

STATES OF JERSEY ORDER PAPER

Tuesday 17th April 2007

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Employment (Minimum Wage) (Jersey) Order 2007. R&O.48/2007.
Minister for Social Security.

Teachers' Superannuation (New Members) (Jersey) Order 2007. R&O.50/2007.
Chief Minister.

Teachers' Superannuation (Administration) (Amendment) (Jersey) Order 2007. R&O.51/2007.
Chief Minister.

Teachers' Superannuation (General Provisions) (Amendment No. 3) (Jersey) Order 2007. R&O.52/2007.
Chief Minister.

Motor Vehicles (Driving Licences) (Amendment No. 6) (Jersey) Order 2007. R&O.53/2007.
Minister for Transport and Technical Services.

Road Racing (Hill Climbs and Sprint) (No. 2) (Jersey) Order 2007. R&O.54/2007.
Minister for Transport and Technical Services.

Investigatory Powers Tribunal Rules 2007. R&O.55/2007.
The Bailiff of Jersey.

Motor Traffic (Public Service Vehicles (Conditions of Fitness)) (Amendment) R&O.56/2007.
(Jersey) Order 2007.
Minister for Transport and Technical Services.

C. DOCUMENTS PRESENTED OR LAID

Annual Business Plan 2007: Property Plan (P.34/2007) – amendment P.34/2007. Amd.
(P.34/2007 Amd.)– comments. Com.
Presented: 13th April 2007.
Minister for Treasury and Resources.

Annual Business Plan 2007: Property Plan (P.34/2007) – second amendment P.34/2007. Amd.
(P.34/2007 Amd.(2))– comments. (2)
Presented: 13th April 2007. Com.
Minister for Treasury and Resources.

Annual Business Plan 2007: Property Plan (P.34/2007) – second amendment P.34/2007. Amd.
(P.34/2007 Amd.(2))– comments. (2)
Presented: 16th April 2007. Com. (2)
Minister for Planning and Environment..

Sites of Special Interest and Buildings of Local Interest: financial implications – R.31/2007.
report.
Presented: 2nd April 2007.

Minister for Planning and Environment.

Land Transactions under Standing Order 168(3) – R.32/2007.
(a) 23-24 Central Market, St. Helier– lease;
(b) Field 649, La Rue du Presbytère, St. Peter– proposed lease.
Presented: 10th April 2007.
Minister for Treasury and Resources.

States of Jersey Law 2005: delegation of functions – Sea Fisheries legislation. R.33/2007.
Presented: 12th April 2007.
Minister for Economic Development.

States of Jersey Law 2005: delegation of functions – Planning and Environment R.34/2007.
Department – delegated powers to the Assistant Minister and officers.
Presented: 13th April 2007.
Minister for Planning and Environment.

Goods and Services Tax Review: Second Report. S.R.7/2007.
Presented: 4th April 2007.
Corporate Services Scrutiny Panel.

D. NOTIFICATION OF LODGED PROPOSITIONS

Tevielka, La Rue de la Haye du Puits, Grouville: proposed deed of arrangement P.33/2007. Amd.
(P.33/2007) – amendment.
Lodged: 10th April 2007.
Minister for Treasury and Resources.

Annual Business Plan 2007: Property Plan (P.34/2007) – amendment. P.34/2007. Amd.
Lodged: 30th March 2007.
Deputy A. Breckon of St. Saviour.

Annual Business Plan 2007: Property Plan (P.34/2007) – second amendment. P.34/2007.
Lodged: 3rd April 2007. Amd.(2)
Senator B.E. Shenton.

Draft Goods and Services Tax (Jersey) Law 200- (P.37/2007): amendments. P.37/2007. Amd.
Lodged: 3rd April 2007.
Corporate Services Scrutiny Panel.

Draft Goods and Services Tax (Jersey) Law 200- (P.37/2007): second P.37/2007. Amd.
amendments. (2)
Lodged: 3rd April 2007.
Deputy A. Breckon of St. Saviour.

Draft Goods and Services Tax (Jersey) Law 200- (P.37/2007): third amendments. P.37/2007. Amd.
Lodged: 3rd April 2007. (3)
Minister for Treasury and Resources.

Draft Goods and Services Tax (Jersey) Law 200- (P.37/2007): fourth amendments. P.37/2007. Amd.
Lodged: 13th April 2007. (4)
Minister for Treasury and Resources.

Draft Employment (Minimum Wage) (Amendment No. 3) (Jersey) Regulations P.46/2007.
200-.
Lodged: 29th March 2007.

Minister for Social Security.

