

STATES OF JERSEY ORDER PAPER

Tuesday 6th November 2007

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Road Traffic (Speed Limits) (Amendment No. 2) (Jersey) Order 2007. R&O. 136/2007.
Minister for Transport and Technical Services.

C. DOCUMENTS PRESENTED OR LAID

States of Jersey Law 2005: delegation of functions – Home Affairs – prison. R.100/2007.
Presented: 25th October 2007.
Minister for Home Affairs.

States of Jersey Law 2005: delegation of functions – Health and Social Services. R.101/2007.
Presented: 26th October 2007.
Minister for Health and Social Services.

Telecommunications (Jersey) Law 2002: Direction and Guidance to the JCRA R.102/2007.
under Article 8.
Presented: 26th October 2007.
Minister for Economic Development.

Land Transactions under Standing Order 168(3): Field 424, St. Brelade- sale of R.103/2007.
land and boundary clarification with Imhotep Limited.
Presented: 1st November 2007.
Minister for Treasury and Resources.

Corporate Services Scrutiny Panel Fourth Report: Review of the Zero/Ten Tax S.R.20/2007.
Proposals: Draft Shareholder Legislation.
Presented: 6th November 2007.
Corporate Services Scrutiny Panel.

D. NOTIFICATION OF LODGED PROPOSITIONS

JT Group Limited (“Jersey Telecom”): proposed sale (P.153/2007) – amendment. P.153/2007.
Lodged: 26th October 2007. Amd.
Senator B.E. Shenton.

Draft Income Tax (Amendment No. 29) (Jersey) Law 200 (P.156/2007): P.156/2007.
amendments. Amd.
Lodged: 2nd November 2007.
Corporate Services Scrutiny Panel.

Draft Health and Safety at Work (Asbestos - Licensing) (Jersey) Regulations P.168/2007.
200-.
Lodged: 25th October 2007.
Minister for Social Security.

Goods and Services Tax: Zero-Rating for Foodstuffs, Books, Newspapers and Magazines. P.169/2007.
Lodged: 26th October 2007.
Senator B.E. Shenton.

Draft Gambling (Remote Gambling Disaster Recovery) (Jersey) Regulations 200- P.170/2007.
Lodged: 31st October 2007.
Minister for Economic Development.

E. WITHDRAWAL OF LODGED PROPOSITIONS

In accordance with Standing Order 34(1), Deputy Alan Breckon of St. Saviour has informed the Greffier of the States that the following proposition is to be withdrawn -

Senator Frank Harrison Walker, Chief Minister: Vote of Censure. P.158/2007.
Lodged: 10th October 2007.
Deputy A. Breckon of St. Saviour.

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

Nomination of Deputy R.G. Le Hérisier of St. Saviour as a member of the Corporate Services Scrutiny Panel.

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions *(attached)*

1. The Minister for Economic Development will table an answer to a question asked by Deputy S.S.P.A. Power of St. Brelade regarding the appointment of a Liaison Director to the Civil Aviation Authority.
2. The Minister for Economic Development will table an answer to a question asked by Deputy A. Breckon of St. Saviour regarding the addition of Value Added Tax on goods from the U.K.
3. The Minister for Economic Development will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the rental of office accommodation for Economic Development staff.
4. The Chief Minister will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding cost cutting measures.
5. The Minister for Transport and Technical Services will table an answer to a question by Deputy R.G. Le Hérisier of St. Saviour regarding the cost of the new bus arrival texting system.
6. The Minister for Planning and Environment will table an answer to a question by Deputy I.J. Gorst of St. Clement regarding the location of an animal carcass storage facility at Howard

Davis Farm.

7. The Minister for Transport and Technical Services will table an answer to a question by Deputy I.J. Gorst of St. Clement regarding the location of an animal carcass storage facility at Howard Davis Farm.
8. The Minister for Education, Sport and Culture will table an answer to a question by Senator J.L. Perchard regarding the National Gallery Steering Group.

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

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

“Whilst Health and Social Services is to be complimented on its breast screening programme for women, would the Minister advise whether there are any plans to introduce prostate cancer screening for men?”

2. Deputy S.C. Ferguson of St. Brelade will ask the following question of the Chief Minister -

“Can the Chief Minister explain why the annual report of States Employees’ Remuneration for 2006 did not contain comparisons between States pay rates and private sector rates (and also between States rates and UK mainland public sector rates) as had been provided in the equivalent report for 2005, and confirm that the 2006 comparisons will be published?”

