

STATES OF JERSEY ORDER PAPER

Tuesday, 12th March 2002

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Community Provisions (Zimbabwe - Restrictive Measures) (Jersey) Order 2002. R & O 17/2002.

Policy and Resources Committee.

Community Provisions (Prohibiting the Sale, Supply and Export of Certain Equipment to, and Freezing of Funds of Certain Officials of, Burma/Myanmar) (Amendment) (Jersey) Order 2002. R & O 18/2002.

Policy and Resources Committee.

Community Provisions (Maintaining a freeze of funds in relation to Mr. Milosevic and associated persons) (Amendment) (Jersey) Order 2002. R & O 19/2002.

Policy and Resources Committee.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

Nomination of Deputy C.J. Scott Warren of St. Saviour as a member of the Industries Committee.

D. PRESENTATION OF PAPERS

(a) Papers for information

Matters presented under Standing Order 6A(1)

(a)

Public Lotteries: report for 2001. R.C.6/2002.
Gambling Control Committee.

Machinery of Government: Special P.26/2002. Com.
Committee on the Composition and (2)
Election of the States Assembly
(P.26/2002) - comments.
Finance and Economics Committee.

States Housing Rental Scheme: P.29/2002. Com.
revision (P.29/2002) - comments.
Finance and Economics Committee.

**Matters presented under Standing Order 6A(1)
(b)**

Presented on 5th March 2002

States Housing Rental Scheme: P.29/2002.
revision (P.29/2002) - report. Rpt.
Housing Committee.

(b) Notification of Standing Order decisions

6th March 2002

Decision under delegated functions.
Finance and Economics Committee.

(c) Notification of acceptance of tenders

**(d) Papers to be lodged “au Greffe” under
Standing Order 17A(1)(a)**

The Jersey Community Relations P.33/2002.
Trust.
Policy and Resources Committee.

Belle Vue, La Route des P.34/2002.
Quennevais, St. Brelade: transfer of
administration to the Public
Services Committee.
*Planning and Environment
Committee.*

(e) Notification of Papers lodged “au Greffe” under Standing Order 17A(1)(b)

Lodged on 5th March 2002

Draft Parish Rate (Administration) P.206/2001.
(Jersey) Law 200- (P.206/2001): Amd.
amendments.
Connétable of St. Helier.

Proposed Race Discrimination P.32/2002.
(Jersey) Law.
Legislation Committee.

(f) Papers for consideration by the States in Committee under Standing Order 38A

E. STATEMENTS AND PROPOSITIONS RELATING TO THE ARRANGEMENT OF PUBLIC BUSINESS AT THIS OR ANY SUBSEQUENT MEETING

THE STATES are asked to agree that the following matters lodged “au Greffe” be considered at the next meeting on 19th March 2002 -

Draft Parish Rate (Administration) P.206/2001.
(Jersey) Law 200 .
Lodged: 18th December 2001.
Legislation Committee.

Draft Parish Rate (Administration) P.206/2001.
(Jersey) Law 200- (P.206/2001): Amd.
amendments.
Lodged: 5th March 2002.
Connétable of St. Helier.

Machinery of Government: P.23/2002.
establishment of a Privileges and
Procedures Committee.
Lodged: 12th February 2002.
Policy and Resources Committee.

Machinery of Government: P.23/2002.
establishment of a Privileges and Amd.
Procedures Committee (P.23/2002) -
amendments.
Lodged: 19th February 2002.
House Committee.

Machinery of Government: P.23/2002.
establishment of a Privileges and Com.
Procedures Committee (P.23/2002) -
comments.
Presented: 26th February 2002.
Finance and Economics Committee.

Machinery of Government: P.23/2002.
establishment of a Privileges and Com.(2)

Procedures Committee (P.23/2002) -
comments.

Presented: 26th February 2002.
Human Resources Committee.

Machinery of Government: Special P.26/2002.
Committee on the Composition and
Election of the States Assembly.
Lodged: 26th February 2002.
Policy and Resources Committee.

Machinery of Government: Special P.26/2002.
Committee on the Composition and Com.
Election of the States Assembly
(P.26/2002) - comments.
Presented: 26th February 2002.
Human Resources Committee.

