

STATES OF JERSEY ORDER PAPER

Tuesday 29th April 2008

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Companies (General Provisions) (Amendment No. 3) (Jersey) Order 2008. R&O.49/2008.
Minister for Economic Development.

Collective Investment Funds (Unclassified Funds) (Prospectuses) R&O.50/2008.
(Amendment No. 5) (Jersey) Order 2008.
Minister for Economic Development.

Collective Investment Funds (Permits) (Exemptions) (Amendment No. 3) R&O.51/2008.
(Jersey) Order 2008.
Minister for Economic Development.

Financial Services (Amendment of Schedule 2 to Law) (Jersey) Order 2008. R&O.52/2008.
Minister for Economic Development.

Financial Services (Trust Company Business) (Exemptions No. 2)) R&O.53/2008.
(Amendment) (Jersey) Order 2008.
Minister for Economic Development.

Financial Services (Trust Company Business (Exemptions)) (Amendment R&O.54/2008.
No. 3) (Jersey) Order 2008.
Minister for Economic Development.

Control of Borrowing (Amendment No. 13) (Jersey) Order 2008. R&O.55/2008.
Minister for Economic Development.

Road Traffic (St. Helier) (Amendment No. 22) (Jersey) Order 2008. R&O.58/2008.
Minister for Transport and Technical Services.

Road Traffic (Disabled Persons) (Parking) (Amendment No. 7) (Jersey) Order. R&O.59/2008.
Minister for Transport and Technical Services.

Road Racing (Hill Climbs and Sprint) (No. 2) (Jersey) Order 2008. R&O.60/2008.
Minister for Transport and Technical Services.

C. DOCUMENTS PRESENTED OR LAID

Jersey Enterprise Board Limited: proposed establishment (P.194/2007) – P.194/2007.
amendment – (P.194/2007 Amd.)– comments. Amd.Com.
Presented: 11th April 2008.
Minister for Treasury and Resources.

Jersey Competition Regulatory Authority: Annual Report 2007. R.29/2008.
Presented: 7th April 2008.
Minister for Economic Development.

Code of Practice for Scrutiny Panels and the Public Accounts Committee. Presented: 8th April 2008. <i>Chairmen's Committee.</i>	R.30/2008.
States' Spending Review 2008: Pension schemes for States' employees – governance. Presented: 10th April 2008. <i>Comptroller and Auditor General.</i>	R.31/2008.
States' Spending Review 2008: Pension schemes – status. Presented: 10th April 2008. <i>Comptroller and Auditor General.</i>	R.32/2008.
States' Spending Review 2008: Pension schemes – liabilities. Presented: 10th April 2008. <i>Comptroller and Auditor General.</i>	R.33/2008.
Land Transactions under Standing Order 168(3) – (a) 20 La Rue de Carteret, Rue de Pres, St. Saviour– Assisted House Purchase property; (b) Villa Rose, Le Chemin du Moulin, St. Ouen– Assisted House Purchase property. Presented: 10th April 2008. <i>Minister for Treasury and Resources.</i>	R.34/2008.
Land Transactions under Standing Order 168(3) – La Route de la Hougue Bie, St. Saviour– purchase of land from Darrias Limited. Presented: 15th April 2008. <i>Minister for Treasury and Resources.</i>	R.35/2008.
Strategic Plan: progress against initiatives as at 31st December 2007. Presented: 16th April 2008. <i>Council of Ministers.</i>	R.36/2008.
Public Sector Manpower Report: December 2007. Presented: 23rd April 2008. <i>Minister for Treasury and Resources.</i>	R.37/2008.
Land Transactions under Standing Order 168(3) – S13 South Pier Shipyard, South Pier, St. Helier– lease. Presented: 23rd April 2008. <i>Minister for Treasury and Resources.</i>	R.38/2008.
Prison Board of Visitors: report for 2007. Presented: 24th April 2008. <i>Minister for Home Affairs.</i>	R.39/2008.

D. NOTIFICATION OF LODGED PROPOSITIONS

Jersey Enterprise Board Limited: proposed establishment (P.194/2007) – amendment (P.194/2007 Amd.)– amendment. Lodged: 9th April 2008. <i>Deputy J.B. Fox of St. Helier.</i>	P.194/2007. Amd.Amd.
Draft Customs and Excise (Amendment No. 6) (Jersey) Law 200. Lodged: 7th April 2008.	P.54/2008.

Minister for Home Affairs.

Draft Crime (Disorderly Conduct and Harassment) (Jersey) Law 200- P.55/2008.
Lodged: 7th April 2008.
Minister for Home Affairs.

Health and Safety Appeal Tribunal: appointment of members. P.56/2008.
Lodged: 7th April 2008.
Minister for Social Security.