3. Senator S. Syvret will ask the following question of the Minister for Health and Social Services -

“Will the Minister inform the Assembly whether children in custodial care are transported from Les Chênes/Greenfields to Court in the same vehicle as adult prisoners from H.M.P. La Moye, and, if so, does he consider that this practice is compatible with the Children (Jersey) Law 2002, in particular Articles 19 and 35?”

4. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Economic Development -

“Further to news that from 6th November 2007, British Airways will no longer accept surfboards and kayaks on board its passenger aircraft, what steps, if any, is the Minister taking to request that the airline reverses this decision?”

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

“Will the Minister detail for members the sums involved in the 600 “zero tolerance” letters sent to tenants, in terms of rent owed, by monthly bands over a period of 0 to 24 months, and in bands of £200 from £0 to £2000, and will he further state how many of the 600 letters were sent to pensioners?”

6. Senator S. Syvret will ask the following question of the Minister for Home Affairs-

“Will the Minister inform the Assembly whether children in custodial care are transported from Les Chênes/Greenfields to Court in the same vehicle as adult prisoners from H.M.P. La Moye, and, if so, does she consider this practice to be acceptable?”

7. Deputy S.S.P.A. Power of St Brelade will ask the following question of the Minister for Economic Development -

“The Assistant Minister has recently stressed the importance of Service Level Agreements at the Harbour. Can the Minister confirm the number of Service Level Agreements in force at the Airport?”

8. Deputy S.S.P.A. Power of St Brelade will ask the following question of the Minister for Economic Development -

“Under what grounds can the Port of St. Helier, being an open Port under United Nations International Maritime Organisation regulations, refuse a commercial vessel, (which can prove it is not carrying any dangerous or prohibited material and for which there is an available slot time and port capacity) the right to use and discharge or load at the Port?”

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

“Will the Minister advise how he considers that his threat to withdraw heating or hot water from tenants, contained in Housing Department “zero tolerance” letters, and sanctioned by him, constitutes a “firm but fair policy” under Audit Commission good practice guidance, as suggested by him in his response to my question of 23rd October 2007?”

10. Deputy S. Pitman of St. Helier will ask the following question of the Chief Minister -

“Following the Minister for Housing’s admission that he was responsible for the loss of £1.5 million of public money relating to the sale of First Time Buyer homes at Le Squez, would the Chief Minister advise Members whether he will be calling for the resignation of the Minister for Housing?”

11. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Treasury and Resources -

“The Minister recently stated (regarding 0/10 and the Isle of Man’s position) that ‘Jersey’s proposals have been shared informally with UK officials and as a result we believe that they are fully EU Code compliant’. Can the Minister explain the apparent step back from his previous assertions, for example, in answer to questions on 28th March 2006, that the UK had endorsed our position as compliant?”

12. Deputy R.G. Le Hérisssier of St. Saviour will ask the following question of the Minister of Health and Social Services -

“When will the Minister be announcing his definitive decision in respect of a programme for dealing with a possible flu pandemic?”

13. The Connétable of St. Helier will ask the following question of the Minister for Education, Sport and Culture -

“Would the Minister inform Members whether a review was conducted into the recent food poisoning incident which deferred the start of the school term for many students and teachers

and, if so, give details as to the outcome, and would he advise whether sufficient safeguards are in place to ensure that standards of food hygiene are maintained in the provision of school food?"

14. Deputy P.V.F. Le Claire of St Helier will ask the following question of the Minister for Economic Development -

"What measures, if any, are being taken by Economic Development to improve the employment prospects of the unemployed in Jersey?"

15. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Economic Development -

"Following the grounding by SAS Scandinavian Airlines of its entire fleet of Q400/Dash 8 aircraft, is the Minister satisfied that no safety issues arise from this aircraft flying into Jersey on a daily basis?"

16. The Connétable of St. Helier will ask the following question of the Minister for Education, Sport and Culture -

"Would the Minister explain how the free places at the new States provided nursery in St. Peter will be allocated, when parents will be informed of the outcome of their applications and whether he would consider deferring the allocation of additional free places until the publication of the findings of the current Scrutiny Panel review into the funding of nursery education?"

17. The Deputy of St. Martin will ask the following question of the President of the Chairman's Committee -

"Would the President advise members when the revised Draft Code of Practice for Scrutiny Panels and the Public Accounts Committee is likely to be lodged for debate?"

