



STATES OF JERSEY ORDER PAPER

28th MARCH 2017

SUMMARY

9.30 a.m. Communications by the Presiding Officer and other announcements

Appointments, matters of privilege, petitions (if any)

Approx. 9.40 a.m. Summary of written questions

Up to 2 hours Oral questions with notice

Urgent questions (if any)

Up to 30 minutes, divided between the two Ministers Oral questions without notice:

- Minister for Social Security
- Minister for External Relations

Statements (if any)

Approx. 12.30 p.m. **Television Licence Fee: exemption for Jersey residents aged 75 and over (P.117/2016)**

Television Licence Fee: exemption for Jersey residents aged 75 and over (P.117/2016) – amendment (P.117/2016 Amd.)

Draft Referendum (Jersey) Law 201- (P.4/2017)

Draft Employment of States of Jersey Employees (Amendment No. 8) (Jersey) Regulations 201- (P.11/2017)

Arrangement of public business at subsequent sittings

Lunch adjournment likely around 12.45 p.m., until 2.15 p.m.

If business is not completed by around 5.30 p.m. the Assembly usually adjourns for the evening and will resume its meeting at 9.30 a.m. on Wednesday 29th March and Thursday 30th March 2017 if necessary.



STATES OF JERSEY ORDER PAPER

28th MARCH 2017

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Royal Court (Amendment No. 20) Rules 2017.
Superior Number of the Royal Court.

R&O.36/2017.

C. DOCUMENTS PRESENTED

Planning Committee Decisions 2016.
Presented: 21st March 2017, *Minister for the Environment.*

R.29/2017.

D. NOTIFICATION OF LODGED PROPOSITIONS

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⁽¹⁷⁵⁾ 1. The Deputy of St. John will ask a question of the Minister for Health and Social Services regarding the future delivery of hospital services.
- ¹⁽¹⁷⁶⁾ 2. Deputy J.A. Hilton of St. Helier will ask a question of the Minister for Health and Social Services regarding the independent audit of the quality of front line practice and management in the Children's Service.
- ¹⁽¹⁷⁷⁾ 3. Deputy J.A. Hilton of St. Helier will ask a question of the Minister for Social Security regarding the notification of asbestos-related diseases.
- ¹⁽¹⁷⁸⁾ 4. Deputy J.A. Hilton of St. Helier will ask a question of the Minister for Health and Social Services regarding mesothelioma and other asbestos-related diseases.
- ¹⁽¹⁷⁹⁾ 5. The Deputy of St. Ouen will ask a question of the Chief Minister regarding statistical information in respect of income equality.



- 1(181) 6. Deputy S.Y. Mézec of St. Helier will ask a question of the Chief Minister regarding statistical evidence available in respect of relative low income.
- 1(182) 7. Deputy S.Y. Mézec of St. Helier will ask a question of the Minister for Economic Development, Tourism, Sport and Culture regarding the impact of the Jersey Aircraft Registry on economic growth.
- 1(183) 8. Deputy S.Y. Mézec of St. Helier will ask a question of the Chief Minister regarding the involvement of Ministers in addressing Freedom of Information requests.
- 1(184) 9. Deputy G.P. Southern of St. Helier will ask a question of the Minister for Social Security regarding the impact of the Department's policies on households reliant upon Income Support.
- 1(185) 10. Deputy G.P. Southern of St. Helier will ask a question of the Minister for Social Security regarding the prospect of a review of the Health Insurance Fund.
- 1(186) 11. Deputy G.P. Southern of St. Helier will ask a question of the Minister for Housing regarding the choice-based lettings system.
- 1(187) 12. Deputy M.R. Higgins of St. Helier will ask a question of H.M. Attorney General regarding the Human Rights compliance of Articles 8(3)(b) and 8(4)(b) of the States of Jersey Law 2005.
- 1(188) 13. Deputy M.R. Higgins of St. Helier will ask a question of the Minister for Infrastructure regarding traffic data for certain roads in St. Helier.
- 1(189) 14. Deputy M.R. Higgins of St. Helier will ask a question of the Minister for Economic Development, Tourism, Sport and Culture regarding the number of visitors who have sought information before and after the creation of Visit Jersey.
- 1(190) 15. Deputy M.R. Higgins of St. Helier will ask a question of the Chief Minister regarding employment levels at the Jersey Financial Services Commission.
- 1(191) 16. Deputy M.R. Higgins of St. Helier will ask a question of the Minister for Economic Development, Tourism, Sport and Culture regarding entities registered with, or licensed by, the Gambling Commission.

