



STATES OF JERSEY ORDER PAPER

Tuesday 18th June 2013
CONSOLIDATED

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Diseases of Animals (Bees) (Jersey) Order 2013. R&O.74/2013.
Minister for Planning and Environment.

Misuse of Drugs (Miscellaneous Amendments) (No. 3) (Jersey) Order 2013. R&O.75/2013.
Minister for Health and Social Services.

Community Provisions (Restrictive Measures – Belarus) (Amendment No. 9) R&O.76/2013.
(Jersey) Order 2013.
Deputy Chief Minister, for and on behalf of Chief Minister.

Community Provisions (Restrictive Measures – Libya) (Amendment No. 15) R&O.77/2013.
(Jersey) Order 2013.
Deputy Chief Minister, for and on behalf of Chief Minister.

* Motor Traffic (Cabs – Fares and Charges) (Amendment No. 4) (Jersey) Order R&O.78/2013.
2013.
Minister for Transport and Technical Services.

* Road Traffic (St. Clement) (Amendment No. 22) (Jersey) Order 2013. R&O.79/2013.
Minister for Transport and Technical Services.

* Triathlon (Jersey) Order 2013. R&O.80/2013.
Minister for Transport and Technical Services.

C. DOCUMENTS PRESENTED OR LAID

Organisations receiving grants of over £100,000: 2011 Accounts. R.55/2013.
Presented: 7th June 2013.
Minister for Treasury and Resources.

States of Jersey Law 2005: delegation of functions – Planning and Environment – R.56/2013.
revised delegations June 2013.
Presented: 11th June 2013.
Minister for Planning and Environment.

Land Transactions under Standing Order 168(3) – R.57/2013.
(a) Shop B Les Jardins du Soleil, First Tower, St. Helier – lease;
(b) Beaumont Tower Land, St. Aubin’s Bay Promenade, St. Peter – sale;
(c) V12A Victoria Pier – lease;
(d) N35 New North Quay – lease.
Presented: 12th June 2013.
Minister for Treasury and Resources.



Employment Forum's recommendation on the qualifying period for protection against unfair dismissal. Presented: 14th June 2013. <i>Minister for Social Security.</i>	R.58/2013.
Jersey Community Relations Trust: Annual Report 2012. Presented: 14th June 2013. <i>Minister for Home Affairs.</i>	R.59/2013.
* Jersey Financial Services Commission: Annual Report 2012. Presented: 18th June 2013. <i>Minister for Economic Development.</i>	R.60/2013.
* Budget Management Report for the period ended 31st December 2012. Presented: 18th June 2013. <i>Minister for Treasury and Resources.</i>	R.61/2013.
Minister for External Relations. Presented: 13th June 2013. <i>Corporate Services Scrutiny Panel.</i>	S.R.9/2013.
£200,000 Grant to Film Company (P.A.C.2/2013): response of the Minister for Economic Development. Presented: 7th June 2013. <i>Minister for Economic Development.</i>	P.A.C.2/2013. Res.
£200,000 Grant to Film Company (P.A.C.2/2013): response of the States Employment Board. Presented: 7th June 2013. <i>States Employment Board.</i>	P.A.C.2/2013. Res.(2)
D. NOTIFICATION OF LODGED PROPOSITIONS	
Draft Public Finances (Amendment No. 4) (Jersey) Law 201-. Lodged: 6th June 2013. <i>Minister for Treasury and Resources.</i>	P.73/2013.
Referendum on States reform: outcome. Lodged: 6th June 2013. <i>Senator B.I. Le Marquand.</i>	P.74/2013.
Draft States of Jersey (Transfer of Functions No. 6) (Economic Development and Treasury and Resources to Chief Minister) (Jersey) Regulations 201-. Lodged: 6th June 2013. <i>Chief Minister.</i>	P.75/2013.
Committee of Inquiry into Historical Abuse: appointment of Chairman. Lodged: 14th June 2013. <i>Chief Minister.</i>	P.76/2013.
* Draft Security Interests (Jersey) Law 2012 (Appointed Day) Act 201-. Lodged: 18th June 2013. <i>Minister for Economic Development.</i>	P.77/2013.
* Draft States of Jersey Police Force Law 2012 (Appointed Day) Act 201-. Lodged: 18th June 2013. <i>Minister for Home Affairs.</i>	P.78/2013.