Machinery of Government: Special P.26/2002.
Committee on the Composition and Com.(2)
Election of the States Assembly
(P.26/2002) - comments.
Presented: 12th March 2002.
Finance and Economics Committee.

States Housing Rental Scheme: P.29/2002.
revision.
Lodged: 26th February 2002.
Deputy A. Breckon of St. Saviour.

States Housing Rental Scheme: P.29/2002.
revision (P.29/2002) - comments. Com.
Presented: 12th March 2002.
Finance and Economics Committee.

States Housing Rental Scheme: P.29/2002.
revision (P.29/2002) - report. Rpt.
Presented: 5th March 2002.
Housing Committee.

Draft Main Roads (Classification) P.30/2002.
(No. 27) (Jersey) Act 200.
Lodged: 26th February 2002.
Public Services Committee.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

Senator S. Syvret will ask questions of the President of the Finance and Economics Committee regarding income tax revenues.

The Deputy of St. John will ask a question of the President of the Housing Committee regarding tenants with second homes.

Senator C. Stein will ask questions of the President of the Health and Social Services Committee regarding health care.

The Deputy of St. Martin will ask questions of the President of the Tourism Committee regarding Battle of Flowers funding.

The Deputy of St. John will ask a question of the President of the Housing Committee regarding the proposed designation of La Collette Flats as a Site of Special Interest.

Senator C. Stein will ask a question of the President of the Finance and Economics Committee regarding health care funding.

Deputy G.C.L. Baudains of St. Clement will ask questions of the President of the Public Services Committee regarding waste oil and scrap metal disposal.

The Deputy of St. John will ask a question of the President of the Policy and Resources Committee regarding information supplied to the O.E.C.D.

Senator C. Stein will ask a question of the President of the Housing Committee regarding legislation to provide for security of tenure.

Deputy P.F.C. Ozouf of St. Helier will ask a question of the President of the Legislation Committee regarding the draft Public Elections (Jersey) Law 200-.

The Deputy of St. John will ask a question of the President of the Home Affairs Committee regarding work experience schemes for prisoners.

Senator C. Stein will ask a question of the President of the Employment and Social Security Committee regarding ophthalmic and dental care for the over 65s.

Senator S. Syvret will ask a question of the President of the Policy and Resources Committee regarding the cost of consultants.

The Deputy of St. John will ask a question of the President of the Planning and Environment Committee regarding its report on Buildings of Local Interest: removal from register (P.185/99).

Deputy S.M. Baudains of St. Helier will ask questions of the President of the Telecommunications Board regarding profit sharing.

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

K. PUBLIC BUSINESS

Draft Gambling (Gaming and Lotteries) (Amendment No. 14) (Jersey) Regulations 200-. P.19/2002.
Lodged: 12th February 2002.
Gambling Control Committee.

Overdale Assessment and Rehabilitation Unit: approval of drawings. P.20/2002.
Lodged: 12th February 2002.
Health and Social Services

Committee.

Draft Public Finances P.22/2002.
(Administration) (Amendment
No. 10) (Jersey) Law 200.
Lodged: 12th February 2002.
Finance and Economics Committee.

Draft Road Traffic (No. 53) (Jersey) P.24/2002.
Regulations 200-
Lodged: 12th February 2002.
Home Affairs Committee.

Machinery of Government: P.175/2001.
composition and role of Privileges
and Procedure and Scrutiny
Committees.
Lodged: 13th November 2001.
Senator S. Syvret.

Machinery of Government: P.175/2001.
composition and role of Privileges Amd.
and Procedure and Scrutiny
Committees (P.175/2001) -
amendment.
Lodged: 26th February 2002.
Senator S. Syvret.

Machinery of Government: P.175/2001.
composition and role of Privileges Com.
and Procedure and Scrutiny
Committees (P.175/2001):
comments.
Presented: 27th November 2001.
Finance and Economics Committee.

Machinery of Government: P.175/2001.
composition and role of Privileges Com. Add.
and Procedure and Scrutiny
Committees (P.175/2001):
comments - addendum.
Presented: 26th February 2002.
Finance and Economics Committee.

Machinery of Government: P.175/2001.
composition and role of Privileges Com. (2)
and Procedure and Scrutiny
Committees (P.175/2001) -
comments.
Presented: 11th December 2001.
Human Resources Committee.

