



STATES OF JERSEY ORDER PAPER

Tuesday 16th April 2013

CONSOLIDATED

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Employment (Minimum Wage) (Amendment No. 6) (Jersey) Order 2013. R&O.39/2013.
Minister for Social Security.

Social Security (General Benefit) (Amendment No. 5) (Jersey) Order 2013. R&O.40/2013.
Minister for Social Security.

Social Security (Old Age Pensions and Survivor's Benefit) (Amendment) (Jersey) Order 2013. R&O.41/2013.
Minister for Social Security.

Community Provisions (Restrictive Measures – Iran) (Amendment No. 3) (Jersey) Order 2013. R&O.42/2013.
Deputy Chief Minister, for and on behalf of Chief Minister.

Motor Traffic (Third-Party Insurance) (Expenses Limits) (Amendment) (Jersey) Order 2013. R&O.43/2013.
Minister for Health and Social Services.

Health Insurance (Pharmaceutical Benefit) (General Provisions) (No. 2) (Amendment No. 10) (Jersey) Order 2013. R&O.44/2013.
Minister for Social Security.

Community Provisions (Restrictive Measures – Zimbabwe) (No. 6) (Amendment No. 7) (Jersey) Order 2013. R&O.45/2013.
Chief Minister.

Social Security (2013 Old Age Pension Adjustment) (Jersey) Order 2013. R&O.46/2013.
Minister for Social Security.

Income Support (General Provisions) (Amendment No. 10) (Jersey) Order 2013. R&O.47/2013.
Minister for Social Security.

* Community Provisions (Restrictive Measures – North Korea) (Jersey) Order 2013. R&O.48/2013.
Chief Minister.

* Road Traffic (St. Helier) (Amendment No. 27) (Jersey) Order 2013. R&O.49/2013.
Minister for Transport and Technical Services.

C. DOCUMENTS PRESENTED OR LAID

Island Plan 2011: wind-farms (P.27/2013) – comments. P.27/2013.
Presented: 4th April 2013. Com.
Minister for Planning and Environment.



- * Referendum on States reform: minimum turnout threshold (P.39/2013) – comments. P.39/2013.
Presented: 15th April 2013. Com.
Privileges and Procedures Committee.

- Tourism Development Fund: report for 2012. R.25/2013.
Presented: 22nd March 2013.
Minister for Economic Development.

- Prison Board of Visitors: Annual Report 2012. R.26/2013.
Presented: 28th March 2013.
Minister for Home Affairs.

- * Jersey Director of Civil Aviation: Annual Report for 2012. R.27/2013.
Presented: 16th April 2013.
Chief Minister.

- * Jersey Employment Tribunal Review: Report to the States. R.28/2013.
Presented: 16th April 2013.
Minister for Social Security.

- * States of Jersey Development Company Limited: Annual Report and Consolidated Financial Statements for the year ended 31st December 2012. R.29/2013.
Presented: 16th April 2013.
Minister for Treasury and Resources.

- Green Street Police HQ: Traffic and Parking (S.R.3/2013) – response of the Minister for Planning and Environment. S.R.3/2013.
Presented: 12th April 2013. Res.
Minister for Planning and Environment.

- * Green Street Police HQ: Traffic and Parking (S.R.3/2013) – response of the Minister for Transport and Technical Services. S.R.3/2013.
Presented: 15th April 2013. Res.(2)
Minister for Transport and Technical Services.

- Jersey Innovation Fund. S.R.4/2013.
Presented: 27th March 2013.
Economic Affairs Scrutiny Panel.

- Starter Home Deposit Loan Scheme. S.R.5/2013.
Presented: 4th April 2013.
Corporate Services Scrutiny Panel.

- * Starter Home Deposit Loan Scheme (S.R.5/2013): response of the Minister for Treasury and Resources. S.R.5/2013.
Presented: 16th April 2013. Res.
Minister for Treasury and Resources.