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 Minister for Treasury and Resources will table an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the proposed electricity sub-station at Westmount.
2. The Minister for Planning and Environment will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding emissions from compressed air powered vehicles.
3. The Minister for Health and Social Services will table an answer to a question asked by Senator S.C. Ferguson regarding suicide rates.
4. 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 re-introduction of hospital prescription charges.
5. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the high cost of accessing primary health care through GPs.
6. The Minister for Home Affairs will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the arrest of members of the public for planning infractions.
7. The Minister for Home Affairs will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding investigations into historic abuse.
8. The Minister for Housing will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the re-registration of lodging houses.
9. H.M. Attorney General will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the impact of the Referendum on St. Helier voters.

(b) – Oral Questions

(120 minutes)

- * The Connétable of St. John requested that his oral question (shown as number 13 on the principal Order Paper) to the Minister for Treasury and Resources be withdrawn.

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

“Since the Minister’s appointment, have any complaints been received from members of the public alleging maladministration and, if so, would he advise what proportion of these complaints have been independently investigated and written responses made and detail the number of these complaints which are still without reply?”



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

“With regard to the ‘Air Quality Strategy’ would the Minister concede that the alternative vehicle propulsion methods he proposes are inefficient when compared with vehicles having their own engine and that the end result merely swaps one environmental problem for another?”

3. The Connétable of St. Helier will ask the following question of the Minister for Planning and Environment –

“Can the Minister advise whether a process is underway to list St Helier’s parks, including the wooded area of Westmount adjacent to St Aubin’s Road and, if so, will he provide details to the Assembly?”

4. The Connétable of St John will ask the following question of the Chief Minister –

“Could the Minister inform the Assembly what the rationale and criteria are for sending Jersey delegations to UK party political conferences?”

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

“Following his meeting with the businessmen who raised concern at seeing the Assistant Minister with responsibility for External Affairs reading confidential documents in full view of the public on a flight, does the Chief Minister support the Assistant Minister’s views expressed on 14th May 2013 that the allegations were ‘inaccurate’ and gave a ‘fictitious and malicious account’ and, if not, will he now be asking his Assistant Minister to resign?”

6. The Connétable of St. Mary will ask the following question of the Minister for Education, Sport and Culture –

“As language immersion schools have become increasingly popular in North America and are now appearing in Britain, has any research been undertaken into the benefits of these schools and, if so, does the Minister consider that Jersey should develop this concept to the advantage of our own students to increase the Island’s skills base?”

7. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Minister for Health and Social Services –

“How are new management positions, such as those in the new Commissioning Unit, evaluated in order to ensure, for example, that the annual expenditure of £269,450 for this unit is fully justified?”

8. Deputy J.A.N. Le Fondré of St. Lawrence will ask the following question of the Chief Minister –

“Further to his answer on 4th June 2013 when he stated he had requested the Bishop to make public the terms of reference for the Dame Heather Steel investigation into the Korris review, would the Chief Minister advise whether he has received an update relating to this matter, given that a visitation connected to the investigation has just commenced for which the terms of reference are available?”

9. Deputy M. Tadier of St. Brelade will ask the following question of the Chief Minister –

“Given the Chief Minister’s commitment that Jersey wants no part of ‘aggressive tax planning’ why, in his letter to the UK Prime Minister, did the Chief Minister confirm his commitment to fight tax evasion but not tax avoidance - aggressive or otherwise?”



10. Senator S.C. Ferguson will ask the following question of the Minister for Treasury and Resources –

“Given the Minister’s recent optimistic comments regarding tax receipts, would he advise whether he is now contemplating imposing Goods and Services Tax on aircraft fuel and, if so, why?”

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

“Will the Chief Minister inform members of the exact terms of the Organisation for Economic Co-operation and Development (OECD) agreement on tax information exchange which has been put to the Crown Dependencies and British Overseas Territories by the UK Prime Minister and under what terms he has agreed or will agree to ratify the agreement?”

12. Deputy M.R. Higgins of St. Helier will ask the following question of H.M. Attorney General –

“Will H.M. Attorney General advise members to whom the Chief Officer and Deputy Chief Officer of the States of Jersey Police are accountable for their conduct and who would determine whether they should be investigated in circumstances in which they are alleged to have perverted the course of justice?”

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

“Would the Chief Minister agree that a public sector employee should not knowingly lie or try to deceive a civil or criminal court or tribunal and that such an act would constitute grounds for instant dismissal for gross misconduct?”

14. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Chief Minister –

“Would the Chief Minister establish an independent inquiry to report expeditiously about the allegations that the Assistant Minister for External Relations has obtained and read in public confidential documents associated with the suspension of the Dean and, if not, why not?”

