



# STATES OF JERSEY ORDER PAPER

Tuesday 30th April 2013

## A. COMMUNICATIONS BY THE PRESIDING OFFICER

## B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

Community Provisions (Restrictive Measures – Syria) (Amendment No. 10) (Jersey) Order 2013. R&O.51/2013.  
*Deputy Chief Minister, for and on behalf of Chief Minister.*

Advocates and Solicitors (Qualifying Examination) (Amendment No. 7) Rules 2013. R&O.52/2013.  
*Superior Number of the Royal Court.*

Petty Debts Court (Amendment) Rules 2013. R&O.53/2013.  
*Superior Number of the Royal Court.*

## C. DOCUMENTS PRESENTED OR LAID

Land Transactions under Standing Order 168(3) – R.31/2013.  
(a) 74 La Colomberie, St. Helier – lease;  
(b) V32B, Victoria Pier – lease;  
(c) E10, Elizabeth Terminal – lease.  
Presented: 18th April 2013.  
*Minister for Treasury and Resources.*

Progress Report by the Minister for Treasury and Resources on the Response to the Fiscal Policy Panel Annual Report April 2013. R.32/2013.  
Presented: 19th April 2013.  
*Minister for Treasury and Resources.*

The Reform of Social Housing (P.33/2013) and States of Jersey Housing Transformation Programme: Full Business Case (R.15/2013): Note from Professor Christine Whitehead, O.B.E. R.33/2013.  
Presented: 19th April 2013.  
*Minister for Housing.*

Ministerial Responsibilities: Ministers and Assistant Ministers. R.34/2013.  
Presented: 22nd April 2013.  
*Chief Minister.*

Control of Housing and Work: Consultation Findings Report and draft Fees Order. R.35/2013.  
Presented: 23rd April 2013.  
*Chief Minister.*

Control of Housing and Work: draft Exemptions Order. R.36/2013.  
Presented: 23rd April 2013.  
*Chief Minister.*

States Assembly Annual Report 2012. R.37/2013.  
Presented: 26th April 2013.  
*Privileges and Procedures Committee.*



States of Jersey Law 2005: delegation of functions – Planning and Environment – revised delegations April 2013. R.38/2013.  
Presented: 26th April 2013.  
*Minister for Planning and Environment.*

£200,000 Grant to Film Company. P.A.C.2/2013.  
Presented: 25th April 2013.  
*Public Accounts Committee.*

#### **D. NOTIFICATION OF LODGED PROPOSITIONS**

Draft Control of Housing and Work (Jersey) Law 2012 (Appointed Day) Act 201- (P.42/2013): amendment. P.42/2013.  
Lodged: 23rd April 2013. Amd.  
*Chief Minister.*

Draft Register of Names and Addresses (Jersey) Law 2012 (Appointed Day) Act 201- (P.43/2013): amendment. P.43/2013.  
Lodged: 23rd April 2013. Amd.  
*Chief Minister.*

Draft Control of Housing and Work (Business Licences – Annual Charges for Registered Persons) (Jersey) Regulations 201-. P.52/2013.  
Lodged: 23rd April 2013.  
*Chief Minister.*

Draft Control of Housing and Work (Transitional and Consequential Provisions) (No. 2) (Jersey) Regulations 201-. P.53/2013.  
Lodged: 23rd April 2013.  
*Chief Minister.*

Draft Education (Amendment No. 2) (Jersey) Law 201-. P.54/2013.  
Lodged: 23rd April 2013.  
*Minister for Education, Sport and Culture.*

#### **E. WITHDRAWAL OF LODGED PROPOSITIONS**

#### **F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS**

#### **G. MATTERS OF PRIVILEGE**

#### **H. PETITIONS**

#### **I. QUESTIONS**

(a) – **Written Questions**  
(attached)

1. The Chief Minister will table an answer to a question asked by the Connétable of St. John regarding the appointments of the Directors of Human Resources and Organisation Development.



