



STATES OF JERSEY ORDER PAPER

Tuesday 22nd September 2015

CONSOLIDATED

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Road Racing (Motor Vehicle Rally) (No. 2) (Jersey) Order 2015. R&O.101/2015.
Minister for Transport and Technical Services.

Road Traffic (Trinity) (Amendment No. 9) (Jersey) Order 2015. R&O.102/2015.
Minister for Transport and Technical Services.

Immigration (Port Facilities) (Jersey) Order 2015. R&O.103/2015.
Minister for Home Affairs.

Motor Traffic (Third-Party Insurance) (Amendment No. 4) (Jersey) Order 2015. R&O.109/2015.
Minister for Transport and Technical Services.

Pedal Cycles (Amendment No. 3) (Jersey) Order 2015. R&O.110/2015.
Minister for Transport and Technical Services.

Road Traffic (Grouville) (Amendment No. 8) (Jersey) Order 2015. R&O.111/2015.
Minister for Transport and Technical Services.

* Residential Tenancy (Deposit Scheme – Fee) (Jersey) Order 2015. R&O.112/2015.
Minister for Housing.

C. DOCUMENTS PRESENTED OR LAID

Red Houses Car Park: lease (P.73/2015) – comments. P.73/2015.
Presented: 18th September 2015. Com.
Council of Ministers.

Draft Act annulling the Income Support (General Provisions) (Amendment P.106/2015.
No. 17) (Jersey) Order 2015 (P.106/2015): comments. Com.
Presented: 18th September 2015.
Council of Ministers.

Land Transactions under Standing Order 168(3) – lease of Harbour properties to R.101/2015.
Ports of Jersey Ltd.
Presented: 14th September 2015.
Minister for Treasury and Resources.

Disposal of former Ann Court Site to Andium Homes. R.102/2015.
Presented: 14th September 2015.
Minister for Transport and Technical Services.

States Employment Board: Annual Report 2014. R.103/2015.
Presented: 16th September 2015.
States Employment Board.



- * Births, Deaths, Marriages and Civil Partnerships in 2014: statement. R.104/2015.
Presented: 21st September 2015.
Minister for Home Affairs.
- * Jersey Gambling Commission: 2014 Annual Report and Accounts. R.105/2015.
Presented: 22nd September 2015.
Minister for Economic Development.
- * Respite Care for Adults (S.R.4/2015): response of the Minister for Health and Social Services. S.R.4/2015.
Presented: 22nd September 2015. Res.
Minister for Health and Social Services.

D. NOTIFICATION OF LODGED PROPOSITIONS

- Medium Term Financial Plan 2016 – 2019 (P.72/2015): second amendment. P.72/2015.
Lodged: 16th September 2015. Amd.(2)
Deputy G.P. Southern of St. Helier.
- Medium Term Financial Plan 2016 – 2019 (P.72/2015): third amendment. P.72/2015.
Lodged: 18th September 2015. Amd.(3)
Council of Ministers.
- Medium Term Financial Plan 2016 – 2019 (P.72/2015): fourth amendment. P.72/2015.
Lodged: 18th September 2015. Amd.(4)
Corporate Services Scrutiny Panel.
- Medium Term Financial Plan 2016 – 2019 (P.72/2015): fifth amendment. P.72/2015.
Lodged: 18th September 2015. Amd.(5)
Corporate Services Scrutiny Panel.
- * Medium Term Financial Plan 2016 – 2019 (P.72/2015): sixth amendment. P.72/2015.
Lodged: 21st September 2015. Amd.(6)
Deputy J.A. Martin of St. Helier.
- * Medium Term Financial Plan 2016 – 2019 (P.72/2015): seventh amendment. P.72/2015.
Lodged: 21st September 2015. Amd.(7)
Council of Ministers.
- * Medium Term Financial Plan 2016 – 2019 (P.72/2015): eighth amendment. P.72/2015.
Lodged: 22nd September 2015. Amd.(8)
Deputy S.Y. Mézec of St. Helier.
- * Medium Term Financial Plan 2016 – 2019 (P.72/2015): ninth amendment. P.72/2015.
Lodged: 22nd September 2015. Amd.(9)
Deputy M. Tadier of St. Brelade.
- * Medium Term Financial Plan 2016 – 2019 (P.72/2015): tenth amendment. P.72/2015.
Lodged: 22nd September 2015. Amd.(10)
Deputy M. Tadier of St. Brelade.
- * Medium Term Financial Plan 2016 – 2019 (P.72/2015): eleventh amendment. P.72/2015.
Lodged: 22nd September 2015. Amd.(11)
Education and Home Affairs Scrutiny Panel.