15. Deputy T.M. Pitman of St. Helier will ask the following question of H.M. Attorney General –

“What powers, if any, does a Court have to ensure that full indemnities awarded to members of the public at the conclusion of a court case are enforced and the injured party is not left thousands of pounds out of pocket?”

16. Deputy M. Tadier of St. Brelade will ask the following question of the Chief Minister –

“Further to the response given to a written question on 19th February 2013, regarding the Action Aid report ‘Sweet Nothings’ concerning Associated British Foods’ avoidance of paying taxes to Zambia via subsidiaries based in Jersey, what action, if any, has been undertaken to assess whether Jersey’s limited involvement in this case constituted ‘aggressive tax avoidance’?”

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

“Will the Minister inform the Assembly whether he has delegated powers to officers to enter into planning obligation agreements which require land transactions and monies to be paid, as proposed for the Plémont development and, if so, does the delegation allow those powers to be exercised where there is a formal complaint pending under the Administrative Decisions (Review) (Jersey) Law 1982 which could justify independent investigation?”



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

“Will the Chief Minister agree to instigate an investigation into the use of zero hours contracts across the Island in order to assess whether the use of such contracts by employers is appropriate, and if not, why not?”

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

1st question period – Minister for Education, Sport and Culture

2nd question period – Minister for Health and Social Services

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

- * The Minister for Social Security will make a statement regarding proposals for the long term care scheme.
- * The Chief Minister will make a statement regarding discussions with the Prime Minister of the United Kingdom.

L. PUBLIC BUSINESS

Draft Wills and Successions (Amendment No. 2) (Jersey) Law 201-. P.38/2013.
Lodged: 19th March 2013.
Chief Minister.

Approval of the Memorandum of Understanding between the Government of Jersey P.55/2013.
and Her Majesty's Revenue and Customs of the United Kingdom of Great Britain
and Northern Ireland relating to co-operation in tax matters.
Lodged: 30th April 2013.
Chief Minister.

Draft Taxation (Implementation) (Disclosure Facility) (Jersey) Regulations 201-. P.56/2013.
Lodged: 30th April 2013.
Chief Minister.

M. ARRANGEMENT OF PUBLIC BUSINESS

2nd July 2013

- Committee of Inquiry: costs for local businesses. P.31/2013.
Lodged: 25th February 2013.
Senator A. Breckon.
- * Chief Minister and Chairman of Comité des Connétables: monthly meetings. P.51/2013.
Lodged: 16th April 2013.
Deputy M. Tadier of St. Brelade.
- * Chief Minister and Chairman of Comité des Connétables: monthly meetings P.51/2013.
(P.51/2013) – comments. Com.
Presented: 13th May 2013.
Comité des Connétables.



- * Chief Minister and Chairman of Comité des Connétables: monthly meetings (P.51/2013) – comments. P.51/2013.
Presented: 13th May 2013. Com.(2).
Council of Ministers.
- Draft Succession to the Crown (Jersey) Law 201-. P.57/2013.
Lodged: 8th May 2013.
Chief Minister.
- Ratification of the Convention between Jersey and the Grand Duchy of Luxembourg for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and on Capital. P.58/2013.
Lodged: 21st May 2013.
Chief Minister.
- Draft Taxation (Double Taxation) (Amendment No. 2) (Jersey) Regulations 201-. P.59/2013.
Lodged: 21st May 2013.
Chief Minister.
- Historic buildings in Pitt Street and Dumaresq Street: request to Minister for Planning and Environment. P.60/2013.
Lodged: 29th May 2013.
Connétable of St. Helier.
- Draft Amendment (No. 21) of the Standing Orders of the States of Jersey. P.65/2013.
Lodged: 3rd June 2013.
Privileges and Procedures Committee.
- Island Plan Review. P.71/2013.
Lodged: 4th June 2013.
Deputy J.H. Young of St. Brelade.
- 16th July 2013**
- Draft Security Interests (Amendment of Law) (Jersey) Regulations 201-. P.61/2013.
Lodged: 31st May 2013.
Minister for Economic Development.
- Draft Trusts (Amendment No. 6) (Jersey) Law 201-. P.62/2013.
Lodged: 31st May 2013.
Minister for Economic Development.
- Draft Social Housing (Transfer) (Jersey) Law 201-. P.63/2013.
Lodged: 31st May 2013.
Minister for Housing.
- Victoria and George V Cottage Homes (Repeal of General Principles). P.44/2013.
Lodged: 28th March 2013.
Minister for Housing.
- Victoria and George V Cottage Homes (Repeal of General Principles) (P.44/2013): amendment. P.44/2013.
Lodged: 3rd May 2013. Amd.
Deputy G.P. Southern of St. Helier.