(b) – Oral Questions

(120 minutes)

- 1(201) 1. Deputy S.Y. Mézec of St. Helier will ask the following question of the Minister for Social Security –
- “Following the adoption of paragraph (b) of P.150/2015, which requested the Minister to produce a report by December 2016 on the potential impact of a significant rise in the minimum wage, when will the report be published; and why has there been a delay?”
- 1(199) 2. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Health and Social Services –
- “What is the Minister's assessment of whether the transition to the new policy on delivering personal care in the home will be put at risk by any failure to reach agreement on contractual terms of Health Care Assistants between Family Nursing and Home Care management and the Health Care Assistants affected by the end of March 2017?”



- 1(194) 3. Deputy M.R. Higgins of St. Helier will ask the following question of the Chairman of the Privileges and Procedures Committee –

“Will the Chairman advise what the bankruptcy provisions in the States of Jersey Law 2005 aim to achieve and will he explain how the provisions of Articles 8(3)(b) and 8(4)(b) are proportionate to that aim?”

- 1(196) 4. Deputy J.A. Hilton of St. Helier will ask the following question of the Chief Minister –

“Will the Chief Minister inform members what steps, if any, he plans to take to ensure the States Assembly can debate the report of the Independent Jersey Care Inquiry as soon as possible after it has been published?”

- 1(192) 5. The Deputy of St. Ouen will ask the following question of the Chief Minister –

“Given the importance of ensuring health and social care providers deliver care in the community that is safe and of a high quality, is the Chief Minister satisfied that sufficient effort has been made to bring to public attention the consultation presently taking place into draft regulations to be made under the Regulation of Care (Jersey) Law, 2014?”

- 1(195) 6. Deputy M.R. Higgins of St. Helier will ask the following question of the Chief Minister –

“What is the Chief Minister's assessment of the means and equality of arms available to the public when trying to address any excesses or misdemeanours of the Island's public servants and public bodies; if they are assessed to be adequate, will the Chief Minister explain why and, if not, what steps will he take to address the situation?”

- 1(193) 7. The Deputy of St. Ouen will ask the following question of the Chief Minister –

“What statistical evidence relating to income inequality has led the Chief Minister to conclude that “*relative low income is reducing*”, as reported in his answer to Written Question 1(160) tabled on 14th March 2017?”

- 1(200) 8. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –

“Will the Minister produce for members the figures relating to real-term cuts in Income Support components that demonstrated a reduction in disposable household incomes and which she made available to Deputy Tadier at the end of her response to his Oral Question 1(163) on 14th March 2017?”

- 1(202) 9. Deputy S.Y. Mézec of St. Helier will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –

“Following the publication of information that only two aircraft have signed up to the Jersey Aircraft Registry, what action, if any, will the Minister’s Department take to mitigate any loss of taxpayers’ money on this project and what lessons, if any, have been learnt for the future?”

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

1st question period – Minister for Social Security

2nd question period – Minister for External Relations

J. PERSONAL STATEMENTS



K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

- Television Licence Fee: exemption for Jersey residents aged 75 and over.** P.117/2016.
Lodged: 4th November 2016, *Deputy M. Tadier of St. Brelade.*
- Television Licence Fee: exemption for Jersey residents aged 75 and over P.117/2016.
(P.117/2016) – comments. Com.
Presented: 13th March 2017, *Chief Minister.*
- Television Licence Fee: exemption for Jersey residents aged 75 and over (P.117/2016) – amendment.** P.117/2016.
Lodged: 7th March 2017, *Deputy M. Tadier of St. Brelade.* Amd.
- Draft Referendum (Jersey) Law 201-.** P.4/2017.
Lodged: 31st January 2017, *Privileges and Procedures Committee.*
- Draft Employment of States of Jersey Employees (Amendment No. 8) (Jersey) Regulations 201-.** P.11/2017.
Lodged: 14th February 2017, *States Employment Board.* (re-issue)

M. ARRANGEMENT OF PUBLIC BUSINESS

18th April 2017

- Future Hospital Funding Strategy (as amended).** P.130/2016.
Lodged: 30th November 2016, *Minister for Treasury and Resources.*
- Parish Rates: payment by the States of Jersey.** P.12/2017.
Lodged: 21st February 2017, *Connétable of St. Helier.*
- Draft Public Elections (Amendment of Law) (Jersey) Regulations 201-.** P.13/2017.
Lodged: 21st February 2017, *Comité des Connétables.*
- Draft Public Finances (Amendment No. 5) (Jersey) Law 201-.** P.15/2017.
Lodged: 7th March 2017, *Minister for Treasury and Resources.*
- JT (Jersey) Limited: administrative charges.** P.16/2017.
Lodged: 9th March 2017, *Deputy G.P. Southern of St. Helier.*
- Draft Main Roads (Classification) (No. 29) (Jersey) Act 201-.** P.17/2017.
Lodged: 13th March 2017, *Minister for Infrastructure.*
- Jersey Financial Services Commission: re-appointment of Commissioner.** P.19/2017.
Lodged: 15th March 2017, *Chief Minister.*

2nd May 2017

- Draft The Law Society of Jersey (Amendment No. 4) Law 201-.** P.136/2016.
Lodged: 20th December 2016, *Chief Minister.*

Note: The 2nd reading of the Draft Law will resume, following adoption of the principles on 14th February 2017 and the subsequent referral to the Corporate Services Scrutiny Panel under Standing Order 72(1).



