



STATES OF JERSEY ORDER PAPER

Tuesday 21st February 2012
CONSOLIDATED

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Road Racing (Hill Climbs and Sprints) (Jersey) Order 2012. R&O.19/2012.
Minister for Transport and Technical Services.

Sand Racing (Jersey) Order 2012. R&O.20/2012.
Minister for Transport and Technical Services.

Royal Court (Amendment No. 13) Rules 2012. R&O.21/2012.
Superior Number of the Royal Court.

* Community Provisions (Restrictive Measures – Côte d'Ivoire) (Amendment No. 5) R&O.22/2012.
(Jersey) Order 2012.
Chief Minister.

C. DOCUMENTS PRESENTED OR LAID

Electoral Commission: composition and terms of reference (P.5/2012) – Minority P.5/2012.
Report of Deputies J.A. Martin of St. Helier and M. Tadier of St. Brelade. Add.
Presented: 15th February 2012.
Privileges and Procedures Committee.

Care Inspectorate: Inspection of services for looked-after children. R.14/2012.
Presented: 7th February 2012.
Minister for Health and Social Services.

Disposal of foul sewage: Consultation Paper. R.15/2012.
Presented: 8th February 2012.
Minister for Planning and Environment.

Government Actuary's Report on the financial condition of the Social Security R.16/2012.
Fund as at 31st December 2009.
Presented: 8th February 2012.
Minister for Social Security.

States of Jersey Law 2005: delegation of functions – Home Affairs – revised R.17/2012.
delegations February 2012.
Presented: 9th February 2012.
Minister for Home Affairs.

Jersey Police Complaints Authority: report for 2011. R.18/2012.
Presented: 9th February 2012.
Minister for Home Affairs.

States of Jersey Law 2005: delegation of functions – Social Security – R.19/2012.
appointment of Determining Officers.
Presented: 10th February 2012.
Minister for Social Security.



States of Jersey Law 2005: delegation of functions – Economic Development – financial authorities for Jersey Harbours and Jersey Airport. R.20/2012.
Presented: 10th February 2012.
Minister for Economic Development.

States of Jersey Law 2005: delegation of functions – Education, Sport and Culture – revised delegations February 2012. R.21/2012.
Presented: 13th February 2012.
Minister for Education, Sport and Culture.

Protection of employment land: Consultation Paper. R.22/2012.
Presented: 16th February 2012.
Minister for Planning and Environment.

The Lord Portsea Gift Fund: report for 2009 and 2010. R.23/2012.
Presented: 17th February 2012.
Minister for Education, Sport and Culture.

- * Land Transactions under Standing Order 168(3) – R.24/2012.
(a) Thorp House Warehouse, Rouge Bouillon, St. Helier – lease;
(b) 1 La Ferme du Marais, La Rue du Pont, St. Mary – Assisted House Purchase property.
Presented: 20th February 2012.
Minister for Treasury and Resources.

D. NOTIFICATION OF LODGED PROPOSITIONS

Electoral Commission: composition and terms of reference (P.5/2012) – amendment (P.5/2012 Amd.) – amendment. P.5/2012.
Lodged: 9th February 2012. Amd.Amd.
Deputy R.G. Le Hérisier of St. Saviour.

Draft Civil Partnerships (Consequential Amendments) (Jersey) Regulations 201-. P.12/2012.
Lodged: 7th February 2012.
Chief Minister.

Ratification of the Agreement for the Exchange of Information relating to Tax Matters between the Government of Jersey and the Government of Japan. P.13/2012.
Lodged: 9th February 2012.
Chief Minister.

Ratification of the Agreement for the Exchange of Information relating to Tax Matters between the Government of Jersey and the Government of the Republic of Poland. P.14/2012.
Lodged: 9th February 2012.
Chief Minister.

Ratification of the Agreement for the Exchange of Information relating to Tax Matters between the Government of Jersey and the Government of the Republic of India. P.15/2012.
Lodged: 9th February 2012.
Chief Minister.

Planning Applications Panel: appointment of member. P.16/2012.
Lodged: 14th February 2012.
Minister for Planning and Environment.