Jersey Dental Scheme: appointment of Chairman. Lodged: 29th March 2007. <i>Minister for Social Security.</i>	P.47/2007.
Jersey Appointments Commission: appointment of Commissioner. Lodged: 30th March 2007. <i>Chief Minister.</i>	P.48/2007.
Fields 848, 851 and 853, Bel Royal, St. Lawrence: Committee of Inquiry. Lodged: 2nd April 2007. <i>Connétable of St. Lawrence.</i>	P.49/2007.
Fields 848, 851 and 853, Bel Royal, St. Lawrence: Committee of Inquiry (P.49/2007) – amendment. Lodged: 12th April 2007. <i>Connétable of St. Lawrence.</i>	P.49/2007. Amd.
Draft Loi (200-) (Amendement No. 4) sur les teneures en fidéicommiss et l’incorporation d’associations. Lodged: 3rd April 2007. <i>Chief Minister.</i>	P.50/2007.
Draft High Hedges (Jersey) Law 200-. Lodged: 13th April 2007. <i>Minister for Planning and Environment.</i>	P.51/2007.

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 Goods and Services Tax (Jersey) Law 200- (P.37/2007): third amendments. Lodged: 3rd April 2007. <i>Minister for Treasury and Resources.</i>	P.37/2007. Amd. (3)
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F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions *(attached)*

- 1 The Minister for Planning and Environment will table an answer to a question asked by Senator B.E. Shenton regarding the designation of Sites of Special Interest.
- 2 The Minister for Treasury and Resources will table an answer to a question asked by Senator B.E. Shenton regarding the amount raised in 2006 through the increase in Impôts duty on beer.
- 3 The Minister for Social Security will table an answer to a question asked by Senator B.E. Shenton

regarding the total cost of the provision of free television licences for the elderly in 2006.

4. The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding changes to grant aid to the dairy and agricultural industries.
5. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding tax revenues in 2006, future revenue expenditure allocations and the impact of reductions in revenue expenditure.
6. The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding changes in support to the tourism industry.
7. The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the reallocation of financial support to high value industries and the finance industry.

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

1. Deputy D.W. Mezbourian of St. Lawrence will ask the following question of the Minister for Planning and Environment –

“Will the Minister advise members what steps his Department takes to ensure compliance with conditions attached to planning consents and would he further state how often in the last 5 years formal action by way of the service of an enforcement notice has been taken following a breach of conditions?”
2. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –

“Would the Chief Minister inform members when, and by whom, the decision was taken to set the 2007 pay offer to States’ employees at the level of the Retail Prices Index and when this offer was notified to States’ employees and Ministers?”
3. Deputy S. Pitman of St. Helier will ask the following question of the Minister for Transport and Technical Services –

“Would the Minister advise Members whether he has any plans to amend the relevant speed limits Order to introduce a 20 mph speed limit on La Rue de Mon Séjour, St. Helier and, if so, when will the amendment be finalised and implemented?”
4. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Planning and Environment –

“What action, if any, is the Minister taking to stop unsightly fly posting on vacant buildings in the Island?”
5. The Deputy of St. Martin will ask the following question of the Minister for Transport and Technical Services –

“Would the Minister inform Members when the Road Traffic (Amendment No 4) (Jersey) Law 200-, approved on 26th September 2006 (P.88/2006), was submitted to the Privy Council and when it is anticipated that the amendment will take effect?”

6. Deputy P.V.F. Le Claire of St. Helier will ask the following question of the Minister for Health and Social Services –

“Has the Minister yet investigated the issue I raised in questions in the Assembly on 27th March 2007 about whether nurses are having to take time off in lieu instead of receiving paid overtime and, if so, would he provide details of the position for members?”

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

“Would the Chief Minister inform members of the assumptions which underlie the predictions for the Retail Prices Index and consequent pay settlements as set out in the presentation on the draft Annual Business Plan for the years 2008 to 2010?”

8. Deputy J.A.N. Le Fondré of St. Lawrence will ask the following question of the Minister for Transport and Technical Services –

“Given the significant work presently being performed in improving Route de la Haule, and the related disruption, would the Minister confirm whether the Department will be ensuring that the road is not dug up for a considerable period of time after the completion of that work. What, if any, is the maximum period of enforcement, and what powers can the department use to ensure that this is enforced?”

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

“With the introduction of the Goods and Services Tax (G.S.T.) does the Minister have any plans, in consultation with the Minister for Economic Development if necessary, to take action against shops and businesses charging the equivalent of U.K. Value Added Tax on top of G.S.T.?”

10. Deputy P.V.F. Le Claire of St. Helier will ask the following question of the Minister for Transport and Technical Services –

“What progress, if any, has been made in identifying partnerships and alternative locations for the compost operation at La Collette?”