18. Deputy S. Pitman of St. Helier will ask the following question of the Chief Minister -

"Would the Minister confirm to Members the role of the Corporate Management Board and why States Members are not invited to attend the Board's meetings?"

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

1st question period – Minister for Health and Social Services

2nd question period – Chief Minister

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Goods and Services Tax: petition.
Lodged: 18th September 2007.
Connétable of St. Helier.

P.125/2007.

Goods and Services Tax: petition (P.125/2007) – comments. Presented: 17th October 2007. <i>Minister for Treasury and Resources.</i>	P.125/2007. Com.
Draft Price and Charge Indicators (Jersey) Law 200-. Lodged: 4th October 2007. <i>Minister for Economic Development.</i>	P.149/2007.
Draft Goods and Services Tax (Jersey) Law 2007 (Appointed Day) Act 200-. Lodged: 11th September 2007. <i>Minister for Treasury and Resources.</i>	P.121/2007.
Draft Financial Services (Amendment of Law) (No. 2) (Jersey) Regulations 200-. Lodged: 28th August 2007. <i>Minister for Economic Development.</i>	P.114/2007.
Draft Collective Investment Funds (Amendment No. 4) (Jersey) Law 200-. Lodged: 25th September 2007. <i>Minister for Economic Development.</i>	P.139/2007.
Draft Collective Investment Funds (Amendment No. 4) (Jersey) Law 200- (P.139/2007): amendments. Lodged: 23rd October 2007. <i>Minister for Economic Development.</i>	P.139/2007. Amd.
Draft Banking Business (Amendment No. 6) (Jersey) Law 200-. Lodged: 25th September 2007. <i>Minister for Economic Development.</i>	P.136/2007.
Draft Insurance Business (Amendment No. 6) (Jersey) Law 200-. Lodged: 25th September 2007. <i>Minister for Economic Development.</i>	P.137/2007.
Draft Financial Services (Amendment No. 4) (Jersey) Law 200-. Lodged: 25th September 2007. <i>Minister for Economic Development.</i>	P.138/2007.
Draft Criminal Justice (International Co-operation) (Amendment) (Jersey) Law 200-. Lodged: 24th September 2007. <i>Minister for Treasury and Resources.</i>	P.134/2007.
Draft Proceeds of Crime (Amendment) (Jersey) Law 200-. Lodged: 24th September 2007. <i>Minister for Treasury and Resources.</i>	P.129/2007.
Draft Drug Trafficking (Offences) (Amendment) (Jersey) Law 200-. Lodged: 24th September 2007. <i>Minister for Treasury and Resources.</i>	P.128/2007.
Draft Terrorism (Amendment No. 2) (Jersey) Law 200-. Lodged: 24th September 2007. <i>Minister for Home Affairs.</i>	P.131/2007.
Draft Corruption (Amendment of Definitions) (Jersey) Regulations 200-. Lodged: 24th September 2007.	P.130/2007.

Minister for Home Affairs.

Draft Crime (Transnational Organized Crime) (Jersey) Law 200-. P.132/2007.
Lodged: 24th September 2007.
Minister for Home Affairs.

Draft Crime (Transnational Organized Crime) (Jersey) Law 200- (P.132/2007): P.132/2007.
amendments. Amd.
Lodged: 23rd October 2007.
Minister for Home Affairs.

Draft Proceeds of Crime (Cash Seizure) (Jersey) Law 200-. P.133/2007.
Lodged: 24th September 2007.
Minister for Home Affairs.

Draft Civil Asset Recovery (International Co-operation) (Jersey) Law 200-. P.135/2007.
Lodged: 25th September 2007.
Minister for Home Affairs.

Draft Marriage and Civil Status (Amendment) (Jersey) Law 200-. P.120/2007.
Lodged: 7th September 2007.
Minister for Home Affairs.

Crime (Sentences) Act 1997: extension to Jersey. P.124/2007.
Lodged: 14th September 2007.
Chief Minister.

Draft Loi (1939) sur les honoraires des Avocats et des Écrivains (Repeal) (Jersey) P.126/2007.
Law 200-.
Lodged: 18th September 2007.
Chief Minister.

M. ARRANGEMENT OF PUBLIC BUSINESS

20th November 2007

Criminal Justice Policy - audit of the need for a prosecution service. P.161/2007.
Lodged: 19th October 2007.
Deputy of St. Martin.

Criminal Justice Policy. P.118/2007.
Lodged: 4th September 2007.
Minister for Home Affairs.