E-Petitions.

P.14/2017.

Lodged: 1st March 2017, *Deputy S.M. Wickenden of St. Helier.*

Draft States of Jersey (Amendment No. 9) Law 201-

P.18/2017.

Lodged: 14th March 2017, *Privileges and Procedures Committee.*

6th June 2017

Draft Bank Depositors Compensation (Jersey) Law 201-

P.135/2016.

Lodged: 20th December 2016, *Chief Minister.*

20th June 2017

Millennium Town Park: additional open space and public parking.

P.123/2016.

Lodged: 22nd November 2016, *Connétable of St. Helier.*

DR. M. EGAN
Greffier of the States

23rd March 2017

Note –

In accordance with the meeting dates fixed for 2017 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 29th and Thursday 30th March 2017.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.36/2017.

Royal Court (Amendment No. 20) Rules 2017.

These Rules of Court amend the Royal Court Rules 2004 (“the 2004 Rules”) which lay down detailed procedures for the bringing of proceedings before the Royal Court, including procedures preliminary to the hearing of disputed civil cases and procedures on appeals to the Royal Court under certain enactments.

In 2015 the “Royal Court Rules Review Group” was set up by the Bailiff and published a consultation paper the purpose of which was to set out the Group’s recommendations on what changes might be made to the 2004 Rules (and related practice directions) to improve access to justice and reduce the risks of and costs associated with litigation.

The amendments made by the Royal Court (Amendment No. 20) Rules 2017 give effect to various recommendations in that consultation paper, and make other provisions.

The following Parts are amended, deleted, substituted or inserted in the 2004 Rules –

- Part 1 (Introductory) is amended. (The amendments include a statement that the overriding objective of the Court in proceedings is to deal with cases justly and at proportionate cost.)
- Part 5 (Service of documents) is amended.
- Part 6 (Procedure and pleadings) is amended.
- Part 7 (Summary judgment) substituted.
- Part 11 (Proceedings etc. subsequent to trial) is amended.
- Part 12 (Costs) is amended.
- Part 12A (Enforcement of costs orders in injury cases) is inserted.
- Part 15B (Appeals from the Jersey Employment and Discrimination Tribunal) is inserted.
- Schedule 1 (Provisions of [the 2004] Rules in which references to the Court do not include references to the Greffier) is amended.
- Schedule 3 (Form of summons for directions) is deleted.

The Rules were made by the Superior Number of the Royal Court on 20th March 2017 and come into force on 1st June 2017.



WRITTEN QUESTIONS

(See Item I(a))

1. The Deputy of St. John will ask the following question of the Minister for Health and Social Services –

“Further to the Assembly’s approval of ‘Future Hospital: preferred site’ (P.110/2016), will the Minister set out the range of services that the Department of Health and Social Services will provide from the new Hospital and explain how the Department will ensure that sustainable and accessible transport links are maintained (or improved) for specialisms required off-Island?”

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

“Further to the ‘Independent audit of the quality of front line practice and management’, undertaken between May and July 2015 in respect of the Children’s Service, and the recommendations arising from the four phases of that audit, will the Minister advise which, if any, of the recommendations were adopted and state what criteria will be used to measure performance and the outcome of those recommendations to ensure that a difference is made to the lives of children in the Island?”

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

“As asbestos-related diseases are considered to be industrial diseases in the U.K. and elsewhere, will the Minister explain why they are not designated as such in Jersey and why all notifications of asbestos-related diseases are not routinely given to the Health and Safety Inspectorate?”

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

“Further to an undertaking made in October 2014 to a constituent by the Medical Officer of Health that all deaths from mesothelioma, or other asbestos-related diseases, would be followed up with the Viscount and local medical practitioners (with reference to potential exposure history as well as a full occupational history) in order to build up a prospective picture of the pattern of such diseases and any relevant exposures to risk, will the Minister explain whether or not this has happened and, if not, explain why not and state when that undertaking will be implemented?”