- Draft Shipping (Oil Pollution) (Liability and Compensation) (Jersey) Law 2015 (Appointed Day) Act 201-. P.107/2015.
Lodged: 15th September 2015.
Minister for Economic Development.
- Draft Taxation (Exchange of Information with Third Countries) (Amendment No. 13) (Jersey) Regulations 201-. P.108/2015.
Lodged: 17th September 2015.
Minister for External Relations.
- Draft Taxation (Double Taxation) (Amendment No. 4) (Jersey) Regulations 201-. P.109/2015.
Lodged: 17th September 2015.
Minister for External Relations.
- Draft Honorary Police (Amendment No. 3) (Jersey) Regulations 201-. P.110/2015.
Lodged: 18th September 2015.
Comité des Connétables.
- * Defining the cost of ministerial government. P.111/2015.
Lodged: 21st September 2015.
Deputy J.A. Martin of St. Helier.
- * Jersey Heritage Trust: appointment of Chairman. P.112/2015.
Lodged: 22nd September 2015.
Minister for Education, Sport and Culture.

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” is to be withdrawn –

- Draft Public Finances (Amendment of Law No. 3) (Jersey) Regulations 201-. P.57/2015.
Lodged: 22nd May 2015.
Minister for Treasury and Resources.

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

Appointment of the Bailiff’s Consultative Panel.
(*Explanatory note attached*)

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

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

1. The Minister for Home Affairs will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding Operation Whistle.
2. The Minister for Housing will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the potential acquisition of the St. Saviour’s Hospital buildings.



3. The Minister for Treasury and Resources will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding options for the future use of the St. Saviour's Hospital site.
4. The Minister for Treasury and Resources will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the future usage of the Les Quennevais School site.
5. The Chief Minister will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding tax contributions made by Islanders to the Church of England.
6. The Chief Minister will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding meetings held with union representatives.
7. The Chief Minister will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the public sector voluntary redundancy scheme.
8. The Chief Minister will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the impact of a higher rate of income tax on high earners.
9. The Minister for Economic Development will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the expansion of Jersey's digital industry.
10. The Minister for Home Affairs will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding cuts to the States of Jersey Fire and Rescue Service.
11. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding inflation-linked funding.
12. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding Income Support savings.
13. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the closure of community homes.
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 grant aid to Family Nursing and Home Care.
15. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding changes to service delivery in the department.
16. The Minister for Health and Social Services will table an answer to a question asked by Deputy J.A. Hilton of St. Helier regarding cancer survival rates.
17. The Minister for Treasury and Resources will table an answer to a question asked by Deputy J.A. Hilton of St. Helier regarding construction costs for the Jersey International Finance Centre.
18. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. John regarding investment in services.



(b) – Oral Questions

(120 minutes)

1. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for Education, Sport and Culture –

“What alternative educational options are available for children suffering from mental health issues, such as social anxiety, which are severe enough to prevent them from attending mainstream school?”

2. Deputy J.A. Hilton of St. Helier will ask the following question of the Minister for Social Security –

“Can the Minister provide the department’s expenditure on supporting children in Income Support families whose fathers do not contribute to their upbringing and state what the department’s policy is on pursuing fathers who do not financially support their children?”

3. Deputy P.D. McLinton of St. Saviour will ask the following question of the Minister for Education, Sport and Culture –

“Given that the Island has expertise in the fields of agriculture, fisheries, finance and the hospitality industry, among others, and following the recent Tera Allas review which eluded to innovation and economic growth being closely linked to the existence of a university in situ, would the Minister give consideration to the foundation of a specialist university in Jersey focussing on the Island’s aforementioned skills and if not, why not?”

4. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Will the Minister advise the Assembly whether he intends to reverse the reduction to the marginal rate of tax introduced by his predecessor in 2014 and, if so, when will he do so, and if not, why not?”

5. Deputy M. Tadier of St. Brelade will ask the following question of the Chairman of the Comité des Connétables –

“Given that rate payers who are in a same-sex relationship could be denied the right to marry in Church of England churches under the proposals of the Chief Minister relating to same-sex marriage, what redress, if any, will the Comité be proposing to compensate such individuals, perhaps via a rate rebate since the parish churches are maintained through parish rates?”

6. Deputy S.Y. Mézec of St. Helier will ask the following question of the Minister for Housing –

“What measures, if any, will the Minister be proposing to help address the housing shortage by reducing the number of vacant properties?”