2. The Minister for Economic Development will table an answer to a question asked by the Connétable of St. John regarding attendance at the Paris Agricultural Show.
3. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding breaches of the Data Protection (Jersey) Law 2005 by police officers or their civilian staff.
4. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding Data Protection complaints and requests relating to the States of Jersey Police.
5. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding requests since 2005 made under Article 53 of the Data Protection (Jersey) Law 2005.
6. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding complaints made against the Chief Officer and Deputy Chief Officer of the States of Jersey Police since 2004.
7. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding referrals from either the States of Jersey Police or the Data Protection Commissioner regarding data protection breaches.
8. The Minister for Treasury and Resources will table an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding returns to the Treasury from income derived through public services.
9. The Minister for Transport and Technical Services will table an answer to a question asked by the Connétable of St. Lawrence regarding vehicular access through Coronation Park.
10. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact of the rent proposals within the Housing Transformation Programme.
11. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the influence on Census figures on the proposals contained within the Housing Transformation Programme.
12. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the protection of those in receipt of the rent component of Income Support from the impact of proposed rent increases.
13. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding CTPlus Jersey's recognition of the trade union Unite.
14. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the date when codes of practice covering the Transfer of Undertakings Protection of Employment will be introduced.
15. The Chief Minister will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the use of 'zero hour' contracts.
16. The Minister for Planning and Environment will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the cost of off-shore wind-monitoring masts.



17. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the decrease in bus usage since CTPlus replaced Connex.
18. The Minister for Economic Development will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the supply of Super unleaded fuel.
19. The Minister for Planning and Environment will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the impact on future housing supply of the Jersey Development Company's 2012 report.

**(b) – Oral Questions**

(120 minutes)

1. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Health and Social Services –

“Will the Minister advise whether any concerns have been raised about levels of care at Highlands Care Home in the past 2 years, whether there have been any inspections at the Home during that time period and, if so, what the findings of any such inspection were?”
2. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Housing –

“Given that the scenario described in the 3 policy bullet points included on page 11 of the Full Business Case associated with the Reform of Social Housing (P.33/2013) fails to match up with any of the population projections produced in 2012 following the 2011 Census results, will the Minister state whether, in drafting the proposition, he sought input from the Statistics Unit, and, if not, why not?”
3. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Home Affairs –

“Is the Minister satisfied with the way in which complaints made by serving and former police officers and the public have been investigated by the Jersey Police Complaints Authority, the Deputy Chief of the States of Jersey Police and the Professional Standards Department?”
4. Deputy S. Pitman of St. Helier will ask the following question of the Minister for Transport and Technical Services –

“Will the Minister confirm whether CTPlus has fulfilled its obligation to officially recognise the union and, if so, does he consider that this will represent a step towards resolving some of the service problems being experienced by both staff and customers since the company took over the contract?”
5. Deputy T.M. Pitman of St. Helier will ask the following question of the Chief Minister –

“Further to concerns raised by a member of the public travelling on the same flight as the Assistant Chief Minister (with responsibility for External Relations) that he was able to identify details of both the victim and alleged abuser central to the suspension of the Dean's Commission case, did he receive these confidential documents in his official capacity as Assistant Minister?”



6. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Transport and Technical Services –

“Can the Minister advise whether consideration has ever been given to amending the current Motor Traffic (Third Party Insurance) (Jersey) Law 1948 so that uninsured drivers are not only prosecuted for driving an uninsured vehicle, but the uninsured vehicle that is driven on Jersey roads can be impounded and immediately scrapped and, if not, why not?”

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

“Further to media reports on 21st March 2013 regarding a ‘spam attack’ on Jersey Mail, is Jersey Mail wholly or partly owned by Jersey Post and who do the Information Services Directors report to?”

8. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Transport and Technical Services –

“Would the Minister advise whether changes to some bus routes did not occur on 31st March 2013 as advertised, and, if so, explain why and identify whether the continuing problems with the service lie with the operator, his department or himself and, if the latter, would he apologise to the public for the inconvenience caused?”

9. Deputy R.J. Rondel of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Has any research been undertaken into increasing tax rates for the largest UK retailers operating in the Island, as was recently proposed in the Isle of Man’s budget statement, and, if so, what were the conclusions?”

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

“How will the success of the public sector reform project be measured?”

11. Deputy S. Pitman of St. Helier will ask the following question of the Chairman of Privileges and Procedures Committee -

“Given that the dual role of the Bailiff can result in his disallowing, on the grounds that it breaches Standing Order 16, a personal statement from an elected member, criticising the Judiciary, including the Bailiff as Head of the Judiciary, will the Committee be bringing forward proposals to address the role of the Bailiff and, if so, when?”