Machinery of Government: P.175/2001.
composition and role of Privileges Com.(3)
and Procedure and Scrutiny
Committees (P.175/2001):
comments.
Presented: 12th February 2002.
Policy and Resources Committee.

Greffier of the States: appointment. P.31/2002.

Lodged: 26th February 2002.
Human Resources Committee.
(In camera)

C.M. NEWCOMBE

Greffier of the States

7th March 2002

Explanatory Note regarding subordinate legislation tabled at this meeting.

R & O 17/2002

The purpose of this Order is to take certain restrictive measures in respect of Zimbabwe, in particular to freeze funds, financial assets and economic resources of individual members of the government, and of natural and legal persons associated with them as well as to ban technical advice, assistance and trading related to military activities.

The Order was made on 28th February 2002 and came into force forthwith.

R & O 18/2002

The purpose of this Order is to transfer responsibility for enforcing the Community provisions relating to the sale, supply and export of certain equipment to, and the freezing of certain funds of certain official officials of Burma/Myanmar from the Finance and Economics Committee to the Policy and Resources Committee. The Order also adds a power for the Policy and Resources Committee to delegate those functions to persons approved by it

The Order was made on 28th February 2002 and came into force forthwith.

R & O 19/2002

The purpose of this Order is to add a power for the Policy and Resources Committee to delegate its functions to persons approved by it in respect of the Community provisions concerning the freezing of funds in relation to Mr. Milosevic and persons associated with him.

The Order was made on 28th February 2002 and came into force forthwith.

**NOTIFICATION OF STANDING ORDER DECISIONS -
FINANCE AND ECONOMICS COMMITTEE
(delegated functions)**

6th March 2002

as recommended by the Health and Social Services Committee, the lease from Mr. Jock Campbell Russell and Mrs. Susan Joy Russell, née Wilford, of the 'j' category property known as No. 2 Oakdale Cottage, La Rue des Buttes, St. John, for a period of five years from 21st February 2002 at an annual rent of £14,500, payable monthly in advance, with annual rent reviews in line with the movement in the Jersey Retail Price Index until 2004 and thereafter to open market rental value in 2005 and 2006. Each party was to be responsible for the payment of its own legal costs arising from this transaction and no deposits were to be paid.

QUESTION PAPER

(See Item G)

Senator Stuart Syvret will ask the following questions of the President of the Finance and Economics Committee -

- “1. Will the President inform the Assembly of the total tax take in the Island, expressed as a percentage of GNP/GNI and will he provide the equivalent data for each European Union member state and the EU average?”
2. In response to a question asked on 12th February, the President informed the Assembly that during the period from 1989 to 2000 tax revenues from companies had increased by 110 per cent and tax revenue from salary and wage earners had risen by 179 per cent. The President went on to suggest that the reason for the greater increase in tax revenue from salary and wage earners was because of such factors as wage increases and the freezing of personal allowances and exemption limits. Will the President inform the Assembly of what proportions of the increase are attributable to each of these factors and will the President provide for the Assembly a more detailed account of the reasons for the divergence?”

The Deputy of St. John will ask the following question of the President of the Housing Committee -

“Would the President advise members, in relation to housing tenants -

- (a) whether the Committee has a policy on housing tenants who own a property outside the Island? If a policy exists, may members be given details? If no policy is in place is it the Committee’s intention to create a policy?
- (b) to obtain information on tenants with second homes, what co-operation exists between the Housing Committee in Jersey and other jurisdictions, for example with Guernsey/ United Kingdom/ France/ Spain/ Portugal/ Madeira etc.. If none exists, what action, if any, is being taken to create a closer working relationship?
- (c) if a Housing tenant fails to declare that he/she has a second home outside the Island, what action is taken by the Committee when this comes to light?

and in relation to private sector rent rebates -

- (d) in both the private and public sectors where either subsidised rent or rent rebate is claimed, how many tenants have a home outside Jersey? If no records are kept, would the President give details of why this information is not obtained before subsidised rent or rent rebate are agreed?”