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

“Will the Minister detail for members the extent to which the impact of the Medium Term Financial Plan proposals to deliver £10 million in benefit savings by 2019 have been subject to research or consultation, and in particular whether a distributional impact assessment has been conducted, and if not, why not?”



8. Deputy S.Y. Mézec of St. Helier will ask the following question of the Chairman of the Comité des Connétables –

“Following the low turnout in the recent elections for Procureur du Bien Public, what discussions, if any, have taken place on what can be done to increase the profile of these elections and increase democratic participation in future?”

9. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –

“Will the Chief Minister inform members whether a distributional impact assessment has been conducted on the full package of measures contained in the Medium Term Financial Plan on particular groups and sectors of the economy, and if not, why not?”

10. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Given that the Fiscal Policy Panel’s Annual Report stated that ‘the changes proposed in the draft MTFP may not be sustainable’ and there was a risk that they ‘may not be seen to be “fair”’, will the Minister set out the distributional effect of the measures proposed and advise what steps will be taken to ensure that the burden is shared by all parties rather than just a few?”

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

“Will the Minister give an update on promises made by his predecessor to work with parents to improve the facilities offered at the play park on Les Quennevais playing fields?”

*** (c) – Oral Questions**

The following urgent oral question has been approved by the Bailiff and will be asked at the present meeting –

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

“In answer to my question of 2nd June 2015 on the suitability of Condor Liberation for cross-Channel ferry operations, the Minister announced the commissioning of an independent report to confirm the sustainability and review the performance of Condor Liberation. Three months on, what has happened to that report, and in the meantime why were contingencies not put in place to avoid the unacceptable disruption and chaos witnessed this weekend?”

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

1st question period – Minister for Economic Development

2nd question period – Minister for Housing

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY



L. PUBLIC BUSINESS

- Chief Officer of the States of Jersey Police Force: re-appointment. P.70/2015.
Lodged: 8th July 2015.
Minister for Home Affairs. (Consideration 'in camera').
- Same-sex marriage, divorce and dissolution. P.77/2015.
Lodged: 14th July 2015.
Chief Minister.
- Draft Dentistry (Jersey) Law 201-. P.89/2015.
Lodged: 10th August 2015.
Minister for Health and Social Services.
- Ratification of the Agreement between the Government of Jersey and the Republic P.90/2015.
of Rwanda for the avoidance of double taxation and the prevention of fiscal evasion
with respect to taxes on income.
Lodged: 11th August 2015.
Minister for External Relations.
- Draft Taxation (Double Taxation) (Amendment No. 3) (Jersey) Regulations 201-. P.91/2015.
Lodged: 11th August 2015.
Minister for External Relations.
- Draft Licensing (Licence Fees) (Jersey) Regulations 201-. P.94/2015.
Lodged: 11th August 2015.
Minister for Economic Development.
- Greffier of the States: consent to appointment. P.101/2015.
Lodged: 25th August 2015.
Privileges and Procedures Committee. (Consideration 'in camera').
- Draft Act annulling the Income Support (General Provisions) (Amendment No. 17) P.106/2015.
(Jersey) Order 2015.
Lodged: 28th August 2015.
Deputy G.P. Southern of St. Helier.
- Draft Act annulling the Income Support (General Provisions) (Amendment No. 17) P.106/2015.
(Jersey) Order 2015 (P.106/2015): comments. Com.
Presented: 18th September 2015.
Council of Ministers.

M. ARRANGEMENT OF PUBLIC BUSINESS

6th October 2015

- Medium Term Financial Plan 2016 – 2019. P.72/2015.
Lodged: 14th July 2015.
Council of Ministers.
- Medium Term Financial Plan 2016 – 2019 (P.72/2015) – addendum. P.72/2015.
Presented: 15th July 2015. Add.
Council of Ministers.
- Medium Term Financial Plan 2016 – 2019 (P.72/2015) – draft annex. P.72/2015.
Presented: 24th July 2015. Add.(2)
Council of Ministers.