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

1st question period – Minister for Planning and Environment.

2nd question period –Chief Minister.

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

The Minister for Education, Sport and Culture will make a statement regarding the future of Fort Regent.

L. PUBLIC BUSINESS

The Minister for Treasury and Resources has given notice that, in accordance with Standing Order 87 (2)(a), he will ask the States to agree that the Draft Goods and Services Tax (Jersey) Law 200- (P.37/2007) be considered as the first item of Public Business at this meeting.

Draft Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 3) (Jersey) Regulations 200-. P.15/2007.
Lodged: 2nd February 2007.
Minister for Economic Development.

Draft Règlements (200-) sur le tarif des honoraires des Jurés-Justiciers. P.21/2007.
Lodged: 8th February 2007.
Chief Minister.

Draft Employment (Amendment No. 3) (Jersey) Law 200. P.24/2007.
Lodged: 13th February 2007.
Minister for Social Security.

Draft Housing (General Provisions) (Amendment No. 25) (Jersey) Regulations 200-. P.31/2007.
Lodged: 27th February 2007.
Minister for Housing.

Draft Customs and Excise (Amendment No. 4) (Jersey) Law 200. P.32/2007.
Lodged: 2nd March 2007.
Minister for Home Affairs.

Annual Business Plan 2007: Property Plan. P.34/2007.
Lodged: 5th March 2007.
Chief Minister.

Annual Business Plan 2007: Property Plan (P.34/2007) – amendment. P.34/2007. Amd.
Lodged: 30th March 2007.
Deputy A. Breckon of St. Saviour.

Annual Business Plan 2007: Property Plan (P.34/2007) – amendment P.34/2007.
(P.34/2007 Amd.)– comments. Amd.Com.
Presented: 13th April 2007.
Minister for Treasury and Resources.

Annual Business Plan 2007: Property Plan (P.34/2007) – second amendment. P.34/2007.
Lodged: 3rd April 2007. Amd.(2)
Senator B.E. Shenton.

Annual Business Plan 2007: Property Plan (P.34/2007) – second amendment P.34/2007. Amd.
(P.34/2007 Amd.(2))– comments. (2)Com.
Presented: 13th April 2007.
Minister for Treasury and Resources.

Annual Business Plan 2007: Property Plan (P.34/2007) – second amendment P.34/2007. Amd.
(P.34/2007 Amd.(2))– comments. (2)
Presented: 16th April 2007. Com. (2)
Minister for Planning and Environment..

Draft Financial Services Commission (Amendment No. 4) (Jersey) Law 200-. P.35/2007
Lodged: 6th March 2007.
Minister for Economic Development.

Le Squez Redevelopment Phase 1b: redefinition of boundaries. P.36/2007.
Lodged: 6th March 2007.
Minister for Housing.

Draft Goods and Services Tax (Jersey) Law 200-. P.37/2007
Lodged: 6th March 2007.
Minister for Treasury and Resources.

Draft Goods and Services Tax (Jersey) Law 200- (P.37/2007): amendments. P.37/2007. Amd.
Lodged: 3rd April 2007.
Corporate Services Scrutiny Panel.

Draft Goods and Services Tax (Jersey) Law 200- (P.37/2007): second P.37/2007. Amd.
amendments. (2)
Lodged: 3rd April 2007.
Deputy A. Breckon of St. Saviour.

Draft Goods and Services Tax (Jersey) Law 200- (P.37/2007): fourth amendments. P.37/2007. Amd.
Lodged: 13th April 2007. (4)
Minister for Treasury and Resources.

The Minister for Treasury and Resources has given notice that, in accordance with Article 20(3) of the Public Finances (Jersey) Law 2005, he will ask the States to agree that the above amendments be debated at this meeting.

Rent Control Tribunal: appointment of members. P.44/2007.
Lodged: 26th March 2007.
Minister for Housing.

Jersey Dental Scheme: appointment of Chairman. P.47/2007.
Lodged: 29th March 2007.
Minister for Social Security.

Jersey Appointments Commission: appointment of Commissioner. P.48/2007.
Lodged: 30th March 2007.
Chief Minister.

M. ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

1st May 2007

Composition and Election of the States Assembly: proposed reform. P.145/2006.
Lodged: 3rd November 2006.
Senator B.E. Shenton.

Composition and Election of the States Assembly: proposed reform (P.145/2006): P.145/2006.
amendments. Amd.
Lodged: 28th December 2006.
Deputy G.P. Southern of St. Helier.