- * Housing Transformation Programme Review. S.R.6/2013.
Presented: 15th April 2013.
Health, Social Security and Housing Scrutiny Panel.



D. NOTIFICATION OF LODGED PROPOSITIONS

- 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.
- * The Reform of Social Housing (P.33/2013): amendment. P.33/2013.
Lodged: 16th April 2013. Amd.
Health, Social Security and Housing Scrutiny Panel.
- Referendum on States reform: minimum turnout threshold (P.39/2013) – amendment. P.39/2013.
Lodged: 4th April 2013. Amd.
Connétable of St. John.
- Victoria and George V Cottage Homes (Repeal of General Principles). P.44/2013.
Lodged: 28th March 2013.
Minister for Housing.
- Draft Procureurs du Bien Public (Terms of Office) (Jersey) Law 201-. P.45/2013.
Lodged: 2nd April 2013.
Comité des Connétables.
- 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. P.46/2013.
Lodged: 3rd April 2013.
Chief Minister.
- 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. P.47/2013.
Lodged: 3rd April 2013.
Chief Minister.
- Draft Unlawful Public Entertainments (Jersey) Regulations 201-. P.48/2013.
Lodged: 8th April 2013.
Minister for Home Affairs.
- Manual Workers' Joint Council: Employers' Side membership. P.49/2013.
Lodged: 10th April 2013.
States Employment Board.
- * Draft Taxation (Accounting Records) (Jersey) Regulations 201-. P.50/2013.
Lodged: 15th April 2013.
Chief Minister.

E. WITHDRAWAL OF LODGED PROPOSITIONS

- * In accordance with Standing Order 34(1), the proposer of the following proposition lodged 'au Greffe' has informed the Greffier of the States that it is to be withdrawn –
- Draft Taxation (Implementation) (Amendment) (Jersey) Law 201-. P.30/2013.
Lodged: 22nd February 2013.
Chief Minister.



F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions

(attached)

1. The Minister for Transport and Technical Services will table an answer to a question asked by the Connétable of St. John regarding updates to the Road Traffic (Jersey) Law 1956 relating to tractors.
2. The Chief Minister will table an answer to a question asked by Deputy R.G. Le Herissier of St. Saviour regarding the publication of public sector salaries over £100,000.
3. The Minister for Home Affairs will table an answer to a question asked by the Connétable of St. John regarding a reduction in Jersey's contribution to UK defence.
4. The Minister for Transport and Technical Services will table an answer to a question asked by the Connétable of St. John regarding the costs associated with using salt on the roads when it snows.
5. H.M. Attorney General will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding legal protection for Planning Application Panel members.
6. 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 to the Island.
7. The Minister for Housing will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the redevelopment of Le Squez.
8. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the evaluation of projects for fiscal stimulus.
9. 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 bus service.
10. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding public officials who fail to investigate allegations against colleagues.
11. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding police investigations.
12. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the status of the Police Association as a public body.
13. The Minister for Housing will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the impact of the Housing Transformation Programme rent increase proposals on both inflation and deflation.



14. The Minister for Social Security will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the sustainability of Income Support expenditure.
15. The Minister for Treasury and Resources will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the accountability of the Board of JT.
16. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the current operational status of the Energy from Waste plant.
17. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact of index linking social rents on underlying inflation.
18. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding future demands for social rented accommodation.
19. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding fair rents for the full range of social rental properties.
20. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding increased rental income.
21. The Chairman of the Comité des Connétables will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding attendance at Parish Meetings.
22. The Minister for Treasury and Resources will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding housing projects completed with fiscal stimulus funding.
23. The Chief Minister will table an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding the roles played by senior civil servants in the reform of the Public Sector.
24. The Minister for Housing will table an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding the development of social housing units since the beginning of rent rebate/abatement.
25. The Minister for Health and Social Services will table an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding increases in bowel diseases.
26. The Minister for Health and Social Services will table an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding the funding of the Integrated Care Record Project.
27. The Minister for Treasury and Resources will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the proposed transfer of land at the Plémont Holiday Village either to public ownership or to an appropriate body or trust for public access.
28. The Minister for Planning and Environment will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the proposed transfer of land from the owners of the Plémont Holiday Village to an appropriate body or trust.
29. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the findings of the 2012 Housing Affordability Survey and the the Better Life Index 2013.