Drainage Law: service of notices on owners. P.57/2008.
Lodged: 9th April 2008.
Senator B.E. Shenton.

Draft Water (Amendment No. 3) (Jersey) Law 200. P.58/2008.
Lodged: 11th April 2008.
Minister for Planning and Environment.

Draft Regulation of Investigatory Powers (British Broadcasting Corporation) P.59/2008.
(Jersey) Regulations 200-.
Lodged: 16th April 2008.
Minister for Home Affairs.

Esplanade Quarter, St. Helier: Masterplan. P.60/2008.
Lodged: 16th April 2008.
Council of Ministers.

Draft Marriage and Civil Status (Amendment No. 2) (Jersey) Law 200-. P.61/2008.
Lodged: 21st April 2008.
Minister for Home Affairs.

Central European Time: referendum. P.62/2008.
Lodged: 21st April 2008. (re-issue)
Senator J.L. Perchard.

Draft Non-Profit Organizations (Jersey) Law 200-. P.63/2008.
Lodged: 22nd April 2008.
Council of Ministers.

Rent Control Tribunal: appointment of members. P.64/2008.
Lodged: 25th April 2008.
Minister for Housing.

E. WITHDRAWAL OF LODGED PROPOSITIONS

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

Resignation of Senator Stuart Syvret from the Bailiff's Consultative Panel.

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – **Written Questions**

(attached)

1. H.M. Attorney General will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the legal position of the States of Jersey with respect to its employees under the Employment Relations (Jersey) Law 2007 and its codes of practice.
2. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding the amount spent on road safety improvements over the last three years.
3. The Minister for Economic Development will table an answer to a question asked by Deputy G.CL. Baudains of St. Clement regarding the master planning exercise relating to the fuel farm.
4. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.CL. Baudains of St. Clement regarding the Connex bus service contract.
5. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.CL. Baudains of St. Clement regarding the resurfacing of St. Clement's coast road.
6. The Chief Minister will table an answer to a question asked by Deputy G.CL. Baudains of St. Clement regarding meetings to discuss the Haut de la Garenne issue.
7. The Chief Minister will table an answer to a question asked by Deputy G.CL. Baudains of St. Clement regarding the Town Regeneration Strategy.
8. The Minister for Economic Development will table an answer to a question asked by Deputy G.CL. Baudains of St. Clement regarding support for economic diversification.
9. The Minister for Economic Development will table an answer to a question asked by Deputy S.S.A.P. Power of St. Brelade regarding milk importation.
10. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy S.S.A.P. Power of St. Brelade regarding the annulment of the Motor Vehicles (Construction and Use) (Amendment No. 9) (Jersey) Order 2007.
11. The Minister for Home Affairs will table an answer to a question asked by the Connétable of St. John regarding police and civilian staff numbers.
12. The Minister for Health and Social Services will table an answer to a question asked by Deputy S.S.A.P. Power of St. Brelade regarding the time limits for abortions.
13. The Minister for Home Affairs will table an answer to a question asked by Deputy S.S.A.P. Power of St. Brelade regarding the use of Victoria Avenue's overtaking lanes.
14. The Chief Minister will table an answer to a question asked by Deputy D.W. Mezbourian of St. Lawrence regarding staff suspensions.
15. The Minister for Home Affairs will table an answer to a question asked by Senator S. Syvret regarding the issue of warrants.
16. H.M. Attorney General will table an answer to a question asked by Senator S. Syvret regarding conflicts of interest.
17. The Minister for Home Affairs will table an answer to a question asked by Senator S. Syvret regarding prosecutions relating to child abuse cases.

18. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding statements made after the Imagine Jersey event.
19. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding GP charges and the impact of the removal of transition support.
20. The Chief Minister will table an answer to a question asked by Deputy S. Pitman of St. Helier regarding the Community Relations Trust.
21. The Minister for Health and Social Services will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the running costs of Greenfields.
22. The Minister for Home Affairs will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the use of film and photography footage of public events.
23. The Minister for Health and Social Services will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding waiting times.

(b) – Oral Questions

(90 minutes)

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

“Will the Minister explain the reasons behind his decision to approve a large residential development on the headland above Portelet against the recommendation of his senior planning officers and in spite of opposition from the National Trust and other bodies?”

2. Deputy Sean Seamus Augustine Power of St. Brelade will ask the following question of the Minister for Economic Development –

“Would the Minister confirm whether a panel member of the Tourism Development Fund presented a grant application on the 28th November 2007, for an organisation he is closely involved with in a management capacity, and if so, whether this was considered appropriate and when the minutes of that meeting will be signed and posted on the Tourism Development Fund section of the www.jersey.com website?”

