister for Planning and Environment –

“Will the Minister advise the Assembly when he intends to bring forward policy proposals to the Assembly to restore the availability of affordable homes for purchase, and to replace the H3 policy of the Island Plan 2011 which has remained suspended as unworkable in practice since July 2011?”

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

“In the annual presentation to States members delivered on 23rd January 2013 by Jersey Finance it was claimed that the finance sector paid £500m in tax. Will the Minister inform members of the breakdown of this sum?”



22. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Social Security –

“In light of continued and increasing job-losses in the island, will the Minister advise whether he has been seeking additional funding to be made available to cope with the consequences of the downturn and will he consider lifting the ceiling on Social Security contributions to be ring-fenced for such purposes?”

(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**

**L. PUBLIC BUSINESS**

Comptroller and Auditor General: appointment. Lodged: 28th December 2012. <i>Chief Minister.</i>	P.138/2012.
Draft Civil Partnership (Consequential Amendments) (No. 2) (Jersey) Regulations 201- Lodged: 4th December 2012. <i>Chief Minister.</i>	P.128/2012.
Ratification of the Agreement for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income between the Government of Jersey and the Government of the Republic of Singapore. Lodged: 4th December 2012. <i>Chief Minister.</i>	P.129/2012.
Draft Taxation (Double Taxation) (Amendment) (Jersey) Regulations 201- Lodged: 4th December 2012. <i>Chief Minister.</i>	P.130/2012.
Higher Education Grants: method of assessment. Lodged: 11th December 2012. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.134/2012.
Draft Motor Traffic (Third Party Insurance) (Cost Recovery) (Jersey) Regulations 201- Lodged: 13th December 2012. <i>Minister for Health and Social Services.</i>	P.135/2012.
Statistics User Group: appointment of Chairman. Lodged: 27th December 2012. <i>Chief Minister.</i>	P.137/2012.



## M. ARRANGEMENT OF PUBLIC BUSINESS

### 19th February 2013

- Police Station Relocation: review of decision (as amended). P.92/2012.  
Lodged: 2nd October 2012.  
*Deputy J.A. Martin of St. Helier.*
- Police Station Relocation: review of decision (P.92/2012) – comments. P.92/2012.  
Presented: 19th November 2012. Com.  
*Council of Ministers.*
- Police Station Relocation: review of decision (P.92/2012) – comments. P.92/2012.  
Presented: 20th November 2012. Com.(2)  
*Minister for Planning and Environment.*
- Committee of Inquiry: Historical Child Abuse. P.118/2012.  
Lodged: 6th November 2012.  
*Council of Ministers.*
- Minister for Justice and Department of Justice: report. P.120/2012.  
Lodged: 13th November 2012.  
*Senator L.J. Farnham.*
- Minister for Justice and Department of Justice: report (P.120/2012) – amendment. P.120/2012.  
Lodged: 15th January 2013. Amd.  
*Senator L.J. Farnham.*
- Draft Referendum (Reform of States Assembly) (Jersey) Act P.5/2013.  
201-.  
Lodged: 15th January 2013.  
*Privileges and Procedures Committee.*
- Jersey Financial Services Commission: appointment of Commissioner. P.8/2013.  
Lodged: 22nd January 2013.  
*Minister for Economic Development.*

### 5th March 2013

- Starter Home Deposit Loan Scheme. P.131/2012.  
Lodged: 4th December 2012.  
*Minister for Treasury and Resources.*
- Draft Control of Housing and Work (Residential and Employment Status) (Jersey) P.2/2013.  
Regulations 201-.  
Lodged: 11th January 2013.  
*Chief Minister.*
- Draft Control of Housing and Work (Transitional and Consequential) (Jersey) P.3/2013.  
Regulations 201-.  
Lodged: 11th January 2013.  
*Chief Minister.*