Electoral Reform. Lodged: 11th January 2007. <i>Deputy G.P. Southern of St. Helier.</i> <i>(paragraph (a)(i)withdrawn on 13th March 2007)</i>	P.4/2007.
Electoral Reform (P.4/2007): comment. Presented: 19th March 2007. <i>Privileges and Procedures Committee.</i>	P.4/2007. Com.
Draft Prison (Amendment No. 6) (Jersey) Law 200. Lodged: 5th February 2007. <i>Minister for Home Affairs.</i>	P.18/2007.
Draft Public Employees (Contributory Retirement Scheme) (General) (Amendment No. 9) (Jersey) Regulations 200. Lodged: 12th March 2007. <i>Chief Minister.</i>	P.42/2007.
Draft Telecommunications (Public Pensions) (Jersey) Regulations 200-. Lodged: 20th February 2007. <i>Minister for Treasury and Resources.</i>	P.27/2007.
Tevielka, La Rue de la Haye du Puits, Grouville: proposed deed of arrangement. Lodged: 5th March 2007. <i>Minister for Treasury and Resources.</i>	P.33/2007.
Tevielka, La Rue de la Haye du Puits, Grouville: proposed deed of arrangement (P.33/2007) – amendment. Lodged: 10th April 2007. <i>Minister for Treasury and Resources.</i>	P.33/2007. Amd.
Draft Sea Fisheries (Les Minquiers) (Jersey) Regulations 200-. Lodged: 9th March 2007. <i>Minister for Economic Development.</i>	P.38/2007.
Draft Sea Fisheries (Trawling, Netting and Dredging) (Amendment No. 2) (Jersey) Regulations 200-. Lodged: 9th March 2007. <i>Minister for Economic Development.</i>	P.39/2007.
Fields 848, 851 and 853, Bel Royal, St. Lawrence: Committee of Inquiry. Lodged: 2nd April 2007. <i>Connétable of St. Lawrence.</i>	P.49/2007.
Fields 848, 851 and 853, Bel Royal, St. Lawrence: Committee of Inquiry (P.49/2007) – amendment. Lodged: 12th April 2007. <i>Connétable of St. Lawrence.</i>	P.49/2007. Amd.
<u>15th May 2007</u>	
School milk and milk at a reduced rate: continued provision. Lodged: 27th March 2007. <i>Deputy G.P. Southern of St. Helier.</i>	P.45/2007.

Draft Employment (Minimum Wage) (Amendment No. 3) (Jersey) Regulations 200-. P.46/2007.
Lodged: 29th March 2007.
Minister for Social Security.

Draft Loi (200-) (Amendement No. 4) sur les teneures en fidéicommiss et l'incorporation d'associations. P.50/2007.
Lodged: 3rd April 2007.
Chief Minister.

5th June 2007

Draft Water Resources (Jersey) Law 200- . P.26/2007.
Lodged: 19th February 2007.
Minister for Planning and Environment.

Draft High Hedges (Jersey) Law 200-. P.51/2007.
Lodged: 13th April 2007.
Minister for Planning and Environment.

19th June 2007

Social Housing Property Plan 2007–2016. P.6/2007.
Lodged: 16th January 2007.
Minister for Housing.

17th July 2007

JT Group Limited (“Jersey Telecom”): proposed sale. P.28/2007.
Lodged: 20th February 2007.
Minister for Treasury and Resources.

M.N. DE LA HAYE
Greffier of the States

12th April 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 18th and Thursday 19th April 2007.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.48/2007

This Order prescribes new minimum wages that are to have effect from 1st April 2007 and clarifies the definition of “pay reference period” in respect of certain employees.

The Order was made on 28th March 2007 and comes into force on 1st April 2007.

R&O.50/2007.

This Order creates a new superannuation scheme for teachers who, on or after 1st April 2007, begin to be employed on behalf of the States, or by bodies approved by the Minister.

The new scheme replicates as closely as practicable the PECRs scheme for new States’ employees.

Part 1 consists of interpretative provisions.

Part 2 contains provisions determining eligibility to enter the new scheme.

Article 7 specifies that a person shall become a member if he or she –

- (a) is employed on or after 1st April 2007, as a teacher, by a school approved by the Minister for Education, Sport and Culture;
- (b) is more than 20, and less than 60, years of age when first becoming so employed;
- (c) is employed on a contract that is declared by the Minister to be pensionable; and
- (d) works full time or, if he or she works part-time, chooses to enter the scheme.

The Article also specifies that teachers who have been members of the current scheme for teachers’ superannuation established by the Teachers’ Superannuation (General Provisions) (Jersey) Order 1986 (now renamed the Teachers’ Superannuation (Existing Members) (Jersey) Order 1986) and who become re-employed as teachers on or after 1st April 2007 may, within 4 weeks after first becoming eligible as set out above, choose to stay with that scheme or to enter the new scheme.

