

STATES OF JERSEY ORDER PAPER

Tuesday 19th June 2007

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

C. DOCUMENTS PRESENTED OR LAID

Land Transactions under Standing Order 168(3) – land at Mont du Boulevard, St. Aubin, St. Brelade– acquisition by the Public. R.57/2007.
Presented: 13th June 2007.
Minister for Treasury and Resources.

Births, Marriages and Deaths in 2006: statement. R.58/2007.
Presented: 15th June 2007.
Minister for Home Affairs.

Public Accounts Committee: Review of the Comptroller and Auditor General’s Reports on Jersey Financial Services Commission and Overseas Aid and Notes on States’ Aggregate Expenditure. P.A.C.3/2007.
Presented: 7th June 2007.
Public Accounts Committee.

D. NOTIFICATION OF LODGED PROPOSITIONS

Registration of political parties (P.73/2007): amendments. P.73/2007. Amd.
Lodged: 14th June 2007.
Deputy G.P. Southern of St. Helier.

Draft Amendment (No. 7) of the Standing Orders of the States of Jersey. P.80/2007.
Lodged: 7th June 2007.
Deputy G.P. Southern of St. Helier.

Fields 848, 851 and 853, Bel Royal, St. Lawrence: Committee of Inquiry– appointment of members. P.81/2007.
Lodged: 13th June 2007.
Connétable of St. Lawrence.

Draft Main Roads (Classification) (Amendment No. 28) (Jersey) Act 200. P.82/2007.
Lodged: 14th June 2007.
Minister for Transport and Technical Services.

Draft Health Care (Registration) (Amendment No. 3) (Jersey) Regulations 200. P.83/2007.
Lodged: 14th June 2007.
Minister for Health and Social Services.

E. WITHDRAWAL OF LODGED PROPOSITIONS

In accordance with Standing Order 34(1), the Minister for Treasury and Resources has informed the Greffier of the States that the following proposition lodged “au Greffe” on 20th February 2007 is to be withdrawn -

JT Group Limited (“Jersey Telecom”): proposed sale.
Lodged: 20th February 2007.
Minister for Treasury and Resources.

P.28/2007.

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

Appointment of Chairman of the Education and Home Affairs Scrutiny Panel.

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions *(attached)*

1. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. Ouen regarding the Departmental headcount as at 31st December 2006.
2. The Chief Minister will table an answer to a question asked by the Deputy of St. Ouen regarding statistics on staff vacancies.
3. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. Ouen regarding statistics on staff vacancies
4. The Minister for Economic Development will table an answer to a question asked by the Deputy of St. Ouen regarding statistics on staff vacancies.
5. The Minister for Education, Sport and Culture will table an answer to a question asked by the Deputy of St. Ouen regarding statistics on staff vacancies.
6. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. Ouen regarding statistics on staff vacancies.
7. The Minister for Home Affairs will table an answer to a question asked by the Deputy of St. Ouen regarding statistics on staff vacancies.
8. The Minister for Housing will table an answer to a question asked by the Deputy of St. Ouen regarding statistics on staff vacancies.
9. The Minister for Planning and Environment will table an answer to a question asked by the Deputy of St. Ouen regarding statistics on staff vacancies.
10. The Minister for Social Security will table an answer to a question asked by the Deputy of St. Ouen regarding statistics on staff vacancies.

11. The Minister for Transport and Technical Services will table an answer to a question asked by the Deputy of St. Ouen regarding statistics on staff vacancies.
12. The Chief Minister will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the Jersey Community Relations Trust.
13. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the issue of Scrutiny Panels obtaining access to the legal advice received by Ministers.
14. The Vice-Chairman of the Education and Home Affairs Scrutiny Panel will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the 'Cooper' opinion relating to the role of Centeniers.
15. The Minister for Home Affairs will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the legal opinion on certain Articles of the Human Rights (Jersey) Law 2000.
16. The Minister for Treasury and Resources will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the post of Procurement and Contracts Manager.
17. The Minister for Planning and Environment will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the moderation of his powers.
18. The Chief Minister will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the system of Green and White Papers.
19. The Minister for Education, Sport and Culture will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the purpose of an external examination of the Department.
20. The Chief Minister will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the Succession and Career Management Policy.

(b) – **Oral Questions** (90 minutes)
(attached)

1. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Planning and Environment -

“Will the Minister advise whether it is envisaged that, when La Route de la Liberation is sunk, the road will be redirected through Les Jardins de la Mer, and if this is the case, will the Minister give assurances that the gardens will be recreated?”

2. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Chairman of the Environment Scrutiny Panel -

“Would the Chairman explain why the Minutes of the meeting held on 16th February 2007 carry the unusual sequence of ‘40a’ and would he further explain why a meeting was called for a single item?”

3. Deputy J.A. Martin of St. Helier will ask the following question of the Chief Minister -

“Would the Chief Minister provide a breakdown of the latest population figure which includes

net inward migration of 700, to show the numbers of low skilled immigrants, permanent and time limited 'j' category employees in the private and public sectors and their dependants?"

4. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Minister for Economic Development -

"Does the Minister have any plans to introduce a Financial Services Ombudsman and, if so, when does he intend to bring the relevant legislation forward?"

5. Deputy J.A. Martin of St. Helier will ask the following question of the Chief Minister -

"Would the Chief Minister inform members who determines when a meeting of the Council will be deemed informal and therefore not minuted by a Committee Clerk, why are the meetings of the Migration Working Party (MAG) not minuted and why are the minutes of the Corporate Management Board not made available to members?"

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

"Will the Minister inform members how many private equity companies are registered in Jersey, and explain whether the tax position in Jersey in relation to these companies compares favourably with the UK, and what measures are in place in Jersey to ensure protection for Jersey employees' pension funds and that tax revenues are maximised following the takeover of a local company by private equity?"

7. Senator B.E. Shenton will ask the following question of the Minister for Planning and Environment -

"Following the approval of the Castle Quay development, would the Minister advise the Assembly whether he has an overall concept for the Waterfront, and if so, will this be made public or will other developments continue to be considered on a piecemeal basis?"

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

"Would the Minister advise what progress, if any, has been made in examining alternatives to the Regulation of Undertakings and Development Law charge for raising revenue from non-Jersey owned companies under the zero/ten tax proposals, particularly the 'Blampied' proposal recommended in the Corporate Services Report S.R.4 published in September 2006, and if none, will he explain why and inform members when he will report on this issue?"

9. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Treasury and Resources -

"Will the Minister advise whether he is aware of any "Vulture Funds" operating in or through Jersey, whereby outstanding third world debts are purchased by companies which then seek to recoup the full amount of the debt plus penalties? If so would the Minister assure members that such funds will be prohibited from operating within the Jersey financial system?"

10. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Planning and Environment -

"Would the Minister advise how many staff are currently employed in the meteorological section of his Department, and outline the tasks they perform?"

11. The Deputy of St. Martin will ask the following question of the Chief Minister -

“On approving the Draft Human Rights (Jersey) Law (P.197/99) in 2000, the Assembly was advised that it could not come into force until certain laws were Convention Compliant. Will the Chief Minister advise whether audits of Loi (1864) réglant la Procédure Criminelle, Criminal Procedure (Connétables and Centeniers) (Jersey) Law 1996 and the Magistrate’s Court (Miscellaneous Provisions) (Jersey) Law 1949 were undertaken, if so when, and were they deemed Convention Compliant?”

12. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Chairman of the Privileges and Procedures Committee -

“During his nomination speech for the Chairmanship of the Privileges and Procedures Committee in December 2005, the Chairman advised the Assembly that, if appointed, he would seek to progress a Freedom of Information Law as soon as possible. Would the Chairman explain why there has been such a substantial delay in bringing this Law to the Assembly?”

13. The Deputy of St. Martin will ask the following question of H.M. Attorney General -

“Would the Attorney General confirm that the present arrangement, in which Centeniers present cases in the Magistrates Court, is compliant with the Human Rights (Jersey) Law 2000, if so, will he explain why?”

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

1st question period – Minister for Transport and Technical Services.

2nd question period – Chief Minister.

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 4) (Jersey) Regulations 200-. P.57/2007.
Lodged: 1st May 2007.
Minister for Economic Development.

Jersey Competition Regulatory Authority: re-appointment of Chairman. P.70/2007.
Lodged: 24th May 2007.
Minister for Economic Development.