3. The Deputy of St. John will ask the following question of the Minister for Treasury and Resources –

“Given recent market turbulence, would the Minister advise as to how frequently the asset values and future return expectations of the Strategic Reserve are reviewed in terms of risk and reward, how appropriate diversification of risk is maintained, and the process by which the best possible investment managers are selected?”

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

“What work, if any, has the Minister for Education, Sport and Culture undertaken to ensure that uniform requirements in Island schools are affordable?”

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

“Will the Minister inform members whether utility bills are excluded from special payments for those on Income Support, and if so, what justification can he offer for this exclusion?”

6. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Minister for Transport and Technical Services—

“Will the Minister be extending the current contract of Connex to provide Public Transport Services or will he be going to public tender?”

7. Deputy S.S.A.P. Power of St. Brelade will ask the following question of the Minister for Home Affairs –

“Given that the States of Jersey Police have confirmed that the fragment of skull found at Haut de la Garenne is possibly over 50 years old, would the Minister now agree that the statement made by the Deputy Chief of Police on 23rd February 2008, referring to finding what appeared to be the partial remains of a child, was an inappropriate summary of the situation at that time?”

8. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Minister for Planning and Environment –

“Will the Minister identify what measures, if any, he is planning to introduce to improve the way in which applications for large projects are handled?”

9. The Connétable of Grouville will ask the following question of the Minister for Planning and Environment –

“Following the speech to the Chamber of Commerce by Mr M. Liston and demands from members of this Assembly over the last 2 years, will the Minister now put in place a plan to take advantage of the opportunities being offered by the advance in technology of tidal power as shown by the Alderney Group?”

10. Deputy P.V.F. Le Claire of St. Helier will ask the following question of the Chief Minister –

“Following my question on 1st April 2008, would the Chief Minister advise whether the period of time that new European Union accession country citizens work in the Island under a permit scheme will count towards the five year residency requirement for open employment and if not, would he outline the current accepted policy?”

11. The Deputy of Trinity will ask the following question of the Minister for Health and Social Services –

“Would the Minister inform the Assembly where the longstanding nursing team on Chevalier Ward is to be deployed?”

12. Deputy S. Pitman of St. Helier will ask the following question of the Minister for Transport and Technical Services –

“Would the Minister advise whether Connex buses are now, when refurbished, required to be fitted with seatbelts, and if so, could he confirm whether the latest Connex buses to be refurbished were indeed fitted with seatbelts?”

13. The Deputy of St. Martin will ask the following question of the Minister for Home Affairs –

“Will the Minister provide an update on the progress of the draft Sexual Offenders Law and advise who it is proposed will be responsible for deciding who should be included on the

Sexual Offender's Register, who will be carrying out risk assessments and how the process will be monitored?

14. Deputy K.C. Lewis of St. Saviour will ask the following question of the Chief Minister –

“Would the Chief Minister inform members of the actual population of Jersey as of March 2008?”

15. Deputy J.J. Huet of St. Helier will ask the following question of the Chairman of the Jersey Executive Branch of the Commonwealth Parliamentary Association -

“Will the Chairman confirm whether complaints of bad behaviour were received by the Jersey Executive Branch of the Commonwealth Parliamentary Association concerning one of the Jersey delegates attending a conference in 2007, and if so, would he explain to Members how the Executive Committee dealt with these complaints and what action, if any, was taken against the States Member concerned?”

16. Deputy of St. Martin will ask the following question of the Minister for Home Affairs –

“What steps, if any, has the Minister taken to heal the rift between Customs Officers and the Police, which allegedly impacted upon the amount of successful drugs seizures last year, and will she assure Members that morale amongst Customs' staff is sufficiently high to ensure that our Ports remain an efficient barrier to drug importers?”

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

“The Labour Market figures reveal that total employment at December 2007 stood at 53,040, a rise of 3,900 since December 2004. Will the Chief Minister explain why these figures are so different from the stated targets in the Strategic Plan 2006 -11 of 2% economic growth with 1% job growth and does he intend to take measures to achieve these targets and if so, what measures, and in what timescale?”

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

“From May 6th what portion of motor fuel will incur Goods and Services Tax?”

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

1st question period – Minister for Home Affairs

2nd question period – Minister for Housing

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Draft Health Implementation (Jersey) Law 200-
Lodged: 26th February 2008.
Minister for Health and Social Services.

P.34/2008.

Draft Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment)
(Jersey) Regulations 200-.

P.36/2008.