Medium Term Financial Plan 2016 – 2019 (P.72/2015) – amendment. Lodged: 7th September 2015. <i>Council of Ministers.</i>	P.72/2015. Amd.
Medium Term Financial Plan 2016 – 2019 (P.72/2015): second amendment. Lodged: 16th September 2015. <i>Deputy G.P. Southern of St. Helier.</i>	P.72/2015. Amd.(2)
Medium Term Financial Plan 2016 – 2019 (P.72/2015): third amendment. Lodged: 18th September 2015. <i>Council of Ministers.</i>	P.72/2015. Amd.(3)
Medium Term Financial Plan 2016 – 2019 (P.72/2015): fourth amendment. Lodged: 18th September 2015. <i>Corporate Services Scrutiny Panel.</i>	P.72/2015. Amd.(4)
Medium Term Financial Plan 2016 – 2019 (P.72/2015): fifth amendment. Lodged: 18th September 2015. <i>Corporate Services Scrutiny Panel.</i>	P.72/2015. Amd.(5)
* Medium Term Financial Plan 2016 – 2019 (P.72/2015): sixth amendment. Lodged: 21st September 2015. <i>Deputy J.A. Martin of St. Helier.</i>	P.72/2015. Amd.(6)
* Medium Term Financial Plan 2016 – 2019 (P.72/2015): seventh amendment. Lodged: 21st September 2015. <i>Council of Ministers.</i>	P.72/2015. Amd.(7)
* Medium Term Financial Plan 2016 – 2019 (P.72/2015): eighth amendment. Lodged: 22nd September 2015. <i>Deputy S.Y. Mézec of St. Helier.</i>	P.72/2015. Amd.(8)
* Medium Term Financial Plan 2016 – 2019 (P.72/2015): ninth amendment. Lodged: 22nd September 2015. <i>Deputy M. Tadier of St. Brelade.</i>	P.72/2015. Amd.(9)
* Medium Term Financial Plan 2016 – 2019 (P.72/2015): tenth amendment. Lodged: 22nd September 2015. <i>Deputy M. Tadier of St. Brelade.</i>	P.72/2015. Amd.(10)
* Medium Term Financial Plan 2016 – 2019 (P.72/2015): eleventh amendment. Lodged: 22nd September 2015. <i>Education and Home Affairs Scrutiny Panel.</i>	P.72/2015. Amd.(11)
Strategic Reserve Fund: funding for Independent Jersey Care Inquiry and transfers from and to the Consolidated Fund. Lodged: 14th July 2015. <i>Minister for Treasury and Resources.</i>	P.76/2015.
Strategic Reserve Fund: funding for Independent Jersey Care Inquiry and transfers from and to the Consolidated Fund (P.76/2015) – amendment. Lodged: 7th September 2015. <i>Minister for Treasury and Resources.</i>	P.76/2015. Amd.



Independent Jersey Care Inquiry: amendment to Medium Term Financial Plan 2013 – 2015. Lodged: 14th July 2015. <i>Council of Ministers.</i>	P.75/2015.
Independent Jersey Care Inquiry: amendment to Medium Term Financial Plan 2013 – 2015 (P.75/2015) – amendment. Lodged: 7th September 2015. <i>Council of Ministers.</i>	P.75/2015. Amd.
Draft Christmas Bonus (Repeal) (Jersey) Law 201-. Lodged: 25th August 2015. <i>Minister for Social Security.</i>	P.102/2015.
Draft Income Support (Miscellaneous Provisions No. 2) (Jersey) Regulations 201-. Lodged: 25th August 2015. <i>Minister for Social Security.</i>	P.103/2015.
Draft Social Security (Television Licence Benefit) (Jersey) Regulations 201-. Lodged: 25th August 2015. <i>Minister for Social Security.</i>	P.104/2015.
Draft Social Security (Amendment of Law No. 9) (Jersey) Regulations 201-. Lodged: 25th August 2015. <i>Minister for Social Security.</i>	P.105/2015.
Red Houses Car Park: lease. Lodged: 14th July 2015. <i>Deputy M. Tadier of St. Brelade.</i>	P.73/2015.
Red Houses Car Park: lease (P.73/2015) – comments. Presented: 18th September 2015. <i>Council of Ministers.</i>	P.73/2015. Com.
<u>20th October 2015</u>	
Draft States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 201-. Lodged: 6th May 2015. <i>Chief Minister.</i>	P.46/2015. (re-issue)
<i>Ex Gratia</i> payment to Mr. Roy Boschat. Lodged: 24th July 2015. <i>Deputy T.A. McDonald of St. Saviour.</i>	P.82/2015.
<i>Ex Gratia</i> payment to Mr. Roy Boschat (P.82/2015): addendum. Presented: 30th July 2015. <i>Deputy T.A. McDonald of St. Saviour.</i>	P.82/2015. Add.
* Draft International Criminal Court (Amendment) (Jersey) Law 201-. Lodged: 3rd August 2015. <i>Chief Minister.</i>	P.86/2015.
Draft Criminal Justice (Miscellaneous Provisions) (Jersey) Law 201-. Lodged: 4th August 2015. <i>Chief Minister.</i>	P.87/2015.