(b) – Oral Questions
(120 minutes)

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

“Will the Chief Minister inform members what progress, if any, has been made towards the introduction of a Jersey equivalent to Transfer of Undertakings Protection of Employment (TUPE) Regulations and when he envisages that they will be debated by the Assembly?”

2. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Economic Development –

“Will the Minister collate, in conjunction with H.M. Attorney General, the full costs of the legal action against H.M. Government over the removal of Low Value Consignment Relief and advise members of the total cost of the action to the States of Jersey; the breakdown of these costs into lawyers’ fees, UK Government costs and other costs; and explain how much of the total cost the private sector contributed?”

3. Deputy J.H Young of St. Brelade will ask the following question of the Minister for Planning and Environment –

“Will the Minister inform the Assembly whether his Departmental review of the policies of the Island Plan 2011 has confirmed a significant shortfall in the supply of Category ‘A’ and affordable homes since 2011, and, if so, what action he is taking to bring forward revisions to the Island Plan policies to ensure this shortfall is eliminated and the future need for affordable housing is met?”

4. Deputy M. Tadier of St. Brelade will ask the following question of the Chairman of the Comité des Connétables –

“Can the Chairman confirm that, as the role of Constable is an honorary position with Constables only being paid in relation to their membership of the States, the position would remain unpaid if they were to lose their ex-officio States role?”

5. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Minister for Treasury and Resources –

“What number of domestic connections per month are required to ensure the viability of the Gigabit project and what numbers have been connected per month in the period January to March 2013?”

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

“Is the Minister satisfied with the quality of road resurfacing by his Department and trench reinstatement by utility companies and, if not, would he advise what action he intends to take?”

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

“Given the recent savings which have been made across States Departments, what consideration, if any, has the Minister given to using some of these underspends to extend mains drains across the Island?”



8. The Connétable of Grouville will ask the following question of the Chief Minister –

“With reference to the Foreign Account Tax Compliance Act agreements between the United Kingdom and United States governments, can the Chief Minister confirm whether these agreements are proactive or reactive for practitioners in Jersey?”
9. Deputy T.A. Vallois of St. Saviour will ask the following question of the Minister for Treasury and Resources –

“Could the Minister advise what support his department is providing and its overall involvement in the reform of the public sector?”
10. Deputy J.A. Hilton of St. Helier will ask the following question of the Minister for Economic Development –

“What action, if any, is the Minister able to take to ensure that those employers who hold vacant non locally qualified licenses and who are therefore in a position to employ people newly arrived in the Island, offer the posts to locally qualified persons?”
11. Deputy T.M. Pitman of St. Helier will ask the following question of the Chairman of the Privileges and Procedures Committee –

“Will the Chairman clarify whether the Committee has had any contact or complaints from the public relating to alleged data protection breaches involving the Assistant Chief Minister reading documents identifying the victim and alleged abuser in the Dean of Jersey suspension of Commission case?”
12. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Minister for Economic Development –

“How will the findings of the McKinsey study into the future of Jersey's finance industry affect the economic growth strategy, if at all?”
13. The Connétable of St. John will ask the following question of the Minister for Health and Social Services –

“Would the Minister advise whether there was a succession plan in place for the Chief Ambulance Officer's position and, if so, why was it necessary to advertise the post?”
14. Deputy M.R. Higgins of St. Helier will ask the following question of the Chairman of the Privileges and Procedures Committee –

“Does the Chairman agree that whilst the inclusion of the Constables in the States Assembly is not a pre-requisite for democracy, voter equity is and what advice, if any, has been taken regarding the likely consequences of not meeting the ‘Venice commissions’ guidelines on voter equity if either Option B or C is selected as a basis for the States Assembly after 2014?”
15. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Housing –

“Can the Minister explain what rationale, if any, underpins the use of 90% of market rents as the basis for social or affordable rents in Jersey and why is the basis of 80% of market rates not used in line with UK authorities?”