Prescription charges and income support for primary health costs. P.17/2012.
Lodged: 17th February 2012.
Deputy G.P. Southern of St. Helier.

* Draft Civil Partnership (Jersey) Law 2012 (Appointed Day) Act 201-. P.18/2012.
Lodged: 20th February 2012.
Chief Minister.

* Draft Employment (Jersey) Law 2003 (Amendment Nos. 5, 6 and 7) (Appointed P.19/2012.
Day) Act 201-.
Lodged: 20th February 2012.
Minister for Social Security.

E. WITHDRAWAL OF LODGED PROPOSITIONS

In accordance with Standing Order 34(1), the proposer of the following proposition lodged 'au Greffe' has informed the Greffier of the States that it is to be withdrawn –

Machinery of Government: review by Privileges and Procedures Committee. P.187/2011.
Lodged: 29th November 2011.
Deputy G.C.L. Baudains of St. Clement.

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

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

- * 1. Deputy R.G. Le Hérissier of St. Saviour will ask a question of the Minister for Planning and Environment regarding the provision of public transport and 'Hoppa' style services from the Belvedere (Old Jersey Dairy) and Chasse Brunet sites.
- 2. Deputy G.C.L. Baudains of St. Clement will ask a question of the Minister for Transport and Technical Services regarding the operation of the Energy from Waste plant and the acceptance of Guernsey waste.
- 3. Deputy G.C.L. Baudains of St. Clement will ask a question of the Minister for Transport and Technical Services regarding the St. Aubin treated sewage outfall.
- 4. Deputy G.C.L. Baudains of St. Clement will ask a question of the Minister for Transport and Technical Services regarding the planned cessation of open-air composting.
- 5. Deputy G.C.L. Baudains of St. Clement will ask a question of the Minister for Home Affairs regarding recent States of Jersey Police activities at the German Consul's property.
- 6. Deputy G.P. Southern of St. Helier will ask a question of the Minister for Economic Development regarding competition in the postal market.
- 7. Deputy G.P. Southern of St. Helier will ask a question of the Minister for Economic Development regarding the price of domestic heating oil.



8. Deputy G.P. Southern of St. Helier will ask a question of the Minister for Social Security regarding the reduction in the number of households claiming Income Support.
9. Deputy G.P. Southern of St. Helier will ask a question of the Minister for Social Security regarding the number of prescriptions and G.P. consultations.
10. Deputy R.G. Le Hérisser of St. Saviour will ask a question of the Chief Minister regarding action to promote the right of Islanders to work in the European Union.
11. Deputy G.P. Southern of St. Helier will ask a question of the Minister for Health and Social Services regarding the sudden death of a former patient of the General Hospital.
12. Deputy M. Tadier of St. Brelade will ask a question of the Chairman of the Comité des Connétables regarding warrant cards.
13. Deputy M. Tadier of St. Brelade will ask a question of the Minister for Home Affairs regarding the recommendations of the report by the Howard League for Penal Reform.
14. Deputy M. Tadier of St. Brelade will ask a question of the Chairman of the Health, Social Security and Housing Scrutiny Panel regarding Income Support housing rebate.
15. The Deputy of Grouville will ask a question of the Minister for Transport and Technical Services regarding the reduction in incentives to encourage low emission vehicles.
16. Deputy T.M. Pitman of St. Helier will ask a question of the Chief Minister regarding formal meetings with the former Chief Officer of Police.
17. Deputy T.M. Pitman of St. Helier will ask a question of the Minister for Home Affairs regarding the retirement date of the former Chief Officer of Police.
18. Deputy T.M. Pitman of St. Helier will ask a question of the Minister for Home Affairs regarding the publication of documents in connexion with the historic abuse enquiry.
19. Deputy T.M. Pitman of St. Helier will ask a question of the Minister for Economic Development regarding the development of a casino in Jersey.
20. Deputy S. Pitman of St. Helier will ask a question of the Minister for Home Affairs regarding the 'Interim report' of the Metropolitan Police into the handling of the historic abuse enquiry.
21. Deputy S. Pitman of St. Helier will ask a question of the Chief Minister regarding work undertaken by Matt Tapp Associates.
22. Deputy S. Pitman of St. Helier will ask a question of the Chief Minister regarding the commissioning of Matt Tapp Associates without a formal contract.
23. The Connétable of St. Helier will ask a question of the Minister for Transport and Technical Services regarding the Millennium Town Park.
24. The Connétable of St. Helier will ask a question of the Minister for Treasury and Resources regarding the redevelopment of the former Jersey College for Girls site.
25. The Connétable of St. Helier will ask a question of the Minister for Transport and Technical Services regarding the Sustainable Transport Policy.
26. Deputy T.M. Pitman of St. Helier will ask a question of the Chief Minister regarding the engagement of Matt Tapp Associates.