Senator Corrie Stein will ask the following questions of the President of the Health and Social Services Committee -

- “1. On 18th July 2000 and on 27th March 2001 I asked the

President questions on approaching the French authorities with a view to purchasing health care where we have long waiting lists. Can the President inform the Assembly -

- (a) how advanced his discussions with the French authorities are;
 - (b) why is this taking so long when the UK only last autumn decided to investigate the same thing, and saw the first patients admitted in January of this year?
 - (c) in the event that the Committee agrees in principle, how long will this take to implement in Jersey?
2. Could the President advise members of the number of patients on the waiting list and the length of time they have been waiting to see the following consultants or service -
- (i) orthopaedics?
 - (ii) gynaecology?
 - (iii) urology?
 - (iv) ophthalmology?
 - (v) physiotherapy?
 - (vi) general surgery, indicating the number of consultants and the patient numbers per consultant?

and would he also give the number of patients of those same specialties who are waiting for operations following their first visit, and how long they will have to wait?

3. Would the President -
- (a) give updated figures, calculated in the same way as for the answers to my questions on both previous occasions and with those figures shown in brackets so that direct comparisons can be made?
 - (b) advise members what other measures have been taken to alleviate the problems of waiting lists?
 - (c) state what proportion of the additional £1.787 million approved by the States on 18th September 2001 has been devoted to shortening waiting lists?"

The Deputy of St. Martin will ask the following questions of the President of the Tourism Committee -

- “1. Since 1996 the Tourism Committee grant to the Jersey Battle of Flowers Association has been £95,000. As inflation since then has risen by around 20 per cent, will the President advise the members why the grant to the Battle of Flowers Association has not increased in line with inflation?
- 2. Given the value the Battle has given and will continue to give to the tourism product and the tremendous community

spirit that is engendered, will the President advise members whether her Committee proposes to take steps to secure future funding for the Battle so as to prevent the demise of this most prestigious event?"

The Deputy of St. John will ask the following question of the President of the Housing Committee -

"Would the President advise members -

- (a) if the Committee has been consulted by the Planning and Environment Committee on the proposed listing of La Collette flats as a Site of Special Interest (SSI) and whether the Committee was in agreement?
- (b) if the answer to (a) is in the affirmative, was the decision unanimous?
- (c) as La Collette flats is a proposed SSI, would he detail any additional cost implications that will or may have arisen by this listing?
- (d) if the Committee has any other premises which are SSIs or proposed SSIs?
- (e) if the answer to (d) is affirmative, was the Committee consulted?"

Senator Corrie Stein will ask the following question of the President of the Finance and Economics Committee -

"Would the President advise members when the Committee will introduce a proper scheme so that the Health and Social Services Committee is funded in such a way that it can provide "A standard of social services comparable with that to be found in neighbouring countries" as agreed by this Assembly when it adopted the 2000 and Beyond Strategic Policy Review 1995?"

Deputy G.C.L. Baudains of St. Clement will ask the following questions of the President of the Public Services Committee -

- “1. It has recently been reported that the Committee charges 30p per litre for disposal of waste oil at Bellozanne. Would the President -
 - (a) advise members when this charge was put in place?
 - (b) give figures for volumes received since the charge was levied compared with a similar period previous to that charge?
 - (c) state how much per litre it costs the Committee to dispose of this oil by sending it for reclamation?
 - (d) give comparisons in costs between exporting and burning?
 - (e) explain why the Committee has chosen to export this oil instead of burning it (as a local farmer does) and thereby generating electricity from it?
 - (f) advise whether he is aware of any ‘fly tipping’ of waste oil?
 - (g) advise members whether the Committee will reconsider its decision to follow the user pays principle and charge for receiving used oil.

2. With regard to the export of scrap metal, would the President advise -
 - (a) approximately what percentage of metal received at Bellozanne is derived from motor cars and how many cars per year on average are scrapped?
 - (b) what initiatives the Committee has evaluated with a view to reducing disposal costs, with particular emphasis on loading of ships?
 - (c) whether the Committee is aware of, or evaluating, means of achieving higher prices for scrap metal?

3. Would the President advise members how many times Sustainable Transport has been on its agenda in the last year and what progress has been made in that time?”

The Deputy of St. John will ask the following question of the President of the Policy and Resources Committee -

- “Now that the O.E.C.D. has taken Jersey off its provisional blacklist of harmful tax havens, will members be shown -
- (a) the information required by the O.E.C.D. to achieve that position?
 - (b) the most relevant O.E.C.D. correspondence so all members are fully informed?”