Code of Conduct for Elected Members: Commissioner for Standards. P.4/2013.  
Lodged: 14th January 2013.  
*Privileges and Procedures Committee.*

Draft Financial Regulation (Disclosure of Information) (Amendments) (Jersey) P.7/2013.  
Regulations 201-.  
Lodged: 18th January 2013.  
*Minister for Economic Development.*

Rate Appeal Board: appointment of members. P.9/2013.  
Lodged: 22nd January 2013.  
*Minister for Treasury and Resources.*

**19th March 2013**

Jersey Innovation Fund: establishment, funding and operation. P.124/2012.  
Lodged: 20th November 2012.  
*Minister for Treasury and Resources.*

**14th May 2013**

Draft Discrimination (Jersey) Law 201-. P.6/2013.  
Lodged: 15th January 2013.  
Minister for Social Security.

**A.H. HARRIS**  
**Deputy Greffier of the States**

24th January 2013

**Note –**

**In accordance with the meeting dates fixed for 2013 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 30th and Thursday 31st January 2013.**



## Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

### **R&O.1/2013.**

These Rules prescribe the oath to be taken by a Jurat of the Royal Court of Guernsey in accordance with Article 9A(3)(a) of the Royal Court (Jersey) Law 1948.

The Rules were made by the Superior Number of the Royal Court on 16th January 2013 and came into force on 17th January 2013.

### **R&O.6/2013.**

This Order amends the Teachers' Superannuation (Existing Members) (Jersey) Order 1986 ("principal Order") in respect of ill health benefits and death gratuities.

*Article 1* is an interpretation provision.

#### Ill-health benefits

*Article 2* amends the principal Order so that the decision as to whether a teacher is incapacitated is made by the teacher's employer, rather than by the Management Board. The wording of the test of incapacity is slightly updated. It refers to a teacher being unable to discharge efficiently the duties of the teacher's employment by reason of "ill-health or disability of mind or body" rather than "infirmity of mind or body". The wording of the test of incapacity in respect of other persons is similarly updated.

*Article 3* amends the principal Order by removing the provisions in respect of which a teacher may, by notice in writing to the Management Board, nominate a period of 2 or 5 years as the minimum period that he or she must be employed in reckonable service before being entitled to an annual allowance after attaining the age of 60 or becoming incapacitated before attaining the age of 60. A minimum period of 2 years reckonable service is substituted in both cases. The Order also makes provision so that, in the case of entitlement by reason of incapacity, the Management Board may require the employer to meet any additional costs that the Actuary determines to be payable in relation to the teacher after considering medical reports on the teacher and consulting the Actuary.

*Article 4* amends the principal Order by substituting the various dates from which an annual allowance by reason of incapacity may accrue for a single date, that is, the day after the date the teacher ceases to be employed in reckonable service.

*Article 5* amends the principal Order by allowing the Management Board to make such enquiries as it thinks appropriate for the purpose of determining whether a teacher has ceased to be incapacitated or become incapacitated again.

#### Death Gratuities

*Article 6* substitutes Article 56 of the principal Order in respect of death gratuities. The effect of the new Article 56(1), (2) and (3) is that, following the death of a teacher who dies on or after 1st March 2013 whilst employed in reckonable service or who dies within 1 year of ceasing employment by reason of ill health, the legal representatives become entitled to a death gratuity equal to twice the member's annual salary for service of 5 years or, in the case of members with less than 5 years service, 2/5ths annual salary multiplied by the length of service. For a teacher with less than 5 years service, provision is made so that if, in effect, the amount that would have been paid under the current version of Article 56 is greater, that greater amount is payable instead.

The new Article 56(4) preserves the existing provision in Article 56 in respect of teachers who die before 1st March 2013 whilst in reckonable service or within one year of cessation of employment by reason of ill health. The legal representatives of such a teacher are entitled to a death gratuity which is the greater of (a) the amount by which the teacher's average salary exceeds any additional allowance or short service gratuity payable under the scheme or (b) the additional allowance which would have been payable under the scheme if the teacher had been incapacitated at the date of his or her death.