(b) – Oral Questions
(120 minutes)

1. Deputy R.J. Rondel of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Would the Minister inform the Assembly of the amount received by the Treasury from GST placed on food items for the years 2010 and 2011 and, if he is unable to give the precise figure, would he give members an estimate of the amount received?”
2. Deputy M.R. Higgins of St. Helier will ask the following question of the Chief Minister –

“Will the Chief Minister explain to the States the reasons for the delay in making compensation payments to the victims of abuse at Haut de la Garenne and advise whether any settlements will be subject to a requirement for claimants to keep the amount of the award private and confidential?”
3. Deputy S. Pitman of St. Helier will ask the following question of the Chief Minister –

“Following the States decision on 2nd March 2011 to request the Council of Ministers to bring forward a proposition asking the States to establish a Committee of Inquiry into historic child abuse, would the Chief Minister explain why no draft terms of reference have yet been published and would he state when the proposition will be lodged to enable the Committee of Inquiry to commence work if the proposition is adopted?”
4. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Chairman of the Comité des Connétables –

“Would the Chairman outline the steps taken by the Comité to ensure applications for Sunday Trading licences are subject to a minimum of bureaucracy and expense?”
5. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Home Affairs –

“Will the Minister advise what rights, if any, members of the public have to be informed by the police that their neighbours have a large arsenal of weapons in their homes?”
6. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Economic Development –

“Will the Minister advise how many of the 222 staff at Indigo Lighthouse are locally qualified and how many will be eligible to claim Income Support if they are made redundant?”
7. The Connétable of St. John will ask the following question of the Minister for Transport and Technical Services –

“What warranty, if any, is in place to remedy any of the problems with the surface asphalt and joins on the Airport road and is the warranty for labour only or labour and materials and, if the latter, was this the basis on which all of the companies tendering quoted and, if not, why not?”
8. Deputy J.A. Hilton of St. Helier will ask the following question of the Chief Minister –

“Will the Chief Minister explain why an advertisement has been placed in the “Public Servant” dated February 2012 for the position of ‘Economist, States of Jersey’ which informs potential applicants that 5 years’ residency is not required?”
9. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –

“What steps, if any, does the Minister have under consideration to reduce the cost of G.P. consultations to the public?”



10. Deputy J.A. Hilton of St. Helier will ask the following question of the Minister for Health and Social Services –

“Can the Minister inform members whether compulsory drug testing forms part of the decision making process by her Department when deciding whether drug addicts are fit and proper parents to retain the care of their children and, if not, why not?”

11. Deputy R.J. Rondel of St. Helier will ask the following question of the Minister for Housing –

“Of the figure of 522 on the Housing waiting list, would the Minister advise the Assembly how many people this actually equates to in terms of the number of adults and children within each family unit?”

12. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Health and Social Services –

“Will the Minister inform Members what the ‘increased risk to the organisation’ highlighted by her Department concerning the CSR spending decision HSS-S5 on pharmacy services was?”

13. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Economic Development –

“Will the Minister advise whether the figures of potential costs for taking the UK government to court over its decision to abolish low value consignment relief differ between Guernsey and Jersey when both Islands are contesting the same point, and whether an offer by a specialist costs lawyer to determine the costs of this action more accurately, at no cost to the States, was rejected and if so why?”