Lodged: 6th March 2008. <i>Minister for Economic Development.</i>	
Health Services Disciplinary Tribunal: constitution and appointment of Members. Lodged: 11th March 2008. <i>Minister for Social Security.</i>	P.37/2008.
Draft Harbours (Amendment No. 41) (Jersey) Regulations 200. Lodged: 11th March 2008. <i>Minister for Economic Development.</i>	P.39/2008.
Draft Goods and Services Tax (Amendment) (Jersey) Regulations 200-. Lodged: 12th March 2008. <i>Economic Affairs Scrutiny Panel.</i>	P.42/2008.
Draft European Communities Legislation (Implementation) (Bovine Semen) (Jersey) Regulations 200. Lodged: 14th March 2008. <i>Chief Minister.</i>	P.43/2008.
Draft Centeniers (Terms of Office) (Amendment) (Jersey) Law 200-. Lodged: 18th March 2008. <i>Comité des Connétables.</i>	P.44/2008.
Draft Financial Services (Amendment of Law) (No. 3) (Jersey) Regulations 200-. Lodged: 18th March 2008. <i>Minister for Economic Development.</i>	P.45/2008.
Working Party to Review Appropriateness of Departmental Structure. Lodged: 20th March 2008. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.49/2008.
Chief Minister election: advance notice of intention to stand. Lodged: 1st April 2008. <i>Deputy S. Pitman of St. Helier.</i>	P.52/2008.
<i>In accordance with Standing Order 32, the Minister for Social Security has given notice that he will propose that the following matter be included under public business at the present meeting –</i> Health and Safety Appeal Tribunal: appointment of members. Lodged: 7th April 2008. <i>Minister for Social Security.</i>	P.56/2008.

M. ARRANGEMENT OF PUBLIC BUSINESS

13th May 2008

Committee of Inquiry into the operation of Third Party Planning Appeals. Lodged: 26th February 2008. <i>Deputy C.J. Scott Warren of St. Saviour.</i>	P.35/2008.
Committee of Inquiry into the operation of Third Party Planning Appeals (P.35/2008): comments. Presented: 1st April 2008.	P.35/2008. Com.

Minister for Treasury and Resources.

Family Nursing and Home Care Debt. P.46/2008.
Lodged: 19th March 2008.
Minister for Treasury and Resources.

Channel Islands Lottery: Allocation of a percentage of profits for 2007-2008. P.47/2008.
Lodged: 20th March 2008.
Minister for Economic Development.

Draft Legal Deposit (Jersey) Law 2007 (Appointed Day) Act 200-. P.50/2008.
Lodged: 28th March 2008.
Minister for Education, Sport and Culture.

Draft Legal Deposit (Jersey) Regulations 200-. P.51/2008
Lodged: 28th March 2008.
Minister for Education, Sport and Culture.

Draft Civil Aviation (Jersey) Law 200-. P.53/2008.
Lodged: 1st April 2008.
Council of Ministers.

Rent Control Tribunal: appointment of members. P.64/2008.
Lodged: 25th April 2008.
Minister for Housing.

3rd June 2008

Draft Taxation (Land Transactions) (Jersey) Law 200-. P.185/2007.
Lodged: 4th December 2007.
Minister for Treasury and Resources.
(Principles adopted on 12th March 2008)

Draft Taxation (Land Transactions) (Jersey) Law 200- (P.185/2007): P.185/2007.
comments. Com.
Presented: 10th March 2008.
Corporate Services Scrutiny Panel.

Draft Taxation (Land Transactions) (Jersey) Law 200- (P.185/2007): P.185/2007.
amendments. Amd.
Lodged: 26th February 2008.
Minister for Treasury and Resources.

Jersey Enterprise Board Limited: proposed establishment. P.194/2007.
Lodged: 19th December 2007.
Council of Ministers.

Jersey Enterprise Board Limited: proposed establishment (P.194/2007) – P.194/2007.
amendment. Amd.
Lodged: 28th December 2007.
Deputy J.B. Fox of St. Helier.

Jersey Enterprise Board Limited: proposed establishment (P.194/2007) – P.194/2007.
amendment – (P.194/2007 Amd.)– comments. Amd.Com.
Presented: 11th April 2008.
Minister for Treasury and Resources.