Criminal Justice Policy (P.118/2007): amendment. P.118/2007.
Lodged: 23rd October 2007. Amd.
Deputy of St. Martin.

Draft Electricity Link with France (Protection of Submarine Cable) (Jersey) P.142/2007.
Regulations 200-.
Lodged: 25th September 2007.
Minister for Economic Development.

Draft Community Provisions (Ship and Port Facility – Security) (Amendment) P.144/2007.

(Jersey) Regulations 200-.
Lodged: 26th September 2007.
Minister for Economic Development.

Health Insurance Exemption cards: free bus travel and Active cards. P.145/2007.
Lodged: 26th September 2007.
Health, Social Security and Housing Scrutiny Panel.

Draft Public Library (Jersey) Regulations 200-. P.146/2007.
Lodged: 3rd October 2007.
Minister for Education, Sport and Culture.

Draft Places of Refreshment (Jersey) Regulations 200-. P.148/2007.
Lodged: 4th October 2007.
Minister for Economic Development.

Draft Amendment (No. 7) of the Standing Orders of the States of Jersey. P.151/2007.
Lodged: 9th October 2007.
Chairmen's Committee.

Draft States of Jersey (Implementation) (Jersey) Regulations 200-. P.152/2007.
Lodged: 9th October 2007.
Chief Minister.

JT Group Limited ("Jersey Telecom"): proposed sale. P.153/2007
Lodged: 9th October 2007.
Minister for Treasury and Resources.

JT Group Limited ("Jersey Telecom"): proposed sale (P.153/2007) – amendment. P.153/2007.
Lodged: 26th October 2007. Amd.
Senator B.E. Shenton.

Draft Income Tax (Amendment No. 29) (Jersey) Law 200. P.156/2007.
Lodged: 9th October 2007.
Minister for Treasury and Resources.

Draft Income Tax (Amendment No. 29) (Jersey) Law 200 (P.156/2007): P.156/2007.
amendments. Amd.
Lodged: 2nd November 2007.
Corporate Services Scrutiny Panel.

Draft Income Tax (Deemed Dividends) (Jersey) Regulations 200-. P.157/2007.
Lodged: 9th October 2007.
Minister for Treasury and Resources.

Energy from Waste Facility: Public Enquiry. P.159/2007.
Lodged: 15th October 2007.
Connétable of St. Helier.

Goods and Services Tax: Zero-Rating for Foodstuffs, Books, Newspapers and P.169/2007.
Magazines.
Lodged: 26th October 2007.
Senator B.E. Shenton.

4th December 2007

Budget 2008. P.164/2007.
Lodged: 23rd October 2007.
Minister for Treasury and Resources.

Draft Finance (Jersey) Law 200-. P.165/2007.
Lodged: 23rd October 2007.
Minister for Treasury and Resources.

Draft Income Tax (Amendment No. 30) (Jersey) Law 200-. P.166/2007.
Lodged: 23rd October 2007.
Minister for Treasury and Resources.

Draft Public Finances (Amendment No. 2) (Jersey) Law 200-. P.167/2007.
Lodged: 23rd October 2007.
Minister for Treasury and Resources.

Draft Harbours (Administration) (Amendment No. 7) (Jersey) Law 200. P.160/2007.
Lodged: 16th October 2007.
Minister for Economic Development.

Draft Amendment (No. 8) of the Standing Orders of the States of Jersey. P.162/2007.
Lodged: 23rd October 2007.
Senator M.E. Vibert.

Draft Amendment (No. 32) to the Tariff of Harbour and Light Dues. P.163/2007.
Lodged: 23rd October 2007.
Minister for Economic Development.

15th January 2008

Island Plan 2002: H4 Site No. 15, Samarès Nursery, St. Clement and future P.95/2007.
amendments to the Island Plan.
Lodged: 20th July 2007.
Deputy I.J. Gorst of St. Clement.

Island Plan 2002: H4 Site No. 15, Samarès Nursery, St. Clement and future P.95/2007.
amendments to the Island Plan (P.95/2007): comments. Com.
Presented: 23rd October 2007.
Minister for Planning and Environment.

Draft Health and Safety at Work (Asbestos - Licensing) (Jersey) Regulations P.168/2007.
200-.
Lodged: 25th October 2007.
Minister for Social Security.

Draft Gambling (Remote Gambling Disaster Recovery) (Jersey) Regulations 200- P.170/2007.
.
Lodged: 31st October 2007.
Minister for Economic Development.