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

“Will the Chief Minister advise the Assembly as to whether the former Minister for External Relations was informed about the raid on the German Consul’s home last year and, if not, why not?”

15. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Home Affairs –

“Will the Minister advise the Assembly whether he kept the former Chief of Police suspended on the strength of the letter from the former Deputy Chief Officer (who became Acting Chief Officer) alone?”

16. Deputy S. Pitman of St. Helier will ask the following question of the Minister for Education, Sport and Culture –

“Further to my written question of 31st January 2012 to the Minister for Home Affairs outlining the number of incidents of vandalism at Springfield Stadium, will the Minister now advise the Assembly the total financial cost to the States of repairing this damage?”

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

1st question period – Minister for Housing

2nd question period – Minister for Planning and Environment



* **(d) – Urgent Oral questions**

The following urgent oral question has been approved by the Bailiff and will be asked at the present meeting after (c) Questions to Ministers without notice –

Deputy G.P. Southern of St. Helier will ask the following urgent oral question of the Minister for Social Security –

“Is the Minister aware that the Employment Forum has commissioned the company “Island Analysis” to conduct a survey (currently underway) into the possible introduction of a “youth rate”, set below the minimum wage in Jersey?”

Does the Minister accept that in any survey of opinion questions must be thoroughly vetted to ensure balance if the survey is to be valid, and, if so, is he satisfied that all questions on the employee survey, and in particular questions 9, 10 and 12, are fair and balanced and not leading or misleading?

Will the Minister agree to request the Forum to suspend this survey activity until the questions have been checked by the Statistics Unit for balance?”

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Draft States of Jersey (Transfer of Functions No. 5) (Economic Development to Chief Minister) (Jersey) Regulations 201-. P.196/2011.
Lodged: 23rd December 2011.
Chief Minister.

Draft Civil Aviation (Amendment of Law) (Jersey) Regulations 201-. P.197/2011.
Lodged: 23rd December 2011.
Chief Minister.

Draft Social Security (Amendment of Law No. 2) (Jersey) Regulations 201-. P.1/2012.
Lodged: 4th January 2012.
Minister for Social Security.

Manual Workers’ Joint Council: Employers’ Side membership. P.3/2012.
Lodged: 12th January 2012.
States Employment Board.

Law Revision Board: appointment of member. P.7/2012.
Lodged: 17th January 2012.
Minister for Treasury and Resources.

Draft Fire and Rescue Service (Jersey) Law 2011 (Appointed Day) Act 201-. P.9/2012.
Lodged: 23rd January 2012.
Minister for Home Affairs.

Strategic Plan 2012 – Green Paper. R.5/2012.
Presented: 16th January 2012.
Council of Ministers.
(‘In Committee’ debate)



M. ARRANGEMENT OF PUBLIC BUSINESS

6th March 2012

- Ex gratia* payment: Mr. D. Turner. P.166/2011.
Lodged: 4th October 2011.
Deputy M.R. Higgins of St. Helier.
- Committee of Inquiry: payments on premature cessation of employment contracts. P.2/2012.
Lodged: 11th January 2012.
Deputy R.G. Le Hérissier of St. Saviour.
- Draft Amendment (No. 18) of the Standing Orders of the States of Jersey. P.4/2012.
Lodged: 13th January 2012.
Privileges and Procedures Committee.
- Electoral Commission: composition and terms of reference. P.5/2012.
Lodged: 13th January 2012.
Privileges and Procedures Committee.
- Electoral Commission: composition and terms of reference (P.5/2012) – Minority Report of Deputies J.A. Martin of St. Helier and M. Tadier of St. Brelade. P.5/2012.
Presented: 15th February 2012. Add.
Privileges and Procedures Committee.
- Electoral Commission: composition and terms of reference (P.5/2012) – amendment. P.5/2012.
Lodged: 25th January 2012. Amd.
Deputy R.G. Le Hérissier of St. Saviour.
- Electoral Commission: composition and terms of reference (P.5/2012) – amendment (P.5/2012 Amd.) – amendment. P.5/2012.
Lodged: 9th February 2012. Amd.Amd.
Deputy R.G. Le Hérissier of St. Saviour.
- Channel Islands Lottery: allocation of profits for 2011. P.6/2012.
Lodged: 17th January 2012.
Minister for Economic Development.
- Annulment of Road Traffic (St. Helier) (Amendment No. 23) (Jersey) Order 2011. P.10/2012.
Lodged: 30th January 2012.
Deputy G.C.L. Baudains of St. Clement.
- Income Tax: individual tax assessments. P.11/2012.
Lodged: 31st January 2012.
Deputy G.P. Southern of St. Helier.