M. ARRANGEMENT OF PUBLIC BUSINESS

3rd July 2007

- Social Housing Property Plan 2007–2016. P.6/2007.
Lodged: 16th January 2007.
Minister for Housing.
- Draft High Hedges (Jersey) Law 200-. P.51/2007.
Lodged: 13th April 2007.
Minister for Planning and Environment.
- Draft States of Jersey (Amendment No. 3) Law 200. P.60/2007.
Lodged: 10th May 2007.
Privileges and Procedures Committee.
- Public Elections: reduction in voting age to 16. P.63/2007.
Lodged: 15th May 2007.
Deputy of Grouville.
- Draft Distance Selling (Jersey) Law 200-. P.66/2007.
Lodged: 16th May 2007.
Minister for Economic Development.
- Electoral Registration: link to population register. P.68/2007
Lodged: 22nd May 2007.
Deputy G.P. Southern of St. Helier.
- Fields 848, 851 and 853, Bel Royal, St. Lawrence: Committee of Inquiry– P.81/2007.
appointment of members.
Lodged: 13th June 2007.
Connétable of St. Lawrence.
- Draft Main Roads (Classification) (Amendment No. 28) (Jersey) Act 200. P.82/2007.
Lodged: 14th June 2007.
Minister for Transport and Technical Services.

17th July 2007

- School milk and milk at a reduced rate: continued provision. P.45/2007.
Lodged: 27th March 2007.
Deputy G.P. Southern of St. Helier.
- Draft Community Provisions (Wire Transfers) (Jersey) Regulations 200-. P.71/2007.
Lodged: 24th May 2007.
Minister for Treasury and Resources.
- Draft Unlawful Public Entertainments (Jersey) Regulations 200-. P.72/2007.
Lodged: 31st May 2007.
Minister for Home Affairs.
- Registration of political parties. P.73/2007.
Lodged: 5th June 2007.
Privileges and Procedures Committee.
- Registration of political parties (P.73/2007): amendments. P.73/2007. Amd.
Lodged: 14th June 2007.

Deputy G.P. Southern of St. Helier.

Draft States of Jersey (Powers, Privileges and Immunities) (Committees of Inquiry) (Jersey) Regulations 200-. P.74/2007.
Lodged: 5th June 2007.
Privileges and Procedures Committee.

Composition of the States: revised structure and referendum. P.75/2007.
Lodged: 5th June 2007.
Privileges and Procedures Committee.

Composition of the States: revised structure and referendum (P.75/2007) – amendment. P.75/2007. Amd.
Lodged: 5th June 2007.
Deputy G.C.L. Baudains of St. Clement.

Composition and Election of the States Assembly: election dates for Connétables. P.54/2007
Lodged: 19th April 2007.
Comité des Connétables.

Composition and Election of the States Assembly: election dates for Connétables (P.54/2007) – comments. P.54/2007. Com.
Presented: 4th June 2007.
Privileges and Procedures Committee.

Draft Price and Charge Indicators (Jersey) Law 200-. P.76/2007.
Lodged: 5th June 2007.
Minister for Economic Development.

Code of Practice for Scrutiny Panels and the Public Accounts Committee. P.77/2007.
Lodged: 5th June 2007.
Chairmen's Committee.

La Carrière redevelopment and rock face stabilisation works. P.78/2007.
Lodged: 5th June 2007.
Minister for Housing.

11th September 2007

Draft Amendment (No. 7) of the Standing Orders of the States of Jersey. P.80/2007.
Lodged: 7th June 2007.
Deputy G.P. Southern of St. Helier.

Draft Health Care (Registration) (Amendment No. 3) (Jersey) Regulations 200. P.83/2007
Lodged: 14th June 2007.
Minister for Health and Social Services.

M.N. DE LA HAYE
Greffier of the States

14th June 2007

Note –

In accordance with the meeting dates fixed for 2007 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 20th June and Thursday 21st June 2007.

WRITTEN QUESTIONS

(See Item I(a))

The Minister for Health and Social Services will table an answer to the following question asked by the Deputy of St. Ouen –

“Would the Minister provide a total budgeted headcount as at 31st December 2006 and explain why these figures were not included in R.51/2007 ‘Public Sector Manpower Report: December 2006’?”

The Chief Minister will table an answer to the following question asked by the Deputy of St. Ouen –

“Would the Chief Minister advise the Assembly what the total number of public sector staff vacancies were for the six month periods to 30th June 2005, 31st December 2005, 30th June 2006, 31st December 2006 and 30th May 2007 within his Department and the non Executive Departments?

Of the staff posts transferred to and from his Department and the non Executive Departments during the above periods, how many were actually vacant at the time of transfer?