Article 8 specifies how the scheme will apply to a member of the new scheme who ceases employment as a teacher and then becomes a member of the scheme again.

Article 9 specifies how the scheme will apply to a member of the current scheme for teachers’ superannuation established by the Teachers’ Superannuation (Existing Members) (Jersey) Order 1986 who ceases employment as a teacher and elects to become a member of the new scheme.

Article 10 specifies that a member of the scheme who is absent from work may remain a member of the scheme.

Part 3 sets out the contributions payable by members and their employers.

Article 11 requires members to contribute 5% of their salary. This amount may be altered in accordance with the Teachers’ Superannuation (Administration) (Jersey) Order 2007 if there is a surplus or deficit in the Fund in relation to the scheme.

Article 12 enables a member to make additional voluntary contributions, with the permission of the Management Board.

Article 13 enables a member whose salary has been reduced to continue to make contributions at the same level as they were before the reduction of salary, with the permission of the Management Board.

Article 14 requires an employer to contribute to the scheme 16.4% of the salary of a member of the scheme employed by the employer. This amount may be altered in accordance with the Teachers’ Superannuation (Administration) (Jersey) Order 2007 if there is a surplus or deficit in the Fund in relation to the scheme.

Part 4 sets out the benefits payable to a living member under the scheme.

Article 15 specifies that if a member retires from employment at or after the normal retiring age (65 years) the annual rate of the pension shall be 1/80th of the member’s average salary for each completed year (and pro rata for completed days) of the member’s pensionable service.

Article 16 specifies that if a member retires (or has his or her appointment terminated) while between 60 and 65 years of age, after having been a member for at least 2 years, he or she shall receive the amount specified in Article 15, reduced by 2.4% for each year (and so in proportion for any part of a year) by which the member's age at the time of his or her retirement, or termination of employment, falls short of normal retiring age.

Articles 17 and 18 set out the benefits payable to a person who retires before 65 years due to ill-health.

Article 19 sets out requirements for medical examinations in relation to members who have ceased teaching due to ill-health, and in relation to re-entry into service of such members.

Article 20 sets out that a member who leaves the scheme after having been a member for 2 years or more shall be entitled to a deferred pension, a refund of his or her contributions, or to be paid a transfer value in relation to his or her contributions, enabling them to be transferred to another approved pension scheme.

Article 21 sets out that a member who leaves the scheme after having been a member for less than 2 years shall be entitled to a refund of his or her contributions or to be paid a transfer value in relation to his or her contributions, enabling them to be transferred to another approved pension scheme.

Article 22 sets out how a refund of contributions shall be calculated.

Part 5 sets out the benefits payable under the scheme where a member dies.

Article 23 specifies that if a member dies before normal retiring age after completing less than 2 years' qualifying service the only benefit payable shall be a lump sum.

Article 24 specifies that if a member dies before normal retiring age and is survived by a spouse, a pension shall be payable to the spouse.

Article 25 specifies that if a member dies before normal retiring age and is not survived by a spouse, a pension shall be payable to any person who satisfies the Management Board that the person is a dependant of that member.

Article 26 specifies that if a member dies before normal retiring age, a pension shall be payable to any person who satisfies the Management Board that the person is a child of that member.

Article 27 specifies that if a member who dies before normal retiring age has completed 5 or more years' qualifying service, a lump sum shall be paid to the lump sum recipients.

Articles 28 and 29 set out the benefits payable to a spouse, dependant or child in relation to a member, where the member dies after normal retiring age (65 years) but before becoming a pensioner.

Articles 30 and 31 set out the benefits payable to a spouse, dependent or child in relation to a member, where the member dies after becoming a pensioner.

Article 32 sets out the benefits payable on the death of a deferred pensioner.

Part 6 specifies how and when the benefits that may be taken may be altered.

Article 33 permits a member or deferred pensioner to convert up to a quarter of his or her pension to a lump sum.

Article 34 allows all of a pension that is worth less than £104 a year (or another amount that may be set by the Comptroller of Income Tax) to be converted to a lump sum.

Article 35 permits the taking of a lesser pension by a member or a deferred pensioner so that his or her surviving dependants will receive a larger pension.

Article 36 enables a member who will be entitled to an age pension to elect to receive –

- (a) a higher pension from the scheme before the date that the old age pension becomes payable to him or her; and
- (b) a lower pension from the scheme after the date that the old age pension becomes payable to him or her.

Part 7 relates to increases of pension, other than because of increases in the cost of living (such increases being dealt with under the Teachers' Superannuation (Administration) (Jersey) Order 2007).