5. The Deputy of St. Ouen will ask the following question of the Chief Minister –

“Will the Chief Minister list each source of published statistical information which together comprises the “*the full range of published statistics*” used by the Council of Ministers to monitor income inequalities, as reported in his answer to Written Question 1(160) tabled on 14th March 2017?”

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

“What statistical evidence, if any, does the Chief Minister have to back up the statement made in the answer to Written Question 1(160) from Deputy M.R. Higgins of St. Helier that “*relative low income is reducing*”?”



7. Deputy S.Y. Mézec of St. Helier will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –

“Further to the response to Written Question 1(15), in which seven items relating to the Jersey Aircraft Registry were included in a list of legislative measures which could demonstrate a tangible effect on promoting economic growth, will the Minister explain why these seven items were included given that only two aircraft had been registered and that, taking into account the cost in setting up the Registry compared with how much it had made in registration fees, it was running a deficit of close to £850,000?”

8. Deputy S.Y. Mézec of St. Helier will ask the following question of the Chief Minister –

“What involvement, if any, do Ministers have in assisting with gathering the relevant information to answer Freedom of Information requests; and are Ministers shown Freedom of Information requests when the subject involves their Department?”

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

“Will the Minister advise whether she has information available to her showing that the reduction in value of Income Support components in real terms since 2009 was £43.79 for a couple with one child and £75.39 for a lone parent?”

If so, will the Minister explain why those figures were not provided in response to Oral Question 1(163) from Deputy M. Tadier of St. Brelade on 14th March 2017, given that such figures would be very close to the estimates of £45 and £75 initially provided in the question; and will she confirm whether the support offered to low-income households through Income Support components (adult, child and household) has therefore seen a real-terms reductions of the order outlined above as a result of the decisions of her Department?

Will the Minister also provide the source of the figures she cited on 14th March 2017 that the average total income for lone parents has risen by £75 a week and for a couple with children by £123 a week, given that figures available in the Minister’s annual reports comparing 2015 with 2012 suggest smaller increases have occurred?”

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

“Alongside the review of the Social Security Fund, will the Minister undertake to review the Health Insurance Fund and, in particular, whether the decision taken by one of her predecessors to remove prescription charges continues to be sustainable given the growth in expenditure on pharmaceutical benefit to £13.5 million in 2015?”

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

“Will the Minister outline how the new system of choice-based lettings, in which potential tenants are encouraged to bid for properties, works in conjunction with the strict date order under which the waiting list for social housing operates; will she account for the high refusal rates experienced in 2015, as reported in ‘Andium Homes: Annual Report 2015’ (R.76/2016); and will she state what measures, if any, have been adopted in response to these refusal rates and with what success?”



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

“Will H.M. Attorney General explain how Articles 8(3)(b) and 8(4)(b) of the States of Jersey Law 2005 are Human Rights compliant?”

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

“Will the Minister publish data for the years 2015 and 2016 to show traffic numbers, flows and accidents during both peak time and non-peak time on St. Aubin’s Road and Victoria Avenue; and will he publish similar information in respect of Bellozanne Road, Tower Road, West Hill and any road which runs between St. Aubin’s Road and Victoria Avenue?”

14. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –

“Will the Minister provide the number of visitors who:

- (a) sought information at the old Tourism Department in the three years before Visit Jersey was created; and
- (b) have sought information from the tourism information section at the Jersey Museum since Visit Jersey was created?”

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

“Will the Chief Minister request the Jersey Financial Services Commission to provide the following information for members?

- (a) The number of staff employed by the Commission in each section or department, broken down further to show the number of years each employee has been employed by the Commission; and
- (b) The level of staff turnover at the Commission over the last five years, together with an explanation of the reasons for such turnover.”

16. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –

“Will the Minister request the Gambling Commission to provide the following information for members?

- (a) the number and type of businesses that are registered or licensed with the Commission and the income derived from each of these registered / licensed entities; and
- (b) the number of internet gambling licences which have been issued, if any.

Will the Minister also explain whether or not the Commission has generated the levels of business and income originally envisaged when it was first established?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

Questions without notice 2017

1st Session 2017

April 18th	Treasury and Resources	Chief Minister
May 2nd	Economic Development, Tourism, Sport and Culture	Health and Social Services
May 23rd	Education	Chief Minister
June 6th	Housing	Infrastructure
June 20th	Environment	Chief Minister
July 4th	External Relations	Social Security
July 18th	Home Affairs	Chief Minister

2nd Session 2017

September 12th	Treasury and Resources	Education
September 26th	Health and Social Services	Chief Minister
October 10th	Economic Development, Tourism, Sport and Culture	Housing
October 31st	Infrastructure	Chief Minister
November 14th	Environment	External Relations
November 28th	Social Security	Chief Minister
December 12th	Home Affairs	Treasury and Resources