Jersey Enterprise Board Limited: proposed establishment (P.194/2007) – amendment (P.194/2007 Amd.)– amendment. Lodged: 9th April 2008. <i>Deputy J.B. Fox of St. Helier.</i>	P.194/2007. Amd.Amd.
Jersey Enterprise Board Limited: proposed establishment (P.194/2007) – third amendment. Lodged: 19th February 2008. <i>Public Accounts Committee.</i>	P.194/2007. Amd.(3)
Millennium Town Park: Funding from Strategic Reserve. Lodged: 3rd January 2008. <i>Deputy G.P. Southern of St. Helier.</i>	P.1/2008.
Millennium Town Park: Funding from Strategic Reserve (P.1/2008) – comments. Presented: 26th February 2008. <i>Minister for Treasury and Resources.</i>	P.1/2008. Com.
Census of Island’s population. Lodged: 26th February 2008. <i>Deputy of Grouville.</i>	P.32/2008.
Draft Customs and Excise (Amendment No. 6) (Jersey) Law 200. Lodged: 7th April 2008. <i>Minister for Home Affairs.</i>	P.54/2008.
Draft Crime (Disorderly Conduct and Harassment) (Jersey) Law 200- Lodged: 7th April 2008. <i>Minister for Home Affairs.</i>	P.55/2008.
Drainage Law: service of notices on owners. Lodged: 9th April 2008. <i>Senator B.E. Shenton.</i>	P.57/2008.
Draft Regulation of Investigatory Powers (British Broadcasting Corporation) (Jersey) Regulations 200-. Lodged: 16th April 2008. <i>Minister for Home Affairs.</i>	P.59/2008.
Esplanade Quarter, St. Helier: Masterplan. Lodged: 16th April 2008. <i>Council of Ministers.</i>	P.60/2008.
Draft Marriage and Civil Status (Amendment No. 2) (Jersey) Law 200-. Lodged: 21st April 2008. <i>Minister for Home Affairs.</i>	P.61/2008.
Draft Non-Profit Organizations (Jersey) Law 200-. Lodged: 22nd April 2008. <i>Council of Ministers.</i>	P.63/2008.

17th June2008

Central European Time: referendum.
Lodged: 21st April 2008.
Senator J.L. Perchard.

P.62/2008.
(re-issue)

1st July 2008

15th July 2008

Draft Water (Amendment No. 3) (Jersey) Law 200.
Lodged: 11th April 2008.
Minister for Planning and Environment.

P.58/2008.

M.N. DE LA HAYE
Greffier of the States

24th April 2008

Note –

In accordance with the meeting dates fixed for 2008 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 30th April 2008 and Thursday 1st May 2008.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.49/2008.

This Order amends the exemption from the requirements for the circulation of prospectuses relating to securities in or membership of a company consequentially upon the commencement of the Collective Investment Funds (Amendment No. 4) (Jersey) Law 2008 under which a company issuing units that is an unclassified fund will be required to hold a certificate, instead of a permit.

The Order was made on 2nd April 2008 and came into force on 4th April 2008.

R&O.50/2008

The amendments made by this Order are consequential upon the commencement of the Collective Investment Funds (Amendment No. 4) (Jersey) Law 2008, under which a certificate is required in respect of an unclassified fund instead of a permit.

The Order was made on 2nd April 2008 and came into force on 4th April 2008.

R&O.51/2008.

This Order repeals an exemption from the requirement to hold a permit under the Collective Investment Funds (Jersey) Law 1988 consequentially upon the commencement of the Collective Investment Funds (Amendment No. 4) (Jersey) Law 2008.

The Order was made on 2nd April 2008 and came into force on 4th April 2008.

R&O.52/2008.

This Order amends the Financial Services (Jersey) Law 1998 consequentially upon the commencement of the Collective Investment Funds (Amendment No. 4) (Jersey) Law 2008, under which a company issuing units that is an unclassified fund will be required to hold a certificate, instead of a permit.

The Order was made on 2nd April 2008 and came into force on 4th April 2008.

R&O.53/2008.

The amendments made by this Order are consequential upon the commencement of the Collective Investment Funds (Amendment No. 4) (Jersey) Law 2008, under which certificates are required to be held in respect of unclassified funds.

The Order was made on 2nd April 2008 and came into force on 4th April 2008.

R&O.54/2008.

This Order amends the exemption from the Financial Services (Jersey) Law 1998 for companies issuing units that are unclassified funds consequentially upon the amendments to the Collective Investment Funds (Jersey) Law 1988 whereby such companies are required to hold a certificate under that Law, instead of a permit.

The Order was made on 2nd April 2008 and came into force on 4th April 2008.

R&O.55/2008.

This Order exempts the acts and transactions of certain holders of permits or certificates issued under the Collective Investment Funds (Jersey) Law 1988 from the application of the Control of Borrowing (Jersey) Order 1958.

The Order was made on 2nd April 2008 and came into force on 4th April 2008.

R&O.58/2008.

The object of this Order is to make provision in the Road Traffic (St. Helier) (Jersey) Order 1996 for the Cheapside Residents' Parking Zone in St. Helier. At the same time a number of minor changes are made.

The Order was made on 17th April 2008 and comes into force on 1st May 2008.

R&O.59/2008.

This Order adds a 2-hour parking place for vehicles used by disabled persons. The place is in West Park Avenue, St. Helier.

The Order was made on 17th April 2008 and comes into force on 1st May 2008.