Article 37 permits an employer to, in effect, agree to ensure a larger pension is provided in relation to a member by making larger contributions in relation to the member.

Article 38 enables pensionable allowances to be agreed to by employers. Such allowances increase the amount of pension that shall be payable.

Article 39 specifies adjustments that may be required to be made in relation to benefits after a pensionable allowance is declared.

Article 40 sets out how a pensionable allowance may be revoked.

Article 41 sets out how to calculate the number of added “pensionable service” years to be added to a member’s total as a result of a pensionable allowance.

Articles 42 and 43 set out provisions relating to early voluntary retirement.

Article 44 sets out provisions relating to bankruptcy.

Article 45 sets out that the Actuary shall determine the rate of benefits in respect of a member who was at any time while a member employed part-time as a teacher.

Article 46 enables the Management Board to deal with the benefits of a member who is unable to do so himself or herself.

Article 47 relates to evidentiary requirements.

Article 48 specifies the name of this Order and that it shall come into force the day after it is made.

The Order was made on 28th March 2007 and came into force on 29th March 2007.

R&O.51/2007.

This Order amends the Teachers’ Superannuation (Administration) (Jersey) Order 2007.

Article 1 identifies the Order that is being amended.

Article 2 inserts new definitions into the Order.

Article 3 inserts provisions relating to how accepted schools are to be declared for the purposes of the current Teachers’ Superannuation scheme as well as the new scheme to be established by the Teachers’ Superannuation (New Members) (Jersey) Order 2007.

Article 4 adds to existing *Article 5* provisions relating to the management of the business of the Board.

Article 5 inserts new provisions into the existing Order, which are identified below as “new Articles”.

New *Article 6* enables the Board to determine the terms of remuneration, or otherwise, that it may pay to any of its delegates.

New *Article 7* establishes the terms on which the Board may appoint investment managers, while new *Article 8* sets out the duties of investment managers and new *Article 9* sets out the duties of the Board in relation to investment managers.

New *Articles 10 and 11* enable the Board to appoint custodians and advisers.

New *Article 12* enables the Board to rely on professional advice.

New *Article 13* sets out the conditions that a person or firm must satisfy in order to be able to be appointed to be the Actuary.

New *Part 3* sets out how the assets of the Fund are to be managed.

New *Article 14* requires the Board to manage the Fund in accordance with this Order, the Teachers’ Superannuation (General Provisions) (Jersey) Order 1986 (which shall be renamed the Teachers’ Superannuation (Existing Members) (Jersey) Order 1986), and the Teachers’ Superannuation (New Members) (Jersey) Order 2007.

New *Article 15* specifies that the Treasurer of the States shall hold the assets of the Fund on behalf of the Management Board.

New *Article 16* specifies that the Management Board may request the Actuary to review the operation of the Fund and provide a report to the Board.

New *Article 17* requires that if pensionable allowances are declared under the “new members” Order, any adjustment to contributions, or additional contribution, that is made as a consequence shall be taken into account in any review by the Actuary.

New *Articles 18 and 19* set out what is to happen if the review, or any other review by the Actuary under the Law discloses a surplus or a deficiency in the Fund. The provisions are to the same effect as those set out for other

States' employees in the PECRS schemes.

New Articles 20 and 21 relate to transfers into and out of any of the Teachers' Superannuation schemes that may be established under the Law. The provisions are to the same effect as those set out for other States' employees in the PECRS schemes. They will replace provisions in relation to transfer that are set out in the existing teachers' pension scheme established in the Teachers' Superannuation (Existing Members) (Jersey) Order 1986.

New Article 22 sets out requirements in relation to accounts and records to be kept by the Treasurer.

New Article 23 sets out how increases in pensions under the Law shall be increased to match the increase in cost of living as evidenced by the Jersey Cost of Living Index at the end of each December quarter. However, Article 10 of this Order contains a transitional provision in relation to the 2007 year.

New Article 24 requires the Treasurer to deduct from any pension payable under the scheme any tax for which the Treasurer may be liable in respect of the payment.

Articles 6 and 7 renumber some provisions of the current Order, so as to facilitate ease of use of the Order.

Article 8 revokes the Teachers' Superannuation (Financial Provisions) (Jersey) Order 1996, which this Order replaces.

Article 9 contains transitional provisions, saving existing appointments of investment managers, custodians and actuaries.

Article 10 contains transitional provisions relating to pension increases.

Article 11 specifies the name by which this amending Order may be cited and that it shall come into force on the date on which the Teachers' Superannuation (New Members) (Jersey) Order 2007 comes into force.

The Order was made on 28th March 2007 and came into force on 29th March 2007.

R&O.52/2007.