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

“Following the incorporation of JT would the Minister explain the procedure (including those involved in the process) for appointing members to the Company’s Board?”

17. Deputy J.H Young of St. Brelade will ask the following question of the Minister for Treasury and Resources –

“Will the Minister explain why it is considered necessary to spend £694,000 on carrying out refurbishment of Maritime House for the occupation of the Jersey Property Holdings Department and whether there will be any financial benefits or savings from this expenditure?”

18. Deputy M. Tadier of St. Brelade will ask the following question of the Chief Minister –

“Will Chief Minister advise in what capacity the Chairman of the Comité des Connétables has a seat at the Council of Ministers’ meetings and can he confirm that if the Constables lose their automatic right to sit in the States Assembly, he will work closely with the Comité to provide a mechanism to ensure that consultation takes place between Ministers and Constables when appropriate?”

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

1st question period – Minister for Housing

2nd question period – Minister for Planning and Environment

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Starter Home Deposit Loan Scheme. Lodged: 4th December 2012. <i>Minister for Treasury and Resources.</i>	P.131/2012.
Island Plan 2011: wind-farms. Lodged: 12th February 2013. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.27/2013.
Island Plan 2011: wind-farms (P.27/2013) – comments. Presented: 4th April 2013. <i>Minister for Planning and Environment.</i>	P.27/2013. Com.
Jersey Competition Regulatory Authority: re-appointment of Chairman. Lodged: 28th February 2013. <i>Minister for Economic Development.</i>	P.32/2013.
Draft States of Jersey (Amendment No. 6) Law 201-. Lodged: 5th March 2013. <i>Chief Minister.</i>	P.34/2013.



	Draft Register of Names and Addresses (Register Entries) (Jersey) Regulations 201-. Lodged: 5th March 2013. <i>Chief Minister.</i>	P.35/2013.
	Referendum on States reform: minimum turnout threshold. Lodged: 19th March 2013. <i>Deputy J.M. Maçon of St. Saviour.</i>	P.39/2013.
*	Referendum on States reform: minimum turnout threshold (P.39/2013) – comments. Presented: 15th April 2013. <i>Privileges and Procedures Committee.</i>	P.39/2013. Com.
	Referendum on States reform: minimum turnout threshold (P.39/2013) – amendment. Lodged: 4th April 2013. <i>Connétable of St. John.</i>	P.39/2013. Amd.
M.	ARRANGEMENT OF PUBLIC BUSINESS	
	<u>30th April 2013</u>	
	Jersey Innovation Fund: establishment, funding and operation. Lodged: 20th November 2012. <i>Minister for Treasury and Resources.</i>	P.124/2012.
	Draft Restriction on Smoking (Advertising, Promotion and Display) (Jersey) Regulations 201-. Lodged: 6th February 2013. <i>Minister for Health and Social Services.</i>	P.17/2013.
	Draft Restriction on Smoking (Advertising, Promotion and Display) (Jersey) Regulations 201- (P.17/2013): amendment. Lodged: 9th April 2013. <i>Minister for Health and Social Services.</i>	P.17/2013. Amd.
	Draft Restriction on Smoking (Amendment No. 3) (Jersey) Law 201-. Lodged: 7th February 2013. <i>Minister for Health and Social Services.</i>	P.18/2013.
	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.
	Jersey Music Service: introduction of ‘user pays’ charges. Lodged: 8th March 2013. <i>Minister for Education, Sport and Culture.</i>	P.36/2013.
	Living Wage for Jersey: investigation. Lodged: 18th March 2013. <i>Deputy G.P. Southern of St. Helier.</i>	P.37/2013.