12. The Connétable of St. John will ask the following question of the Minister for Economic Development –

“Would the Minister advise whether the Jersey Rugby Club has been granted a licence to employ professional rugby players on non local ‘J’ category contracts and, if so would he provide details of how many players have been employed on this basis, the length of each contract and advise whether the players concerned have brought over their families?”

13. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Chairman of Privileges and Procedures Committee –

“Would the Chairman agree to provide, in advance of any debate resulting from the referendum, greater detail and clarity (together with supporting research) as to how the States Assembly will be constituted with 42 members?”



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

“Further to statements from the States of Jersey Police that they have thwarted 3 plots to kill Islanders since 2010, will the Minister clarify whether this number is correct, what action was taken against those making the alleged threats and under what Laws these actions were enforced?”

15. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Transport and Technical Services –

“What action has the Minister taken, or will he take, to bring the dispute over union recognition at CTPlus to a satisfactory resolution as soon as possible and, if none, why?”

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

“Is the Chief Minister satisfied with the action taken by the Data Protection Commissioner relating to a complaint alleging the States of Jersey Police’s failure to disclose information allowed under the Data Protection (Jersey) Law 2005 and within the specified time scales?”

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

1st question period – Minister for Social Security

2nd question period – Chief Minister

**J. PERSONAL STATEMENTS**

**K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY**

**L. PUBLIC BUSINESS**

Draft Restriction on Smoking (Advertising, Promotion and Display) (Jersey) Regulations 201-. P.17/2013.  
Lodged: 6th February 2013.  
*Minister for Health and Social Services.*

Draft Restriction on Smoking (Advertising, Promotion and Display) (Jersey) Regulations 201- (P.17/2013): amendment. P.17/2013.  
Lodged: 9th April 2013. Amd.  
*Minister for Health and Social Services.*

Draft Restriction on Smoking (Amendment No. 3) (Jersey) Law 201-. P.18/2013.  
Lodged: 7th February 2013.  
*Minister for Health and Social Services.*

Jersey Music Service: introduction of ‘user pays’ charges. P.36/2013.  
Lodged: 8th March 2013.  
*Minister for Education, Sport and Culture.*

Living Wage for Jersey: investigation. P.37/2013.  
Lodged: 18th March 2013.  
*Deputy G.P. Southern of St. Helier.*



Draft Wills and Successions (Amendment No. 2) (Jersey) Law 201-. Lodged: 19th March 2013. <i>Chief Minister.</i>	P.38/2013.
Draft Policing of Parks (Amendment No. 5) (Jersey) Regulations 201-. Lodged: 20th March 2013. <i>Minister for Transport and Technical Services.</i>	P.41/2013.
Draft Control of Housing and Work (Jersey) Law 2012 (Appointed Day) Act 201-. Lodged: 20th March 2013. <i>Chief Minister.</i>	P.42/2013.
Draft Control of Housing and Work (Jersey) Law 2012 (Appointed Day) Act 201- (P.42/2013): amendment. Lodged: 23rd April 2013. <i>Chief Minister.</i>	P.42/2013. Amd.
Draft Register of Names and Addresses (Jersey) Law 2012 (Appointed Day) Act 201-. Lodged: 20th March 2013. <i>Chief Minister.</i>	P.43/2013.
Draft Register of Names and Addresses (Jersey) Law 2012 (Appointed Day) Act 201- (P.43/2013): amendment. Lodged: 23rd April 2013. <i>Chief Minister.</i>	P.43/2013. Amd.
Jersey Innovation Fund: establishment, funding and operation. Lodged: 20th November 2012. <i>Minister for Treasury and Resources.</i>	P.124/2012.
Jersey Innovation Fund: establishment, funding and operation (P.124/2012) – amendment. Lodged: 17th April 2013. <i>Minister for Treasury and Resources.</i>	P.124/2012. Amd.

## **M. ARRANGEMENT OF PUBLIC BUSINESS**

### **14th May 2013**

Code of Conduct for Elected Members: Commissioner for Standards. Lodged: 14th January 2013. <i>Privileges and Procedures Committee.</i>	P.4/2013.
Draft Discrimination (Jersey) Law 201-. Lodged: 15th January 2013. <i>Minister for Social Security.</i>	P.6/2013.
The Reform of Social Housing. Lodged: 4th March 2013. <i>Council of Ministers.</i>	P.33/2013.
The Reform of Social Housing (P.33/2013): amendment. Lodged: 16th April 2013. <i>Health, Social Security and Housing Scrutiny Panel.</i>	P.33/2013. Amd.