12th February 2008

Draft Proceeds of Crime (Substitution of Schedule 2) (Jersey) Regulations 200. P.127/2007.
Lodged: 24th September 2007.
Minister for Treasury and Resources.

M.N. DE LA HAYE
Greffier of the States

1st November 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 7th November and Thursday 8th November 2007.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.136/2007.

This Order revises speed restrictions on certain roads in St. John, St. Helier and St. Peter.

This Order was made on 26th October 2007 and comes into force on 9th November 2007.

WRITTEN QUESTIONS

(See Item I(a))

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

“Has a former senior engineer at the States of Jersey Airport now been appointed Liaison Director to the Civil Aviation Authority on behalf of Jersey, and if so, will the Minister advise members why the postholder is unable to be based at the Economic Development Department?”

Would the Minister further advise at which department this post is now based, how much notice they were given, and whether other departments had been unwilling to accommodate this post?”

2. The Minister for Economic Development will table an answer to the following question asked by Deputy A. Breckon of St. Saviour -

“Is the Minister aware of any practice of traders charging prices equivalent to United Kingdom (UK) Value Added Tax (VAT) inclusive prices to Jersey consumers and, if so, what steps, if any, has he taken to publicise and discourage this practice?”

What steps, if any, will he be taking to address the significant price differences between Jersey and the UK of many basic goods and services and could he explain if / how sums equivalent to UK VAT will be identified in receipts to Jersey consumers in any price marking legislation?”

3. The Minister for Economic Development will table an answer to the following question asked by Deputy R.G. Le Hérisssier of St. Saviour -

“Would the Minister advise members of the annual rental of the former Tourism Office and specify the annual rental of the properties to which the Economic Development Department staff have now relocated?”

4. The Chief Minister will table an answer to the following question asked by Deputy R.G. Le Hérisssier of St. Saviour -

“Would the Chief Minister specify the work carried out by the three Assistant Ministers who were tasked to identify cost cutting measures and advise what savings, if any, have resulted to date, and in what areas, from their activities?”

5. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy R.G. Le Hérisssier of St. Saviour -

“Further to the Minister’s response to a written question on 11th September 2007 relating to the cost of the new system for texting bus arrival times, would he advise Members of the total cost, including the provision of GPS equipment?”

6. The Minister for Planning and Environment will table an answer to the following question asked by Deputy I.J. Gorst of St. Clement -

“Would the Minister –

- (a) inform members whether Planning permission has been granted to the Transport and Technical Services Department for the siting and operation of the animal carcass storage facility which they are currently operating at Howard Davis farm next to Acorn Enterprises, and if so, would he advise when permission was granted and what public consultation process, if any, was followed?
- (b) Would the Minister inform members whether an environmental impact assessment was undertaken prior to the commencement of the process and, if so, what were its findings?
- (c) If it is the case that Planning permission has not been granted, would the Minister advise members whether he is content that such a sensitive process should be undertaken at this or any site without planning permission, and if so, why?"

7. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy I.J. Gorst of St. Clement -

“Would the Minister advise –

- (a) whether the positioning of both the animal incineration unit and the animal carcass storage facilities within the confines of Howard Davis farm are in breach of the Davis Family Trust Covenant and if not, would he advise on what criteria or legal advice that opinion is based?
- (b) if both these facilities are in breach of the covenant will he undertake to immediately stop any further processes or activities and actively look for an alternative site?
- (c) what consultation, if any, has taken place with Acorn Enterprises over the compatibility of these operations and its sheltered work and training of people with disabilities on the adjacent site?"

8. The Minister for Education, Sport and Culture will table an answer to the following question asked by Senator J.L. Perchard -

“Would the Minister advise members –

1. Who the members of the National Gallery Steering group are?
2. Who appointed the members of the National Gallery Steering group?
3. What the terms of reference of the National Gallery Steering group are?
4. Who was responsible for drafting of the terms of reference for the National Gallery Steering group?
5. What support, if any, is being given by States departments or bodies owned or controlled by the States to the National Gallery Steering group?
6. Which, if any outside consultants are advising the National Gallery Steering group or States departments over the proposal to develop a National Gallery on the Weighbridge site, the total estimated cost of all consultancy work in this regard and the mechanism in place for their funding?
7. Will the Minister make available any minutes of the National Gallery Steering group as an appendix to the answer to this question?"

ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

2nd Session –

	First 15 minute period	Second 15 minute period
	Minister	Minister
20th November	Education, Sport and Culture	Planning and Environment
4th December	Social Security	Chief Minister