R&O.60/2008.

This Order allows the Classic and Vintage Motor Racing Club of Jersey Limited to close Victoria Avenue, Westmount Road, and roads around Mount Bingham, for the holding of road racing events on 6th, 7th and 8th June 2008.

The Order was made on 18th April 2008 and came into force forthwith.

WRITTEN QUESTIONS

(See Item I(a))

1. H.M. Attorney General will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“In relation to the legal position of the States of Jersey with respect to its employees under the Employment Relations (Jersey) Law 2007 and its related codes of practice, will the Attorney General advise members:

- (a) whether he is aware of any other jurisdiction where government employees, whilst being regarded as employed by a single unified body, equivalent to the States of Jersey Employment Board, for all other employment and contractual purposes, are in the matter of employment disputes, regarded as being employed by the relevant Minister?
- (b) Of the arguments on either side of the question of whether the treatment applied by the States to its employees (above) could be found to be a disproportionate restriction on the right of States employees to take secondary industrial action in support of other States employees?
- (c) In the event of employers and trade unions failing to agree over which services (or elements of services) minimum service agreements outlined in articles 31 to 35 of Code 2 should apply to and what level of minimum services should apply, what legal position would pertain to –
 - (i) individual ministers as employers;
 - (ii) the States Employment Board;
 - (iii) trade unions concerned;
 - (iv) the Minister for Social Security;

in respect of their duty of care to provide and maintain essential services to Islanders?”

2. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy P.V.F. Le Claire of St. Helier –

“Would the Minister advise how much has been spent on road safety improvements and traffic measures in the last 3 years and how much of this sum relates specifically to pedestrian safety?”

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

“In answering my question regarding fuel farm relocation on 1st April 2008, the Minister stated that the Economic Development Department, Jersey Harbours and WEB were undertaking a master planning exercise which included the site of the current fuel farm. Would the Minister advise which of these is the lead body with responsibility for co-ordinating the work involved?”

4. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“With regard to the Connex bus service, would the Minister state:

- (a) whether he intends putting the service out to tender when the current contract expires and if not, why not,

- (b) over what period the new buses were amortised from the start of the service and their present value,
- (c) whether he has considered purchasing the fleet in order to facilitate a change of operator if desired,
- (d) whether he believes in the 'user pays principle' and, if so, why he does not apply this to the bus service?"

5. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“With regard to the recent re-surfacing of the St Clement coast road near Brig Y Don, will the Minister advise whether he has yet discovered the reason for the ‘ripple effect’ that exists, especially towards the western end of the work, and further advise what he intends to do about it?”

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

“Would the Minister confirm that Civil Servants and politicians were meeting every day to discuss the Haut de la Garenne issue, whether they are still doing so, and the purpose of those meetings?”

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

“The Draft Business Plan for 2009 contains, under ‘Chief Minister’s Department, 2009 Additional Spending Pressures’ a sum of £200,000 for ‘Town Regeneration Strategy’. Would the Minister give details of the work to which this sum relates?”

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

“Given that the Draft 2009 Business Plan postulates a spend of £199,000 to ‘directly market the Island’s finance industry’ and a £203,000 ‘decrease in destination marketing’, would the Minister explain how this position squares with the States avowed aim to diversify the Island’s economy?”

9. The Minister for Economic Development will table an answer to the following question asked by Deputy S.S.A.P. Power of St. Brelade –

“Would the Minister explain how and why imported fresh milk, such as 'St. Ivel (with Omega 3)' (which contains fresh whole milk, Omega 3 (derived from fish oils) and milk proteins), is allowed to be sold in Island supermarkets and would this situation change if the Jersey Dairy decided to sell fresh milk with an Omega 3 additive?”

10. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy S.S.A.P. Power of St. Brelade –

“Following the States decision to annul the Motor Vehicles (Construction and Use) (Amendment No. 9) (Jersey) Order 2007 which required all heavy goods vehicles, medium goods vehicles of GLW over 3.5t and vehicles drawing trailers (among others) to display a ‘30’ mph sticker, would the Minister advise whether the owners of the said vehicles will receive a re-imbusement to meet the costs of the redundant signage and stickers affixed to their vehicles?”

11. The Minister for Home Affairs will table an answer to the following question asked by the Connétable of St. John –

“Would the Minister advise the Assembly of the total amount of staff employed by the States of Jersey Police on an annual basis from 1996 inclusive to date, providing a breakdown of police officers by rank and showing separate numbers for civilian staff?”

12. The Minister for Health and Social Services will table an answer to the following question asked by Deputy S.S.A.P. Power of St. Brelade –

“Given that improvements in neo-natal care have led to increasing numbers of babies surviving at earlier stages of gestation, would the Minister consider reducing the current abortion time limit of 24 weeks?”