The new Article 56(5) and (6) make provision with respect to members of the scheme who die on or after 1st April 2007 and before 1st March 2013. In effect, if the death gratuity that is payable under



Article 56(4) is less than the amount that would be payable under the provisions as outlined in respect of Article 56(1), (2) and (3), a “top-up” amount is payable to the legal representatives.

Article 56(7) and (8) preserve existing provisions that are currently in Article 56 with respect to members of the scheme who do not fall within the above provisions.

*Article 7* sets out the title of the Order and provides that it will come into force on 1st March 2013.

The Order was made on 18th January 2013 and comes into force on 1st March 2013.

### **R&O.7/2013.**

This Order re-enacts the provisions formerly contained in the Money Laundering and Weapons Development (Directions) (Iran) (Jersey) Order 2012 which lapsed on 19th January 2013.

This Order makes a further direction by the Chief Minister under the Money Laundering and Weapons Development (Directions) (Jersey) Law 2012 (“Law”) in relation to Iran. Under Article 5 of that Law a direction may be made if certain conditions are satisfied. Both of the following conditions are satisfied: (a) the international body known as the Financial Action Task Force has advised that measures should be taken in relation to Iran because of the risk of money laundering; and (b) the Chief Minister reasonably believes that activity in Iran facilitating the development or production of nuclear weapons poses a significant risk to the interests of Jersey.

The direction is given to all “relevant persons” as defined in the Law. “Relevant person” means –

- (a) a person carrying on a financial services business in or from within Jersey; or
- (b) any of the following carrying on a financial services business in any part of the world –
  - (i) a body incorporated in Jersey,
  - (ii) a limited liability partnership registered under the Limited Liability Partnerships (Jersey) Law 1997, or
  - (iii) a separate limited partnership registered under the Separate Limited Partnerships (Jersey) Law 2011.

The direction prohibits a relevant person from entering into new transactions or business relationships with banks incorporated in Iran, including their branches and the Central Bank of Iran, or continuing to participate in transactions or business relationships with such banks. Under Article 6(15) of the Law, the direction also prevents such transactions or business relationships from taking place with subsidiaries of such banks. Under Article 9 of the Law, the Chief Minister may grant a licence to exempt certain acts from these prohibitions.

Under Article 14 of the Law, a person who breaches a direction is guilty of an offence and liable to a maximum term of 2 years imprisonment and an unlimited fine.

This Order came into force on 19th January 2013 and, unless earlier revoked, will cease to have effect one year after it is made, in accordance with Article 7(3) of the Law.

The Order was made on 18th January 2013.



## WRITTEN QUESTIONS

(See Item I(a))

1. The Chief Minister will table an answer to the following question asked by Deputy R.G. Le Hérisssier of St. Saviour –

“In the light of the recent Court Case involving the then Acting Magistrate, what proposals is the Chief Minister considering to ensure that matters are dealt with more expeditiously in the future, and does he propose to review the issue of full remuneration while any Court case is resolved?”

2. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Further to answers the Minister gave on 15th January 2013 regarding the harbour cycle track scheme, would he identify when the Marine Traders Federation were consulted, given that the latter have no record of such consultation?”

3. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Would the Minister advise whether he is content with the present service supplied by rank taxis and, if not, would he outline what he intends to do about it and when?”

4. The Minister for Planning and Environment will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Would the Minister advise whether he is happy with the visual state of La Collette reclamation site - with particular reference to the earth mounds, white plastic sheeting, rusty containers, incinerator building etc - and, if not, what, if anything, he intends to do about it?”

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

“What advice from his international finance advisors has the Minister had on the implications, if any, to Jersey’s intention to sign a US FATCA agreement, of warnings from the European Commission for Taxation and Customs to Austria and Luxembourg that, should they sign FATCA agreements with the US, then other EU countries will use their “most favoured status” to achieve automatic exchange of tax information?