Senator Corrie Stein will ask the following question of the President of the Housing Committee -

“The States, on 11th May 1999, approved a proposition of the Housing Committee (P.257/98) that a new Law should be prepared to provide, *inter alia*, for improved security of tenure. Would the President inform members of progress and when the Committee expects to be able to present the draft Law to the States for debate?”

Deputy P.F.C. Ozouf of St. Helier will ask the following question of the President of the Legislation Committee -

“On 9th and 23rd October 2001, the Assembly approved the Draft Public Elections (Jersey) Law 200- (P.132/2001) together with various amendments. One amendment that was unanimously accepted by the Assembly was the addition of ‘follow up’ procedures for non-returned electoral forms. At the time, the objective was for this new law to be in force for the preparation of electoral registers for the Deputies and Senators Elections in 2002, subject to Privy Council approval. Would the President inform the Assembly -

- (a) whether the Electoral registers to be prepared this year will be prepared under the provisions of the new Law?
- (b) if the answer to (a) is in the affirmative, what action remains to be completed to meet the objective, in particular what consultation with the Connétables is required, and when does the Legislation Committee intend to present Regulations for States’ approval, pursuant to Article 7 of the draft Law?

The Deputy of St. John will ask the following question of the President of the Home Affairs Committee -

“In his statement on 12th February 2002, the President referred to the operation of work experience schemes for prisoners for those who are serving the final months of their sentence. Given that he stated that the scheme costs approximately £11,500 per year to administer, with the President advise members -

- (a) the average number of prisoners who at any one time partake in the scheme?
- (b) how many hours per week each prisoner works?
- (c) whether both the employer and the employee pay social security contributions if a prisoner works in excess of eight hours per week?
- (d) where no contributions are paid, what steps have been taken by the Prison Management to ensure, where money is earned, that both the Employment and Social Security and Income Tax Departments are notified?
- (e) the weekly cost to keep a person in prison?”

Senator Corrie Stein will ask the following question of the President of the Employment and Social Security Committee -

“Would the President advise members -

- (a) how many people have taken up the scheme to subsidise the cost of ophthalmic and dental care for the over 65s adopted by the States on 24th April 2001?
- (b) how much of the agreed budget of £680,000 has been spent in 2001?
- (c) whether the Committee would consider publishing in the Jersey Gazette from time to time the advantages of the scheme so that those who qualify will be encouraged to apply?
- (d) whether the Committee would consider making the scheme available to a wider public by increasing the threshold or by widening the scope of the support, for example including footcare, should funds still be available in the scheme at year end?
- (e) whether the Department is monitoring the amount the recipients pay towards their eye and dental care so as to make sure they actually benefit by receiving support under the scheme?”

Senator Stuart Syvret will ask the following question of the President of the Policy and Resources Committee -

“In view of the Committee’s responsibility for co-ordinating issues across Committees of the States and in the light of the fact that Committees spend a significant sum of money in employing a number of external consultants or advisers for a variety of purposes, for the five year period ending 31st December, 2001, will the President inform the Assembly -

- (a) the total number of consultants employed by the States?
- (b) the number of consultants employed by each Committee?
- (c) the number of reports and/or tasks commissioned from each consultancy?
- (d) the total cost to the States of employing consultants?
- (e) the total cost to each Committee of employing consultants?
- (f) the cost of each consultancy task?
- (g) the average cost per consultancy task?
- (h) the average time taken per consultancy task?”

The Deputy of St. John will ask the following question of the President of the Planning and Environment Committee -

“Would the President inform members when the Committee’s report on Buildings of Local Interest: removal from register (P.185/99) will be presented to the States?”

Deputy S.M. Baudains of St. Helier will ask the following question of the President of the Telecommunications Board -

“Given that the Telecommunications Board has decided to pay each member of staff a £2,000 sum in respect of profit sharing, would the President advise -

- (a) how much of Jersey Telecom’s profits have arisen from the services provided to States of Jersey Departments?
- (b) in view of current budgetary constraints in States’ departments and the fact that some services are under threat, would the President in future consider a subsidy through profit sharing for States’ Departments?