This Order primarily amends the Teachers' Superannuation (General Provisions) (Jersey) Order 1986 ("the principal Order") to replace references in it to "the Minister" to "the Management Board". This has been done in order to reflect the introduction, in the Law under which the Order is made, of provisions enabling the establishment of a Management Board that is to take over the functions of the Minister in relation to the administration of the Teachers' Superannuation Fund.

This Order also amends the principal Order to take into account the Teachers' Superannuation (New Members) (Jersey) Order 2007.

Article 2 amends various definitions in the principal Order.

Article 3 amends the principal Order so that the scheme established under it is closed to teachers whose first day of employment is on or after 1st April 2007 (although teachers who are currently members of the scheme but who leave it may rejoin the scheme if they choose).

Article 5 removes the current provisions relating to the acceptance of schools into the scheme. The provisions have been moved to the Teachers' Superannuation (Administration) (Jersey) Order 2007, so that they may apply to both schools that are participants in the current scheme and schools that may be participants in the "new scheme" to be established by the Teachers' Superannuation (New Members) (Jersey) Order 2007.

Article 9 amends Article 9 of the principal Order so that employers are required to contribute 16.4% rather than 9.95%, as is currently the case.

Article 9 is also amended to permit amounts to be paid by way of contributions to be varied under the Teachers' Superannuation (Administration) (Jersey) Order 2007 if an actuarial review indicates a surplus or a deficiency in the Fund. This reflects the fact that transfers shall now take place under that Order rather than the former Article 80 of the General Provisions Order.

Articles 14 and 19 and 59 remove from the principal Order provisions relating to transfers from the scheme to another pension scheme (including another teachers' scheme pension made under the Law).

Article 29 amends the existing Order so to enable a teacher who is a member of the scheme established under it to nominate the period before which, if the teacher ceases to be employed by an employer for the purposes of the scheme, he or she can take out his or her contributions as a lump sum payment, rather than be required to keep them in the scheme or roll them over to another scheme.

Article 61 renames the principal Order the “Teachers’ Superannuation (Existing Members) (Jersey) Order 1986”. The Order shall come into force on the day on which the Teachers’ Superannuation (New Members) (Jersey) Order 2007 comes into force.

The Order was made on 28th March 2007 and came into force on 29th March 2007.

R&O.53/2007.

This Order amends the Motor Vehicles (Driving Licences) (Jersey) Order 2003, primarily so as to allow the introduction of “credit-card style” licences and to update the schedule of fees. The Order was made on 29th March 2007 and comes into effect on 4th April 2007.

R&O.54/2007.

The purpose of this Order is to allow the Jersey Old Motor Club, the promoters, to close and use the following roads in St. Helier for motor races (including practices) on the dates and between the times shown—

- (a) part of Victoria Avenue and one of the adjoining lay-bys, on 8th June 2007 between 7 p.m. and 11.30 p.m.;
- (b) part of Westmount Road, on 9th June 2007 between 10 a.m. and 5 p.m.; and
- (c) parts of Pier Road, Mount Bingham, South Hill, Fort Regent Road and the car parks at South Hill and La Collette Gardens, on 10th June 2007 between 10 a.m. and 5 p.m.

The Order was made on 29th March 2007 and came into force on the day it was made.

R&O.55/2007.

These Rules were made by the Bailiff in pursuance of Article 50 of the Regulation of Investigatory Powers (Jersey) Law 2005. They relate to the Investigatory Powers Tribunal which, under Article 46 of that Law, is empowered to consider and determine certain complaints and references. The Rules regulate –

- (a) the exercise by the Tribunal of the jurisdiction conferred on it under Article 46; and
- (b) matters preliminary and incidental to, and arising out of, the hearing or consideration of any proceedings, complaint or reference brought before or made to the Tribunal.

The Rules were made on 29th March 2007 and come into force on 5th April 2007.

R&O.56/2007.

This Order amends the Motor Traffic (Public Service Vehicles (Conditions of Fitness)) (Jersey) Order 2003 so as to exempt DUKWs from the requirements to have their steering wheels on the right and to be capable of giving hand signals on the off-side of the vehicle, to have their entrances and exits at the normal height required for road vehicles and to have their emergency exits accessible to persons of normal height standing at ground level outside the vehicles. The opportunity is taken to amend an incorrect cross-reference and to include a previously missed exemption of roads trains from the requirement to be able to give hand signals on the off-side of the vehicle.

The Order was made on 10th April 2007 and came into force 7 days later.