The Reform of Social Housing (P.33/2013): second amendment. Lodged: 16th April 2013. <i>Deputy G.P. Southern of St. Helier.</i>	P.33/2013. Amd.(2)
The Reform of Social Housing (P.33/2013): third amendment. Lodged: 16th April 2013. <i>Deputy J.A.N. Le Fondré of St. Lawrence.</i>	P.33/2013. Amd.(3)
The Reform of Social Housing (P.33/2013): fourth amendment. Lodged: 17th April 2013. <i>Deputy T.A. Vallois of St. Saviour.</i>	P.33/2013. Amd.(4)
Parish Rates: the States' liability. Lodged: 20th March 2013. <i>Connétable of St. Helier.</i>	P.40/2013.
Draft Procureurs du Bien Public (Terms of Office) (Jersey) Law 201-. Lodged: 2nd April 2013. <i>Comité des Connétables.</i>	P.45/2013.
Manual Workers' Joint Council: Employers' Side membership. Lodged: 10th April 2013. <i>States Employment Board.</i>	P.49/2013.
Chief Minister and Chairman of Comité des Connétables: monthly meetings. Lodged: 16th April 2013. <i>Deputy M. Tadier of St. Brelade.</i>	P.51/2013.
<b><u>4th June 2013</u></b>	
Committee of Inquiry: costs for local businesses. Lodged: 25th February 2013. <i>Senator A. Breckon.</i>	P.31/2013.
Victoria and George V Cottage Homes (Repeal of General Principles). Lodged: 28th March 2013. <i>Minister for Housing.</i>	P.44/2013.
Ratification of the Agreement between the Government of Jersey and the Government of the Isle of Man for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income. Lodged: 3rd April 2013. <i>Chief Minister.</i>	P.46/2013.
Ratification of the Agreement between the Government of Jersey and the States of Guernsey for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income. Lodged: 3rd April 2013. <i>Chief Minister.</i>	P.47/2013.
Draft Unlawful Public Entertainments (Jersey) Regulations 201-. Lodged: 8th April 2013. <i>Minister for Home Affairs.</i>	P.48/2013.
Draft Taxation (Accounting Records) (Jersey) Regulations 201-. Lodged: 15th April 2013. <i>Chief Minister.</i>	P.50/2013.





- Draft Control of Housing and Work (Business Licences – Annual Charges for Registered Persons) (Jersey) Regulations 201-. P.52/2013.  
Lodged: 23rd April 2013.  
*Chief Minister.*
- Draft Control of Housing and Work (Transitional and Consequential Provisions) (No. 2) (Jersey) Regulations 201-. P.53/2013.  
Lodged: 23rd April 2013.  
*Chief Minister.*
- Draft Education (Amendment No. 2) (Jersey) Law 201-. P.54/2013.  
Lodged: 23rd April 2013.  
*Minister for Education, Sport and Culture.*

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

25th April 2013

**Note –**

**In accordance with the meeting dates fixed for 2013 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 1st and Thursday 2nd May 2013.**



## Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

### **R&O.51/2013.**

This Order gives effect in Jersey to Council Regulation (EU) No. 325/2013 of 10th April 2013 (O.J. L102, 11.4.13, p.1). That Regulation amends Council Regulation (EU) No. 36/2012 concerning restrictive measures in view of the situation in Syria. The main effect of those amendments is to insert a new prohibition concerning financial assistance relating to goods and technology and to limit access by Syrian carriers to airports in the European Union. Those amendments also make further provision in respect of derogations from the prohibitions contained in Council Regulation (EU) No. 36/2012.

The Order was made on 19th April 2013 and came into force on 20th April 2013.

### **R&O.52/2013.**

These Rules amend the Advocates and Solicitors (Qualifying Examination) Rules 1997 (“the 1997 Rules”) so that proposals in the consultation paper of the Working Party on the Examination Syllabus for Advocates and Solicitors, which was published on 1st December 2011, can be carried into effect.