Draft Wills and Successions (Amendment No. 2) (Jersey) Law 201-. P.38/2013.
Lodged: 19th March 2013.
Chief Minister.

Draft Policing of Parks (Amendment No. 5) (Jersey) Regulations 201-. P.41/2013.
Lodged: 20th March 2013.
Minister for Transport and Technical Services.

Draft Control of Housing and Work (Jersey) Law 2012 (Appointed Day) Act 201-. P.42/2013.
Lodged: 20th March 2013.
Chief Minister.

Draft Register of Names and Addresses (Jersey) Law 2012 (Appointed Day) Act 201-. P.43/2013.
Lodged: 20th March 2013.
Chief Minister.

14th May 2013

Code of Conduct for Elected Members: Commissioner for Standards. P.4/2013.
Lodged: 14th January 2013.
Privileges and Procedures Committee.

Draft Discrimination (Jersey) Law 201-. P.6/2013.
Lodged: 15th January 2013.
Minister for Social Security.

Parish Rates: the States' liability. P.40/2013.
Lodged: 20th March 2013.
Connétable of St. Helier.

Victoria and George V Cottage Homes (Repeal of General Principles). P.44/2013.
Lodged: 28th March 2013.
Minister for Housing.

Draft Procureurs du Bien Public (Terms of Office) (Jersey) Law 201-. P.45/2013.
Lodged: 2nd April 2013.
Comité des Connétables.

Manual Workers' Joint Council: Employers' Side membership. P.49/2013.
Lodged: 10th April 2013.
States Employment Board.

4th June 2013

Committee of Inquiry: costs for local businesses. P.31/2013.
Lodged: 25th February 2013.
Senator A. Breckon.

Ratification of the Agreement between the Government of Jersey and the P.46/2013.
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.
Chief Minister.



- 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. P.47/2013.
Lodged: 3rd April 2013.
Chief Minister.
- Draft Unlawful Public Entertainments (Jersey) Regulations 201-. P.48/2013.
Lodged: 8th April 2013.
Minister for Home Affairs.
- * Draft Taxation (Accounting Records) (Jersey) Regulations 201-. P.50/2013.
Lodged: 15th April 2013.
Chief Minister.

M.N. DE LA HAYE
Greffier of the States

15th April 2013

An asterix * in the left-hand margin denotes either a new item added to this Order Paper since the principal Order Paper was published on 11th April 2013, or an item which has been moved.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.48/2013.

This Order replaces the Community Provisions (Restrictive Measures – North Korea) (Jersey) Order 2007 with equivalent provisions recast in line with practice on other sanctions Orders. It also updates the provisions to include giving effect to Council Regulation (EU) No. 296/2013 of 26 March 2013 amending Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea. The amendments are extensive and include the following. They add items to the Annex 1a list of items contributing to North Korea's relevant programmes. They extend the prohibition on trading, to cover certain key components for the ballistic-missile sector listed in a new Annex 1b. They extend the prohibitions on assistance, to cover brokering services and Annex 1b items. They add a new prohibition on trade, technical assistance, brokering services, financing and financial assistance related to gold, precious metals and diamonds as listed in a new Annex VII. They add new prohibitions related to supplying new North Korean banknotes and coinage, to credit and financial institutions opening offices in North Korea, and to establishing joint ventures with North Korean domiciled credit and financial institutions or authorizing their operations in Jersey. They broaden the potential scope of the Annex V list of persons whose funds are frozen (but do not actually amend the list). They prohibit sale and purchase (and related assistance) in relation to certain public bonds. They prohibit satisfaction of certain claims related to the restrictive measures.

The Order was made on 12th April 2013 and came into force on 13th April 2013.

R&O.49/2013.

This Order increases the fees for residents parking permits and a business parking permit by 10%. The fees were last increased on 1st May 2012.

The Order was made on 12th April 2013 and comes into force on 1st May 2013.