Can the Minister give an indication to the Assembly of his position on the proposed Human Fertilisation and Embryology Bill that will be coming to the House of Commons very soon?

What is the Minister’s position on the results of research by Newcastle University that has produced human-animal “admixed” embryos?

What is the Minister’s position on stem-cell cord blood research, whereby medical scientific research views that the harvesting and saving of blood contained in the umbilical cords of babies could hold the key to a range of life-saving treatments?”

13. The Minister for Home Affairs will table an answer to the following question asked by Deputy S.S.A.P. Power of St. Brelade –

“What is the position of the States of Jersey Police to vehicles driving at less than a safe and appropriate speed on both the eastbound and westbound lanes on Victoria Avenue, which are supposed to be used for overtaking?”

What is the position of the States of Jersey Police on overtaking in the inside lane when drivers sit in the overtaking lane and drive well below the speed limit?”

14. The Chief Minister will table an answer to the following question asked by Deputy D.W. Mezbourian of St. Lawrence –

“Would the Chief Minister advise the Assembly of the total number of staff, by Department, who were suspended as a result of disciplinary infractions during the year 2007 and, in each case, identify the employee group concerned, the nature of the alleged infraction, the period of suspension and the means of disposal of the case?”

Would the Minister advise the Assembly of the total number of staff who were suspended during the period 2006 to 2007, and who remain suspended, and identify in each case the Department concerned, the employee group concerned, the nature of the alleged infraction, the period of suspension and the reason why the employee remains suspended?”

15. The Minister for Home Affairs will table an answer to the following question asked by Senator S. Syvret –

“1. Will the Minister for Home Affairs supply the following information –

- (a) How many warrants have been applied for by the States of Jersey Police Force in connection with the present investigation into historic child abuse?
 - (b) Of those warrants applied for in connection with the present investigation, how many have been agreed?
 - (c) Of those warrants applied for in connection with the present investigation, how many have been refused?
2. For each of the years from 1995 to 2007 inclusive, will the Minister for Home Affairs provide the following information –
- (a) In each year, how many warrants were applied for by the States of Jersey Police Force in connection with child protection matters?
 - (b) In each year, how many of those applications were agreed?
 - (c) In each year, how many of those applications were refused?
3. In the event of any of the warrants referred to in questions 1 and 2 having been refused, could the Minister inform the Assembly of the reasons cited for each such refusal?"

16. H.M. Attorney General will table an answer to the following question asked by Senator S. Syvret –

“Will the Attorney General provide a detailed explanation of what formal, written policy exists to guide him, the Solicitor General and members of the judiciary in respect of avoiding conflicts of interest and the appearance of conflicts of interest?”

Will the Attorney General explain how members of the public are able to access any such policy?"

17. The Minister for Home Affairs will table an answer to the following question asked by Senator S. Syvret –

“(1) Will the Minister for Home Affairs supply the following information –

- (a) How many cases for prosecution have been submitted to the Law Officers’ Department by the States of Jersey Police Force in connection with the present investigation into historic child abuse?
 - (b) Of those cases submitted for prosecution in connection with the present investigation, how many have been accepted by the Law Officers’ Department?
 - (c) Of those cases submitted for prosecution in connection with the present investigation, how many have been rejected by the Law Officers’ Department?
- (2) Of those individuals who have had charges against them submitted to the Law Officers’ Department by the States of Jersey Police Force for prosecution in connection with the present investigation into historic child abuse –
- (a) How many have been accepted for prosecution for *all* of the charges submitted by the Police?
 - (b) How many have been accepted for prosecution for only *some* of the charges submitted by the Police?
- (3) For each of the years from 1995 to 2007 inclusive, will the Minister for Home Affairs provide the following information –

- (a) How many cases for prosecution in connection with offences relating to child abuse have been submitted by the States of Jersey Police Force to the Law Officers' Department?
 - (b) Of those cases submitted, how many were accepted for prosecution?
 - (c) Of those cases submitted, how many were rejected for prosecution?
- (4) Of those individuals who have had charges against them submitted for prosecution by the States of Jersey Police Force to the Law Officers' Department in each of the years from 1995 – 2007 inclusive –
- (a) How many were accepted for prosecution for *all* of the charges submitted by Police?
 - (b) How many were accepted for prosecution for only *some* of the charges submitted by the Police?
- (5) In the event of any of the cases for prosecution referred to in questions 1, 2, 3 and 4 having been refused, could the Minister inform the Assembly of the reasons cited for each such refusal?

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

”In response to my question of 1st April 2008, the Chief Minister promised to give me evidence in writing that the statement “The survey and initial conference votes indicated a strong opposition to any increase in taxes and contributions” was correct; will he now do so?”