The Rules were made by the Superior Number of the Royal Court on 22nd April 2013 and come into force on 1st January 2014.

### **R&O.53/2013.**

These Rules amend the Petty Debts Court Rules 2004 consequentially on the coming into force of the Residential Tenancy (Jersey) Law 2011 (“the Residential Tenancy Law”) which comes into force on 1st May 2013.<sup>1</sup>

*Rule 1* simply defines “the principal Rules” *i.e.* the Petty Debts Court Rules 2004.

*Rule 2* amends Rule 1 of the principal Rules to deal with matters of interpretation. The definition of “originating summons” would be amended to include applications under the Residential Tenancy Law; and a term or expression in that Law when used in the Petty Debts Court Rules in relation to any matter in the Tenancy Division would have the same meaning as in that Law.

*Rule 3* amends Rule 5 of the principal Rules to include within the jurisdiction of the Tenancy Division (of the Petty Debts Court) the jurisdiction conferred on the Petty Debts Court by Article 16 of the Residential Tenancy Law. Article 16 confers on the Court “*exclusive original jurisdiction over any matter relating to a residential tenancy or to a residential tenancy agreement*” together with “*power to hear and determine any such matter and to make orders relating to any such matter, including orders for the termination of a residential tenancy agreement.*”

*Rule 4* amends Rule 7 of the principal Rules relating to the various forms of originating summonses. A new *paragraph (3)* would be inserted to provide that the various forms of application under the Residential Tenancy Law be in the appropriate form set out in Schedule 2 to the principal Rules (or in a form substantially to the like effect).

*Rule 5* amends Rule 8 of the principal Rules relating to the proper address for service of proceedings. A new *paragraph (3)* would be inserted to provide that if, in relation to a residential tenancy agreement, the address in Jersey of a managing agent had been specified in the agreement, that address –

- (a) would be able to be given by the landlord as the landlord’s address for service in Jersey; and
- (b) would automatically be taken to be the landlord’s address for service in Jersey if no other address was given.

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<sup>1</sup> see the Residential Tenancy (Jersey) Law 2011 (Appointed Day) Act 2013 (R&O.35/2013)



*Rule 6* amends Rule 10 of the principal Rules relating to when personal service of proceedings by the Viscount is required. Such a requirement would apply in relation to proceedings under the following Articles of the Residential Tenancy Law –

- (i) Articles 8(2), (3) and (5), 9(b) and 10(4) for an order to vary or terminate a residential tenancy agreement;
- (ii) Article 11 for the eviction of a tenant who has failed to give vacant possession after the residential tenancy has terminated;
- (iii) Article 12(2) for an order for the termination of a residential tenancy agreement and the eviction of a tenant who has breached the agreement and failed to comply with a notice in respect of such breach.

*Rule 7* amends the Schedule to the principal Rules containing the Forms of originating summons in the Civil Claims Division of the Petty Debts Court, so that it becomes Schedule 1; and also updates the reference in it to the address of the Petty Debts Court.

*Rule 8* inserts a new *Schedule 2* into the principal Rules, which contains various new Forms for use in the Tenancy Division, *viz* –

- *Form RTL 1*: application by either party under Article 8(2) of the Law for an order to vary or terminate a residential tenancy agreement (*on the ground that a matter has become impossible to fulfil*)
- *Form RTL 2*: application by tenant under Article 8(3) of the Law for an order to vary or terminate a residential tenancy agreement (*on the ground that it is not in writing, is not signed by or on behalf of the parties to the agreement or fails to contain the details specified in Schedule 1 to the Law*)
- *Form RTL 3*: application by tenant under Article 8(5) of the Law for an order to vary or terminate a residential tenancy agreement (*on the ground that the landlord has not allowed the person who is to be, or who is, the tenant at least one working day in which to read the agreement, or any variation or renewal of it*)
- *Form RTL 4*: application by landlord or tenant under Article 9(b) of the Law for an order to vary or terminate a residential tenancy agreement (*on the ground that the residential unit has become uninhabitable, other than by reason of a malicious act of the tenant*)
- *Form RTL 5*: application by tenant under Article 10(4) of the Law for an order to vary or terminate a residential tenancy agreement (*on the ground that the landlord has, without lawful reason, prevented the tenant from occupying the whole or a part of the residential unit, or has otherwise interfered with the tenant's enjoyment of it*)
- *Form RTL 6*: application by landlord under Article 11 of the Law for an eviction order (*on the ground that the tenant has failed to give vacant possession of the residential unit, the tenancy having terminated*)
- *Form RTL 7*: application by landlord under Article 12 of the Law for an order for termination and eviction (*on the ground that the tenant has breached the tenancy agreement and failed to comply with a notice to cease conduct constituting the breach*)
- *Form RTL 8*: application by either party under Article 14 of the Law for a stay of eviction.