- Draft Shipping (Oil Pollution) (Liability and Compensation) (Jersey) Law 2015 (Appointed Day) Act 201-. P.107/2015.
Lodged: 15th September 2015.
Minister for Economic Development.
- * Defining the cost of ministerial government. P.111/2015.
Lodged: 21st September 2015.
Deputy J.A. Martin of St. Helier.
- * Jersey Heritage Trust: appointment of Chairman. P.112/2015.
Lodged: 22nd September 2015.
Minister for Education, Sport and Culture.

3rd November 2015

- Draft Public Employees (Pension Scheme) (Administration) (Jersey) Regulations 201-. P.96/2015.
Lodged: 17th August 2015.
States Employment Board.
- Draft Public Employees (Pension Scheme) (Funding and Valuation) (Jersey) Regulations 201-. P.97/2015.
Lodged: 18th August 2015.
States Employment Board.
- Draft Public Employees (Pension Scheme) (Membership and Benefits) (Jersey) Regulations 201-. P.98/2015.
Lodged: 18th August 2015.
States Employment Board.
- Draft Public Employees (Pension Scheme) (Transitional Provisions, Savings and Consequential Amendments) (Jersey) Regulations 201-. P.99/2015.
Lodged: 18th August 2015.
States Employment Board.
- Draft Public Employees (Pensions) (Jersey) Law 2014 (Appointed Day) Act 201-. P.100/2015.
Lodged: 18th August 2015.
States Employment Board.
- Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Korea on the exchange of information relating to tax matters. P.93/2015.
Lodged: 11th August 2015.
Minister for External Relations.
- Draft Taxation (Exchange of Information with Third Countries) (Amendment No. 13) (Jersey) Regulations 201-. P.108/2015.
Lodged: 17th September 2015.
Minister for External Relations.
- Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Seychelles for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income. P.95/2015.
Lodged: 12th August 2015.
Minister for External Relations.



Draft Taxation (Double Taxation) (Amendment No. 4) (Jersey) Regulations 201-
Lodged: 17th September 2015.
Minister for External Relations.

P.109/2015.

Draft Honorary Police (Amendment No. 3) (Jersey) Regulations 201-
Lodged: 18th September 2015.
Comité des Connétables.

P.110/2015.

M.N. DE LA HAYE, O.B.E.
Greffier of the States

Monday 21st September 2015

Note –

An asterisk * in the left-hand margin denotes either a new item added to this Order Paper since the principal Order Paper was published on 17th September 2015, or an item which has been altered or moved.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.112/2015.

This Order provides that, when a deposit is paid to a scheme administrator, the tenant must pay a fee of £20. The scheme administrator recovers the fee by deducting it from the deposit.

The Order was made on 17th September 2015 and comes into force on 24th September 2015.



APPOINTMENTS (See Item F)

On 7th July 1992 the States, adopting a proposition of Senator R.J. Shenton, “*agreed to establish a Consultative Panel of elected members of the States with whom the Bailiff would be able to meet in order to consult on a confidential basis in appropriate cases*”.

The composition of the Panel has been amended on a number of occasions since 1992 to reflect changes to the machinery of government and the current composition, agreed on 16th May 2006, is as follows –

the Chairman of the Comité des Connétables;
the Chief Minister;
the Chairman of the Privileges and Procedures Committee;
the Minister for Treasury and Resources; and
five other members elected by ballot by the States for a period of 3 years.

In 2012 the States appointed Senator L.J. Farnham, the Connétables of St. Lawrence and St. Mary, the Deputy of Grouville and Deputy S.J. Pinel of St. Clement as the 5 members elected by ballot for 3 years.

Although the Panel does not meet frequently it nevertheless enables the Bailiff to discuss various matters with elected members. For example, matters discussed by the Panel in the past few years have included the plans for Liberation Day and Royal visits, the arrangements for the departure of His Excellency the Lieutenant Governor and the arrival of his successor, the appointment of Crown Officers and the appropriate way to mark the retirement of the Bailiff.

As the 3 year term of office of the 5 members elected by ballot in 2012 has expired it is necessary to re-appoint members. In accordance with the procedure followed in 2012 nominations will be invited from the floor at this meeting and each nomination will need to be seconded. If there are more than 5 nominations made a ballot will be held and the 5 members receiving the largest numbers of votes will be elected as members of the Panel. In the ballot each member will be able to cast up to 5 votes.