20th March 2012

- Old Age Pension: method for increase. P.164/2011.
Lodged: 3rd October 2011.
Senator A. Breckon.
- Draft Civil Partnerships (Consequential Amendments) (Jersey) Regulations 201-. P.12/2012.
Lodged: 7th February 2012.
Chief Minister.



- Planning Applications Panel: appointment of member. P.16/2012.
Lodged: 14th February 2012.
Minister for Planning and Environment.
- Prescription charges and income support for primary health costs. P.17/2012.
Lodged: 17th February 2012.
Deputy G.P. Southern of St. Helier.
- * Draft Civil Partnership (Jersey) Law 2012 (Appointed Day) Act 201-. P.18/2012.
Lodged: 20th February 2012.
Chief Minister.
- * Draft Employment (Jersey) Law 2003 (Amendment Nos. 5, 6 and 7) (Appointed P.19/2012.
Day) Act 201-.
Lodged: 20th February 2012.
Minister for Social Security.
- 17th April 2012**
- Election campaign period: restrictions. P.174/2011.
Lodged: 21st October 2011.
Deputy R.G. Le Hérisse of St. Saviour.
- Election campaign period: restrictions (P.174/2011) – comments. P.174/2011.
Presented: 6th January 2012. Com.
Privileges and Procedures Committee.
- Standing Orders: Answers to Questions. P.177/2011.
Lodged: 21st October 2011.
Deputy G.P. Southern of St. Helier.
- Standing Orders: Answers to Questions (P.177/2011) – comments. P.177/2011.
Presented: 6th January 2012. Com.
Privileges and Procedures Committee.
- Draft States of Jersey Police Force Law 201-. P.182/2011.
Lodged: 16th November 2011.
Minister for Home Affairs.
- Ratification of the Agreement for the Exchange of Information relating to Tax P.13/2012.
Matters between the Government of Jersey and the Government of Japan.
Lodged: 9th February 2012.
Chief Minister.
- Ratification of the Agreement for the Exchange of Information relating to Tax P.14/2012.
Matters between the Government of Jersey and the Government of the Republic of
Poland.
Lodged: 9th February 2012.
Chief Minister.
- Ratification of the Agreement for the Exchange of Information relating to Tax P.15/2012.
Matters between the Government of Jersey and the Government of the Republic of
India.
Lodged: 9th February 2012.
Chief Minister.



29th May 2012

Open ballot for Ministers and Chairmen.
Lodged: 5th December 2011.
Deputy T.M. Pitman of St. Helier.

P.188/2011.

Open ballot for Ministers and Chairmen (P.188/2011): comments.
Presented: 6th January 2012.
Privileges and Procedures Committee.

P.188/2011.
Com.

M.N. DE LA HAYE
Greffier of the States

20th February 2012

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 16th February 2012, or an item which has been moved.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.22/2012.

This Order further amends the Community Provisions (Restrictive Measures – Côte d'Ivoire) (Jersey) Order 2011 to take account of amendments to Council Regulation (EC) No. 560/2005 made by Council Implementing Regulation (EU) No. 113/2012 of 10 February 2012 (OJ No. L 38/1, 11.2.2012). The effect of those amendments is to update the list of persons subject to restrictive measures set out in Annex IA to Regulation (EC) No. 560/2005, by removing from that list the names of 30 natural persons.

The Order was made on 17th February 2012 and came into force on 18th February 2012.