The Rules were made by the Superior Number of the Royal Court on 22nd April 2013 and come into force at the same time as the Residential Tenancy Law – 1st May 2013.



## WRITTEN QUESTIONS

(See Item I(a))

1. The Chief Minister will table an answer to the following question asked by the Connétable of St. John –

“Further to the appointment in 2011 of a new Director of Human Resources and of a new Director of Organisation Development (Change Leader) in December 2012, would the Chief Minister advise –

- (a) whether both postholders originate from or have strong connections with Scotland?
- (b) whether both postholders previously worked for Glasgow University’s Executive Team and, if so, give details of positions held and dates of service?
- (c) whether the two postholders knew each other, in both a personal and professional capacity prior to working in Jersey and, if so, for how long?
- (d) whether the Director of Organisation reports to the Director of Human Resources?
- (e) whether a competitive process was used in both appointments and, if not, explain why not?

Would the Chief Minister advise how many candidates were interviewed for each post, and how many applicants were from on-Island?

Would the Chief Minister provide details regarding who was responsible for writing the job description for the Director of Organisation Development’s post?”

2. The Minister for Economic Development will table an answer to the following question asked by the Connétable of St. John –

“Given that Jersey attended the Paris Agricultural Show from 24th February to 3rd March 2013, would the Minister advise the total cost to the Island, including staffing and accommodation?

What benefits to industry and to the Island were achieved?

Would the Minister outline which local based companies exhibited and advise the number of persons representing each industry and whether their travel, accommodation and expenses costs were met by his Department and, if so, the amount spent?

Would the Minister advise the number of States Members and public sector employees who attended; the duration of their visits and their individual travel and accommodation costs, as well as the cost of the Stand and associated advertising?

Does the Minister consider that, given the timing of the show, the expenditure was justified?”



3. The Minister for Home Affairs will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister advise members for each year since 2004 to the present date:

- (a) how many times, if any, the Home Affairs Department, Home Affairs Minister and/or the States of Jersey Police have notified the Data Protection Commissioner that police officers or their civilian staff have unlawfully broken the Data Protection (Jersey) Law 2005?
- (b) how many officers or civilian staff, if any, have been prosecuted for these breaches, (explaining further under what law they were prosecuted), how many were found guilty and the penalty imposed in each case?
- (c) how many officers or civilian staff, if any, have been disciplined for these breaches and what was the penalty imposed in each case?”

4. The Chief Minister will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Chief Minister advise members

- (a) how many times the Data Protection Commissioner has received complaints and/or requests for assistance from citizens in relation to subject access requests from the States of Jersey Police, the Police Association and/or the Police Complaints Authority under Article 7 of the Data Protection (Jersey) Law 2005 for each year from 2005 to the present date (further breaking the information down by institution and whether they related to complaints or requests or both)?
- (b) the nature of any complaints received, the actions taken by the Commissioner in each case and the outcome of the intervention and the time taken to resolve the complaints from start to finish, if they were resolved and, if they were not resolved, the time spent on them;
- (c) the nature of the requests and the assistance given or not given in the circumstances;
- (d) the lessons, if any, learnt from these experiences?”

5. The Chief Minister will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Chief Minister advise members how many times, in each year since 2005 to the present date, the Data Protection Commissioner has been requested to provide assistance; or has granted assistance and/or refused to grant assistance under Article 53 of the Data Protection (Jersey) Law 2005?

Will the Minister outline, in respect of assistance granted or refused –

- (a) the nature of the assistance requested, using the same headings contained under Schedule 10(2)(a), 10(2)(b)(i) and (ii) and 10(3)(a), (b) or (c) relating to legal advice and the conduct of proceedings;
- (b) The total number of persons assisted in each case;
- (c) the financial cost of assistance in each case, using the same headings contained under Schedule 10(2)(a), (b)(i) and (ii) and 10(3)(a), (b) or (c) relating to legal advice and the conduct of proceedings; and,



(d) the outcome of the assistance given in terms of remedy?"