What funds were saved by Departments from unfilled posts in each period?

How many of the existing vacancies are currently budgeted for and how many vacancies have remained unfilled for a period of 12 months or more?”

The Minister for Treasury and Resources will table an answer to the following question asked by the Deputy of St. Ouen –

“Would the Minister advise the Assembly what the total number of public sector staff vacancies were for the six month periods to 30th June 2005, 31st December 2005, 30th June 2006, 31st December 2006 and 30th May 2007 within his Department?

Of the staff posts transferred to and from the Department during the above periods, how many were actually vacant at the time of transfer?

What funds were saved by Departments from unfilled posts in each period?

How many of the existing vacancies are currently budgeted for and how many vacancies have remained unfilled for a period of 12 months or more?”

The Minister for Economic Development will table an answer to the following question asked by the Deputy of St. Ouen –

“Would the Minister advise the Assembly what the total number of public sector staff vacancies were for the six month periods to 30th June 2005, 31st December 2005, 30th June 2006, 31st December 2006 and 30th May 2007 within his Department?

Of the staff posts transferred to and from the Department during the above periods, how many were actually vacant at the time of transfer?

What funds were saved by Departments from unfilled posts in each period?

How many of the existing vacancies are currently budgeted for and how many vacancies have remained unfilled for a period of 12 months or more?"

The Minister for Education, Sport and Culture will table an answer to the following question asked by the Deputy of St. Ouen -

"Would the Minister advise the Assembly what the total number of public sector staff vacancies were for the six month periods to 30th June 2005, 31st December 2005, 30th June 2006, 31st December 2006 and 30th May 2007 within his Department?

Of the staff posts transferred to and from the Department during the above periods, how many were actually vacant at the time of transfer?

What funds were saved by Departments from unfilled posts in each period?

How many of the existing vacancies are currently budgeted for and how many vacancies have remained unfilled for a period of 12 months or more?"

The Minister for Health and Social Services will table an answer to the following question asked by the Deputy of St. Ouen -

"Would the Minister advise the Assembly what the total number of public sector staff vacancies were for the six month periods to 30th June 2005, 31st December 2005, 30th June 2006, 31st December 2006 and 30th May 2007 within his Department?

Of the staff posts transferred to and from the Department during the above periods, how many were actually vacant at the time of transfer?

What funds were saved by Departments from unfilled posts in each period?

How many of the existing vacancies are currently budgeted for and how many vacancies have remained unfilled for a period of 12 months or more?"

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

"Would the Minister advise the Assembly what the total number of public sector staff vacancies were for the six month periods to 30th June 2005, 31st December 2005, 30th June 2006, 31st December 2006 and 30th May 2007 within her Department?

Of the staff posts transferred to and from the Department during the above periods, how many were actually vacant at the time of transfer?

What funds were saved by Departments from unfilled posts in each period?

How many of the existing vacancies are currently budgeted for and how many vacancies have remained unfilled for a period of 12 months or more?"

The Minister for Housing will table an answer to the following question asked by the Deputy of St. Ouen -

“Would the Minister advise the Assembly what the total number of public sector staff vacancies were for the six month periods to 30th June 2005, 31st December 2005, 30th June 2006, 31st December 2006 and 30th May 2007 within his Department?

Of the staff posts transferred to and from the Department during the above periods, how many were actually vacant at the time of transfer?

What funds were saved by Departments from unfilled posts in each period?

How many of the existing vacancies are currently budgeted for and how many vacancies have remained unfilled for a period of 12 months or more?”

The Minister for Planning and Environment will table an answer to the following question asked by the Deputy of St. Ouen -

“Would the Minister advise the Assembly what the total number of public sector staff vacancies were for the six month periods to 30th June 2005, 31st December 2005, 30th June 2006, 31st December 2006 and 30th May 2007 within his Department?

Of the staff posts transferred to and from the Department during the above periods, how many were actually vacant at the time of transfer?

What funds were saved by Departments from unfilled posts in each period?

How many of the existing vacancies are currently budgeted for and how many vacancies have remained unfilled for a period of 12 months or more?”

The Minister for Social Security will table an answer to the following question asked by the Deputy of St. Ouen -

“Would the Minister advise the Assembly what the total number of public sector staff vacancies were for the six month periods to 30th June 2005, 31st December 2005, 30th June 2006, 31st December 2006 and 30th May 2007 within his Department?