What further advice, if any, has he received on the EU Commission decision to extend this pressure for automatic exchange to Switzerland, along with a threat of blacklisting within 6 months if current tax information practices are not improved?

Do his advisors consider that these moves within the EU in response to the potential extension of US FATCAs have brought closer the advent of the automatic exchange of tax information within Europe, including the Crown Dependencies, and if not, why not?”



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

“Will the Minister inform members how many of the 1,442 job opportunities, including 90 non-locally qualified created by the 172 licences for undertakings from inward investment in Jersey in the period 2008 to 2012 announced in his Media Release of 14th January 2013, have actually been filled, broken down by year and by sector?

Will he further state how many of these licences granted, and how many of these jobs created, were in the finance sector and subject to tax at the 10% rate by year? Will he further state how much company tax these companies actually paid by year?

Will he also state for those companies in the oil, gas and mining sectors who are not directly involved in extraction in Jersey, what activities they actually undertake in the Island to justify their presence and registration in the Island?”

7. The Minister for Home Affairs will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“Will the Minister give a breakdown of the total cost to his Department in respect of the disciplinary action against three of the officers involved with the importation of illegal drugs in 2007, as follows -

- (a) The cost of the criminal investigation by Hampshire Police and their associated legal costs?
- (b) The States’ police’s legal costs preceding the disciplinary Hearing?
- (c) The cost of the disciplinary hearing including the legal advice for the Presiding Officer?
- (d) The travel and accommodation cost for the various officers attending the disciplinary Hearing?

and advise from which budget the funding is coming from?”

8. H.M. Attorney General will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“Will HM Attorney General advise whether the United Kingdom government has any legal power to prevent Jersey signing the proposed FATCA with the USA and, if so, can he explain the legal and/or constitutional basis for this can be found. And, in this eventuality, what appeals mechanisms does the Island have against this decision?”

9. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“Are rooms in the Magistrate’s Court building, Union Street, either rented, leased, hired, loaned or used by any private organisations? If so, what rooms, by whom, and for what consideration?”



10. H.M. Attorney General will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“In responding to my question as to how much taxpayers' money had been spent and/or allocated in support of the so-called 'super-injunction' case being brought by four private individuals under the Data Protection Law, the Assistant Chief Minister stated that he could not answer as this was sub-judice. Will the Attorney General clarify -

- 1) that this does indeed apply to revelation of monies/costs even though they have nothing to do actual facts of the case;
- 2) provide the exact wording of this ruling;
- 3) outline when the Crown/Law Officers were engaged in support of the case?”

11. The Chief Minister will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“Will the Chief Minister detail who initiated the proposed change to the Royal Court (Jersey) Law 1948 (P.93/2012) allowing Guernsey Jurats to potentially sit on Jersey cases?”

12. The Chairman of the Electoral Commission will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“Will the Chairman of the Electoral Commission explain why the Commission chose to base its proposals on the number of eligible voters in each Parish rather than the higher figure of the population of each Parish, given that all parishioners can expect to receive representation?”

13. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“Can the Minister outline what the estimated total of monies channelled through Jersey by the financial industry was in 2012; how this has reduced since the onset of the global downturn of 2008; and what is the estimated total benefit to the Island in terms of both overall taxation and investment as of 2012?”

14. The Minister for Economic Development will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier–

“Following the Minister’s statement to the media regarding his department’s role in job creation in the Island will he outline, using the following table, details of the 400 jobs created:

Name of Firm	Type of Business	No. of jobs created	Type of job created	Full or part time	Date created



Note: Type of job created eg. Clerical, sales, junior management, middle management, senior management, technical, junior, driver etc.”

15. H.M. Attorney General will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will Her Majesty’s Attorney General explain to members the various checks and balances that apply to the Law Officers and the Law Officers Department and explain how and in what way the department is accountable to the States of Jersey Assembly?”