6. The Minister for Home Affairs will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister advise members –

- (a) how many complaints have been lodged in each year since 2004 to the present date against the Chief Officer and Deputy Chief Officer of the States of Jersey Police respectively listing against each the nature of the complaint?
- (b) how many of these complaints were investigated, by whom and what was the result?
- (c) how many complaints were not investigated and what were the reasons for not investigating them?
- (d) whether there are currently any complaints under investigation, and, if so, would he explain in each case the nature of the complaint, who is investigating it and the likely or anticipated date that it will be completed?"

7. H.M. Attorney General will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will H.M. Attorney General advise members on how many occasions from 2004 to the present date his department has had referrals from either the States of Jersey Police or the Data Protection Commissioner regarding data protection breaches by -

- (i) police officers; and/or
- (ii) civilian staff employed by the police

Would he advise in how many cases his Department has decided to prosecute the offenders?"

8. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy T.A. Vallois of St. Saviour –

“Could the Minister advise how many States Departments make a return to the Treasury from income derived through their services to the public, how much each department returns and on what basis these returns are made?"

9. The Minister for Transport and Technical Services will table an answer to the following question asked by the Connétable of St. Lawrence –

“Will the Minister advise whether vehicles are permitted to drive through Coronation Park in St Lawrence and, if they are permitted, when that permission was granted and by whom?

If such permission does exist, will he also advise –

- (a) How park users are made aware that vehicles will at times be driven through the park?
- (b) Whether there are any restrictions on the use of vehicles?



- (c) What safety procedures, if any, are in place to prevent accidents involving members of the public, particularly children?
- (d) If there are safety procedures, when they were last reviewed and what, if any, changes were made following review?
- (e) Whether vehicles are restricted from any area of the park, particularly the children's play area?
- (f) Whether the Road Traffic (Jersey) Law 1956 is applicable to those who drive in Coronation Park and if it does not apply, what legislation, if any, covering the use of vehicles does apply?"

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

“Does the Minister consider that it is important that tenants in all sectors fully understand the impact of the rent proposals in the Housing Transformation Programme?

Under the proposals to raise rents to 90% of private sector rent levels, would existing States tenants with new tenancies face a rise in rents, based on a weighted average, of £39 per week (25%)?

Will those in 2-bed accommodation see a rise in rents in the order of £50 per week or 30%?

Does he accept that by year 5 of the plan, over 50% of States tenants will be paying higher rental rates and that all tenants are likely to see their rents subject to annual inflation-plus rises of 4.25%, or 23% over the five years amounting to a weekly addition of £35?

Will the Minister acknowledge that this combination will produce new tenancies at average rent levels which are £84 per week (54%) greater than at present, and if not, what figures does he have for proposed rent increases in 2014 (year 1) and 2018 (year 5)?"

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

“Does the Minister accept the figures for rent rises in the Housing Trust sector given in the draft sector report of July 2012 which show a weighted average of £33 (18%) weekly, and if not, what figure does he have for rent increases in the Trust sector for 2014 (year 1) and 2018 (year 5)?

Given that the aforementioned draft report was never finished pending the results of the 2011 Census, will the Minister state what evidence, if any, the 2011 Census contained which had a bearing on the formulation of the Housing Transformation Programme (HTP) and in what ways, if any, his plans were changed by it?

What research, if any, has the Minister undertaken to estimate the capacity of the Trust sector to deliver housing over the period of the HTP and will he release any papers on this topic?

Will the Minister explain why the HTP contains no mention of the population it is intended to cater for and inform members of the extent to which the Statistics Unit was involved in developing the 30-year projections contained in the plan?

In particular, will he explain how the HTP caters for the demand outlined in the Housing Needs Survey 2013-2015 in the light of population growth targets?"



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

“Will the Minister advise what measures, if any, he will take to protect those in receipt of the rent component of Income Support (IS) from the impact of the rent increases outlined in the figures contained in Appendix 2 of P.33/2013 Amd.(2) which show the rental income of the proposed Housing Company increasing at rates much greater than inflation from £40m in 2013 through £55.6m by 2018 to £75m in 2023?”