Of the staff posts transferred to and from the Department during the above periods, how many were actually vacant at the time of transfer?

What funds were saved by Departments from unfilled posts in each period?

How many of the existing vacancies are currently budgeted for and how many vacancies have remained unfilled for a period of 12 months or more?”

The Minister for Transport and Technical Services will table an answer to the following question asked by the Deputy of St. Ouen -

“Would the Minister advise the Assembly what the total number of public sector staff vacancies were for the six month periods to 30th June 2005, 31st December 2005, 30th June 2006, 31st December 2006 and 30th May 2007 within his Department?

Of the staff posts transferred to and from the Department during the above periods, how many were actually

vacant at the time of transfer?

What funds were saved by Departments from unfilled posts in each period?

How many of the existing vacancies are currently budgeted for and how many vacancies have remained unfilled for a period of 12 months or more?"

The Chief Minister will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“With regard to the Jersey Community Relations Trust, would the Chief Minister advise –

- (a) who the current members are?
- (b) how often they meet?
- (c) whether any member has missed more than 10% of meetings and, if so, how many?
- (d) achievements of the Trust to date?
- (e) funds expended to date?"

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

“Will the Chief Minister outline how he plans to resolve the issue of Scrutiny Panels obtaining access to legal advice given to Ministers?"

The Vice-Chairman of the Education and Home Affairs Scrutiny Panel will table an answer to the following question asked by Deputy G.P. Southern of St. Helier -

“Will the Vice-Chairman outline to members whether the Panel agreed to the conditions prepared by H.M. Attorney General prior to their meeting to discuss the Cooper opinion on the rôle of Centeniers, and, if so, why?

Will the Vice-Chairman release to all States members the Cooper opinion and other advice received by the Panel to date, and if not, when will the Panel be prepared to do so?"

The Minister for Home Affairs will table an answer to the following question asked by Deputy G.P. Southern of St. Helier -

- “(a) Will the Minister outline to members what issues have been raised by the legal opinion obtained by the Education and Home Affairs Scrutiny Panel from Mr Jonathan Cooper, and released to her, concerning Articles 5, 6, and 7 of the Human Rights (Jersey) Law 2000?
- (b) Would the Minister further state on what occasions since 1990 the position of Centeniers in the Magistrate’s Court has been raised with her or her predecessors, and what difficulties with the present system, if any, were highlighted?
- (c) Would the Minister state whether legal advice was sought on these issues from the Law Officers’ Department or elsewhere and, if so, would she reveal what advice was given?"

The Minister for Treasury and Resources will table an answer to the following question asked by Deputy R.G. Le Hérisier of St. Saviour –

“Would the Minister advise members –

- (a) whether the position of Procurement and Contracts Manager has been opened to external recruitment, and if so, why?
- (b) of the annual staff budget for the Corporate Procurement section and outline how the effectiveness of the section is measured?”

The Minister for Planning and Environment will table an answer to the following question asked by Deputy R.G. Le Hérisier of St. Saviour-

“In the light of the Minister’s recent comments that there needed to be more effective checks and balances as to how he exercised his powers, would he outline what steps he or others are taking to restrict or moderate his powers?”

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

“Would the Chief Minister confirm that all Departments now abide by the system of Green and White Papers and, if not, why?”

The Minister for Education, Sport and Culture will table an answer to the following question asked by Deputy R.G. Le Hérisier of St. Saviour-

“At a recent Ministerial briefing, the Minister stated that the Department was going to subject itself to a form of external examination. What is the purpose of this exercise, who is the external body and what will this cost?”

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

“In a written answer dated 5th June 2007, regarding Succession and Career Management Policy, the Chief Minister stated with that ‘the policy may not have been fully adhered to in all cases’. Would the Chief Minister explain what he meant by this statement and what steps are being taken to ensure adherence to the policy?”

ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

1st Session –

	First 15 minute period	Second 15 minute period
	Minister	Minister
3rd July	Health and Social Services	Education, Sport and Culture
17th July	Planning and Environment	Chief Minister

2nd Session –

	First 15 minute period	Second 15 minute period
	Minister	Minister
11th September	Social Security	Chief Minister
25th September	Housing	Treasury and Resources
9th October	Home Affairs	Chief Minister
23rd October	Economic Development	Transport & Technical Services
6th November	Health and Social Services	Chief Minister
20th November	Education, Sport and Culture	Planning and Environment
4th December	Social Security	Chief Minister