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

- (a) Further to my question of 1st April 2008 regarding Household Medical Accounts (HMAs) will the Minister give the level of means assessment previously applied to Health Insurance Exemption (HIE) applicants, and list those benefits that were disregarded, along with that currently applied for Income Support (IS) in the case of households containing a single individual?
- (b) Can he yet confirm that **all** GPs will not charge the previously agreed £5 fee per visit directly to the patient, and that this has now been agreed with GP representative bodies? Further, will he state what the average payment per visit to a GP was to be paid from an individual's HMA under the previous arrangement (with £5 direct) and whether this will change under the new arrangement, and if so how?
- (c) Is the Minister now in a position to confirm that where a person on IS, whether with a HMA or not, requires home visits from their GP, the full costs of these visits is not allowed for in the calculation of the level of IS, and if so, will he assure IS recipients and GPs that these costs will be met from special payments?
- (d) Does the Minister accept that the removal of free access to a GP under HIE, which covered many households on the lowest incomes, and its replacement with HMA rather than making these households better off under IS has made them in fact worse off?
- (e) Notwithstanding his answer above, will the Minister explain to members how the following example, which typifies what Social Security actually delivers for many single people, transfers benefits to the least well off?

Previous weekly income = £165.76 (Invalidity Benefit).
 States Rent = £118.95 less abatement £80.43 = rent £38.52
 = net After Housing Cost (AHC) disposable income = **£127.24**

with free access to GP (monthly visits)

Current weekly income = £165.76 (Invalidity Benefit)
Transition = £80.43 split Housing £74.55 HMA = £5.88
Rental payment = £44.40
Net AHC disposable income = £165.76 – £44.40 – £5.88 = **£115.44**

This person's calculated IS is £74.62 therefore when transition support is removed in October of this year he will be a further £5.81 worse off (before adjustment for GST and indexation). This person will have £17.61 less available to spend than he did in January.

Future Net AHC disposable income = **£109.63**

Can the Minister justify a reduction of nearly 14% in this person's disposable income under Income Support? Does this person, and many hundreds like him, qualify as one of the better off who were bound to be losers? Will he point out where, in any documentation or speech he has given to members, has he indicated that those existing on a single benefit were to be made worse off under his new scheme? Did he know that such an outcome would result from his scheme and if so, when did he know, and if not why not?

- (f) Is the Minister aware, and if so when was he aware, that the status of Attendance Allowance was to be radically changed under his Income Support scheme in that this payment "for people who are severely disabled, who need constant care by day or night..... payable in addition to any of our benefits or allowances" (SS doc AA1, April 1998) is now not disregarded in the calculation for the level of IS and has therefore been effectively removed from many households?
- (g) Will the Minister point to any document or speech he has delivered to members which clearly sets out that one of the consequences of the introduction of IS would be to remove this benefit from many households?
- (h) In P.90/2007, Schedule 1 Part 2: Special Components B: Impairment Component, it states –

"The impairment component replaces existing non-contributory disability benefits (such as Attendance Allowance and Disability Transport Allowance) ...the fundamental principle in this benefit replacement is a move from effectively a "universal" system of benefits to a targeted "means-tested" system.... In a means-tested system there are no lump sums paid regardless of income and instead benefit decreases from a maximum figure as income rises until no benefit is received at all."

Will the Minister clearly set out for members the income levels over which the means test operates and the deduction rate applied in the case of –

- (i) a couple where one person is on attendance allowance and the other is in receipt of carers allowance;
- (ii) a couple where one person is caring for a child with disability in receipt of attendance allowance?
- (i) In 2006 there were 762 recipients of attendance allowance at around £400 per month. Will the Minister inform members how many of those recipients are now in receipt of the equivalent of the personal care elements under IS and at what level of payment?"

20. The Chief Minister will table an answer to the following question asked by Deputy S. Pitman of St. Helier–

"Would the Chief Minister inform members as to the breakdown of expenditure, per year, of the Community Relations Trust since it was officially established?"

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

“What are the weekly running costs for Greenfields?”

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

“Would the Minister outline the policy applied by the Police when videotaping and photographing demonstrations and other public events and advise as to what use the photos and videos are put?”

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

“What is the timescale for patients currently awaiting neurological consultations?”

Would the Minister confirm whether waiting times in all other areas are on target and if not, why not?”

ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

1st Session –

	First 15 minute period	Second 15 minute period
	Minister	Minister
13th May	Treasury and Resources	Chief Minister
3rd June	Transport & Technical Services	Economic Development
17th June	Health and Social Services	Chief Minister
1st July	Planning and Environment	Education, Sport and Culture
15th July	Social Security	Chief Minister