Draft States of Jersey (Amendment No. 7) Law 201-. Lodged: 3rd June 2013. <i>Privileges and Procedures Committee.</i>	P.64/2013.
Draft Income Support (Amendment No. 9) (Jersey) Regulations 201-. Lodged: 4th June 2013. <i>Minister for Social Security.</i>	P.66/2013.
Draft States of Jersey (Minister for External Relations) (Jersey) Regulations 201-. Lodged: 4th June 2013. <i>Chief Minister.</i>	P.67/2013.
Draft Dwelling-Houses (Rent Control) (Standard Tenancy Agreement) (Amendment) (Jersey) Regulations 201-. Lodged: 4th June 2013. <i>Minister for Housing.</i>	P.68/2013.
Draft Firearms (Amendment No. 3) (Jersey) Law 201-. Lodged: 4th June 2013. <i>Minister for Home Affairs.</i>	P.69/2013.
Draft Loi (201-) (Amendement) sur la Voirie. Lodged: 4th June 2013. <i>Comité des Connétables.</i>	P.70/2013.
Hospital Outpatients: re-introduction of prescriptions charges. Lodged: 4th June 2013. <i>Minister for Health and Social Services.</i>	P.72/2013.
Draft Public Finances (Amendment No. 4) (Jersey) Law 201-. Lodged: 6th June 2013. <i>Minister for Treasury and Resources.</i> (Cannot be debated until 18th July 2013)	P.73/2013.
Referendum on States reform: outcome. Lodged: 6th June 2013. <i>Senator B.I. Le Marquand.</i>	P.74/2013.
Draft States of Jersey (Transfer of Functions No. 6) (Economic Development and Treasury and Resources to Chief Minister) (Jersey) Regulations 201-. Lodged: 6th June 2013. <i>Chief Minister.</i> (Cannot be debated until 18th July 2013)	P.75/2013.
Committee of Inquiry into Historical Abuse: appointment of Chairman. Lodged: 14th June 2013. <i>Chief Minister.</i>	P.76/2013.
* Draft Security Interests (Jersey) Law 2012 (Appointed Day) Act 201-. Lodged: 18th June 2013. <i>Minister for Economic Development.</i>	P.77/2013.



- * Draft States of Jersey Police Force Law 2012 (Appointed Day) Act 201-.
Lodged: 18th June 2013.
Minister for Home Affairs.

P.78/2013.

10th September 2013

24th September 2013

**M.N. DE LA HAYE
Greffier of the States**

17th June 2013

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 13th June 2013, or an item which has been moved.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.78/2013.

This Order further amends the Schedule to the Motor Traffic (Cabs – Fares and Charges) (Jersey) Order 2008. The effect of the amendments (to distances and waiting times in the Table of Fares and Charges in that Schedule) is to increase the tariff of fares for controlled taxi cabs by an average of 1.6%. The increase will take effect from 24th June 2013. The tariff was last increased on 30th July 2012.

The Order was made on 14th June 2013 and comes into force on 24th June 2013.

R&O.79/2013.

This Order further amends the Road Traffic (St. Clement) (Jersey) Order 1987 (the “principal Order”). The following Articles in the principal Order are amended as follows –

Article 4, so that a person who has parked a car on any road listed in *Schedule 3* to the principal Order cannot return to park on any part of the same road within one hour of the expiry of the 2 hour permitted parking period; and

Article 5, so as to provide for additional exceptions where certain vehicles may be driven on roads listed in *Schedule 4* to the principal Order which are otherwise closed to through traffic.

The following *Schedules* to principal Order are amended as follows –

Schedule 1, to make the Georgetown Estate a one-way traffic route;

Schedule 2, to extend the prohibition of waiting in respect of part of La Grande Route de la Côte and to update the name of a property;

Schedule 3, to update the name of a property; and

Schedule 4, to close Le Squez Road to through traffic and to remove the item relating to Georgetown Park.

Article 7 of this Order provides for its title and for its coming into force 7 days after it is made.

The Order was made on 14th June 2013 and comes into force on 21st June 2013.

R&O.80/2013.

This Order allows the closure of streets in St. Helier and St. Lawrence for the holding of the Triathlon event on Sunday 30th June 2013. The Order also sets out for that event certain variations of the usual arrangements for one-way traffic and other ancillary provisions.

The Order was made on 14th June 2013 and came into force on being made.