Despite the assumption of static numbers of IS claimants contained in the Housing Transformation Programme, does the Minister consider that, when faced with weekly rent rises of between £35 and £80 over the next 5 years, more social housing tenants will be eligible and apply for IS, and if not why not?”

13. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Will the Minister advise members whether there has been a failure on the part of the new bus service provider (CTPlus Jersey) to recognise the trade union Unite under the relevant code of practice of the Employment Relations (Jersey) Law 2005 and, if so, what steps, if any, has he taken or will he take to resolve this issue as a matter of urgency?”

If this explanation involves any weakness in the lack of clarity in the code or the Law, will he undertake to correct it and, if not, why not?”

Will he undertake to ensure that in the future following the transfer of an undertaking where the majority of staff are transferred, as in this case, a mechanism for automatic recognition is built into the process?”

Does the Minister, having previously praised the good employment relations record of the parent company, consider that this latest episode reflects well on the company chosen to operate the Island’s bus service?”

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

“Further to his response to my oral question on 16th April 2013, regarding the introduction of codes of practice covering the Transfer of Undertakings Protection of Employment (TUPE) equivalent to or better than those in place in the UK, will the Chief Minister advise the date by which he will undertake to have such codes in place and, if not, why not?”

If the date he has in mind is later than December 2013, will he explain the reasons for the delay?”

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

“Would the Chief Minister state whether the Council of Ministers are concerned about the increasing prevalence of 'zero hour' contracts and their association with 'casual labour' issues of decades ago?”

Notwithstanding that such terms can be appropriate in certain circumstances, is the Minister concerned that some employers are using these contracts as an excuse for bad work management and would he also state whether he believes it appropriate and morally acceptable for States bodies to use such contracts?”





16. The Minister for Planning and Environment will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Would the Minister quantify the cost of purchase, installation, maintenance and removal of off-shore wind-monitoring masts and from which budget that will come?”

17. 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 –

“Given the 4% decrease in bus usage since CTPlus replaced Connex, would the Minister advise:

- (a) whether he was aware at the time of awarding the contract that a similar problem existed in Guernsey, where the service is also operated by CTPlus?
- (b) how many buses CTPlus are presently using (and their capacity) compared with Connex and whether he considers this adequate?
- (c) whether he is aware of the problems unreliable buses pose to the travelling public, especially those trying to get to work?
- (d) what steps, if any, he is taking to halt the decline in bus usage and the consequential migration of people into cars?”

18. 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 supply of Super unleaded fuel has now been depleted at most garages, will the Minister explain why no public announcement has yet been made to direct those motorists who require such fuel to the supplies promised by the fuel companies?

Furthermore, given the way the fuel was withdrawn, would the Minister review how this information was communicated and explain what action, if any, he intends to take?”

19. The Minister for Planning and Environment will table an answer to the following question asked by Deputy J.H. Young of St. Brelade –

“Will the Minister inform the Assembly of the implications for the spatial and housing policies of the Island Plan 2011, and the Island’s future housing supply, of the recent statement by the Jersey Development Company in their 2012 report (R.29/2013 refers) that “*there is unlikely to be any further residential development on the St Helier Waterfront for a few years*”, and the actions, if any, he proposes to take to address those implications and compensate for this change of policy by the Company?”



## ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

### 2013

#### 1st Session 2013

<b>May 14th</b>	Transport and Technical Services	Home Affairs
<b>June 4th</b>	Treasury and Resources	Chief Minister
<b>June 18th</b>	Education, Sport and Culture	Health and Social Services
<b>July 2nd</b>	Economic Development	Chief Minister
<b>July 16th</b>	Housing	Planning and Environment

#### 2nd Session 2013

<b>September 10th</b>	Social Security	Chief Minister
<b>September 24th</b>	Transport and Technical Services	Home Affairs
<b>October 8th</b>	Treasury and Resources	Chief Minister
<b>October 22nd</b>	Education, Sport and Culture	Health and Social Services
<b>November 5th</b>	Economic Development	Chief Minister
<b>November 19th</b>	Housing	Planning and Environment
<b>December 3rd</b>	Social Security	Chief Minister
<b>December 10th</b>	Transport and Technical Services	Home Affairs