16. The Minister for Social Security will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Further to my written question 1240/5(7300), dated 11th December 2012 regarding Health Insurance Fund payments to doctors, will the Minister:

- (a) explain whether a similar check to that requested in the original question has previously been carried out by the department and if not what checks and balances have been made in this area;
- (b) explain the reasons why nine or more doctors are claiming more than £100,000 per annum for patient consultations in 2011;
- (c) explain the reasons why 22 or more doctors are claiming more than £15,000 per annum for referral letters in 2011;
- (d) why certain doctors have had significantly high consultation and referral payments over the three years examined;
- (e) why doctor 41’s level of consultation fees and referral fees appear to be physically impossible on the basis of a normal working week and number of consultations per day?”

17. The Minister for Home Affairs will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister explain the apparent contradiction between the Supreme Court’s criticism of the actions of the three police officers involved in the recent Curtis Warren bugging case and their exoneration by the Disciplinary Panel? Is the Minister satisfied that the public retains faith in our police force and the judiciary?”

18. The Chief Minister will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Chief Minister break down the expenditure of the Data Protection Commissioner for (a) legal advice and (b) prosecutions over the last five years, and explain how much money has been budgeted for legal advice and prosecutions during 2013?”

Will he also explain whether the Data Protection Commissioner’s office is entitled to or has received any funds from the Court and Case Costs Fund and if so how much it has received?”



19. The Minister for Health and Social Services will table an answer to the following question asked by Senator S.C. Ferguson –

“What is the total capacity of Orchard House?

Of the current occupants, what is the length of time each occupant has been detained?

What is the longest period for which occupants have been detained?”

20. The Minister for Economic Development will table an answer to the following question asked by Senator S.C. Ferguson –

“Would the Minister explain how the charge now made on parcels being sent to the UK by the Jersey Post Office is made up – is it effectively UK VAT? What is the procedure to forward this to the UK, and to whom is it payable?

What plans are there to improve the collection of GST on incoming parcels, given that ParcelForce parcels are not all checked?”

21. The Minister for Education, Sport and Culture will table an answer to the following question asked by Senator S.C. Ferguson –

“Would the Minister advise members of the length of residence in the Island of students studying at Highlands, broken down into the following age groups - those under 16; those between 16 and 18; and those over 18?”

22. The Chief Minister will table an answer to the following question asked by Senator S.C. Ferguson –

“The Assistant Minister for External Affairs recently stated that it is better for Jersey if the UK remains within the European Union.

Would the Chief Minister please explain when this became part of Jersey’s policy and what is the evidence for this statement?”





## ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

### 2013

#### 1st Session 2013

<b>February 19th</b>	Treasury and Resources	Chief Minister
<b>March 5th</b>	Education, Sport and Culture	Health and Social Services
<b>March 19th</b>	Economic Development	Chief Minister
<b>April 16th</b>	Housing	Planning and Environment
<b>April 30th</b>	Social Security	Chief Minister
<b>May 14th</b>	Transport and Technical Services	Home Affairs
<b>June 4th</b>	Treasury and Resources	Chief Minister
<b>June 18th</b>	Education, Sport and Culture	Health and Social Services
<b>July 2nd</b>	Economic Development	Chief Minister
<b>July 16th</b>	Housing	Planning and Environment

#### 2nd Session 2013

<b>September 10th</b>	Social Security	Chief Minister
<b>September 24th</b>	Transport and Technical Services	Home Affairs
<b>October 8th</b>	Treasury and Resources	Chief Minister
<b>October 22nd</b>	Education, Sport and Culture	Health and Social Services
<b>November 5th</b>	Economic Development	Chief Minister
<b>November 19th</b>	Housing	Planning and Environment
<b>December 3rd</b>	Social Security	Chief Minister
<b>December 10th</b>	Transport and Technical Services	Home Affairs