WRITTEN QUESTIONS

(See Item I(a))

The Minister for Planning and Environment will table an answer to the following question asked by Senator B.E. Shenton -

“Would the Minister advise members whether the various Planning restrictions placed by the Planning and Environment Department, particularly those relating to properties designated as Sites of Special Interest such as the Le Seilleur offices and workshop in Oxford Road, are human rights compliant?”

The Minister for Treasury and Resources will table an answer to the following question asked by Senator B.E. Shenton –

“Would the Minister advise members of the amount raised in 2006 through the increase in Impôts duty on beer?”

The Minister for Social Security will table an answer to the following question asked by Senator B.E. Shenton –

“Would the Minister advise members of the total cost of the provision of free television licences for the elderly in 2006?”

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

“The document “2008 Business Plan: provisional cash limits – impacts on departments” shows a number of proposed changes for the dairy and agricultural industries.

- (a) Would the Minister inform members in detail what the “Business re-engineering” cut of £500,000 (35%) in grant aid to dairy and agriculture proposed for 2008 will mean?
- (b) Would he state what the impact of the further Fundamental Spending Review reduction of 5 per cent industry support to dairy and agriculture will be?
- (c) What overall impact will such a cut, of the order of 16 per cent in one year, will have on farmers? Will the Minister advise what impact this cut will have on both the department’s commitment to the McQueen Strategy for recovery of the Dairy Industry and to the Policy “Growing the Rural Economy”?
- (d) Would the Minister advise members why he has decided to reduce support for the Dairy and Agricultural industry by around 38 per cent from £4.5 million in 2007 to £2.8 million by 2010? Would the Minister clarify how this supports the Strategic Plan aim of ‘growing diversity in the economy’?”

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

- “(a) Would the Minister inform members of the reasons for the £21 million “windfall” increase in tax revenues between provisional and revised budget figures for 2006 for each revenue stream? Will he further state whether this “windfall” is predicted to continue into the years 2007 – 2011 and, if so, explain why?
- (b) Would the Minister inform members why the revised inflation and pay assumptions show that both the Retail Price Index (RPI) and Public Sector Pay awards for 2008 and 2009 will decrease when the introduction of a 3 per cent Goods and Services Tax will have an impact on the spending of all

Islanders? Would the Minister advise members whether the impact on the RPI of the introduction of GST will affect the March 2009 RPI figure and, if so, state whether this has been taken into account in the assumptions given that that figure is traditionally used in pay negotiations?

- (c) Would the Minister inform members whether the additional £1 million “funding from balances” indicated in his presentation (relating to the 2008 Business Plan) regarding 2007 spending pressures and the £2.5m “funding from departments” will be divided on a pro rata basis between departments and, if not, on what basis?
- (d) In the light of the “windfall” from tax revenues highlighted in (a), does a further £2.5 million cut in departmental budgets for the current year remain appropriate?
- (e) Would the Minister undertake to inform members in detail what each department’s reduction in spending, as a result of the £2.5 m cut will mean for the delivery of services in 2007, and further, would he place these service reductions in the context of the type and size of reductions that have already taken place, whether by efficiency savings or otherwise, in 2005 and 2006?”

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

“The document “2008 Business Plan: provisional cash limits – impacts on departments” shows a number of proposed changes for the tourism industry.

- (a) Would the Minister inform members in detail what the “Business re-engineering” cut of £500,000 in grant aid to tourism proposed for 2008, referred to on page 26 of the document “2008 Business Plan: provisional cash limits – impacts on departments”, will mean?
- (b) Would he also advise what impact the further Fundamental Spending Review reduction and efficiency savings cut of £230,000 support to the tourism industry will have?
- (c) What overall impact will such a cut, of the order of 12 per cent in one year, have on the Tourism industry?
- (d) Would the Minister advise members why he has decided to reduce support for the Tourism industry by around 30 per cent from £5.9 million in 2007 to £4.1million by 2010? Would the Minister clarify how this supports the Strategic Plan aim of ‘growing diversity in the economy’?”

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

- “(a) Would the Minister advise members to which “high value” industries he will be transferring some £1.5 million of funding from Tourism and agricultural support in order to diversify the economy in line with the Strategic objectives?
- (b) Would the Minister state whether the transfer of £750,000 of Tourism and Agricultural support funding into Finance Industry support over the 3-year period 2008 – 2010 will increase diversification of the economy and reduce the Island’s dependence on that industry?
- (c) Would the Minister set out the impact such “business re-engineering” is expected to have on the demand for high skilled “licensed” or J-category employees in the period 2007 – 2010?”

ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

1st Session

	First 15 minute period	Second 15 minute period
	Minister	Minister
1st May	Social Security	Housing
15th May	Treasury and Resources	Chief Minister
5th June	Home Affairs	Economic Development
19th June	Transport and Technical Services	Chief 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