

STATES OF JERSEY ORDER PAPER

Tuesday 31st January 2006

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Education (Governing Bodies) (Jersey) Order 2006. R&O 2/2006.
Minister for Education, Sport and Culture.

Collective Investment Funds (Permit Fees) (Jersey) Order 2006. R&O 4/2006.
Minister for Economic Development.

Collective Investment Funds (Unclassified Funds) (Prospectuses)
(Amendment No. 4) (Jersey) Order 2006. R&O 5/2006.
Minister for Economic Development.

Companies (Fees) (Jersey) Order 2006. R&O 6/2006.
Minister for Economic Development.

Insurance Business (General Provisions) (Amendment No. 5)
(Jersey) Order 2006. R&O 7/2006.
Minister for Economic Development.

Island Planning (Fees) (Jersey) Order 2006. R&O 8/2006.
Minister for Planning and Environment.

Building Bye-Laws (Amendment) (Jersey) 2006. R&O 9/2006.
Minister for Planning and Environment.

C. DOCUMENTS PRESENTED OR LAID

States of Jersey Law 2005: delegation of functions – Economic
Development. R.3/2006.
Presented: 24th January 2006.
Minister for Economic Development.

States of Jersey Law 2005: delegation of functions – Economic
Development – delegated powers to Assistant Ministers. R.4/2006.
Presented: 27th January 2006.
Minister for Economic Development.

States of Jersey Law 2005: delegation of functions – Planning and
Environment. R.5/2006.
Presented: 27th January 2006.
Minister for Planning and Environment.

States of Jersey Law 2005: delegation of functions – Home Affairs. R.6/2006.
Presented: 27th January 2006.
Minister for Home Affairs.

States of Jersey Law 2005: delegation of functions – Housing – Population Office. R.7/2006.
Presented: 27th January 2006.
Minister for Housing.

States of Jersey Law 2005: delegation of functions – land and property transactions. R.8/2006.
Presented: 27th January 2006.
Minister for Treasury and Resources.

States of Jersey Law 2005: delegation of functions – Public Finances (Administration) (Jersey) Law 1967 – reconfirmation of delegations. R.9/2006.
Presented: 27th January 2006.
Minister for Treasury and Resources.

States of Jersey Law 2005: delegation of functions – Treasurer of the States. R.10/2006.
Presented: 27th January 2006.
Minister for Treasury and Resources.

Speeding fines: allocation of funds to Parishes (P.156/2005) – amendment (P.156/2005 Amd.)– comments. P.156/2005.
Presented: 27th January 2006. Amd.Com.
Minister for Treasury and Resources.

D. NOTIFICATION OF LODGED PROPOSITIONS

Draft Administrative Decisions (Review) (Amendment No. 2) (Jersey) Law 200- (P.195/2005): amendment. P.195/2005.
Lodged: 20th January 2006. Amd.
Deputy of St. Martin.

E. WITHDRAWAL OF LODGED PROPOSITIONS

In accordance with Standing Order 34(1), the proposers of the following propositions lodged “au Greffe” have informed the Greffier of the States that they are to be withdrawn –

Draft Criminal Justice (Miscellaneous Provisions) (No. 2) (Jersey) Law 200 . P.197/2005.
Lodged: 13th September 2005.
Minister for Home Affairs, (formerly the Home Affairs Committee).

Draft Employment Relations (Amendment) (Jersey) Law 200-. P.271/2005.
Lodged: 15th November 2005.
Deputy G.P. Southern of St. Helier.

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions (attached)

The Chief Minister will table an answer to a question asked by Senator J.L. Perchard regarding the delegation of ministerial responsibilities and their reporting under Article 30 of the States of Jersey Law 2005.

The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding Health Insurance Exemption income allowances and Invalidity Benefits.

The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the Island's ferry services.

The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the provision of school milk.

(b) – Oral Questions

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

“In R.C.56/2005 regarding ‘*Parish Rates: the States’ liability*’, the former Finance and Economics Committee identified that ‘*there is a strong argument that the States should pay rates*’, there was an unfair burden on several Parishes at the present time, and that the issue should be addressed as a priority with ‘*firm recommendations*’ being made in 2006; would the Minister indicate what progress, if any, is being made?”

The Connétable of Grouville will ask the following question of the Minister for Health and Social Services –

“When was the last time that the Minister met with ACET and Brook and what plans does he have, if any, for further consultations with these charities?”

Senator L. Norman will ask the following question of the Chief Minister –

“Following the provision of hotel accommodation for a recent strategy meeting of the Council of Ministers, are there any further facilities to be provided to Ministers, such as fully equipped offices within their respective Departments and, if so, what costs are involved, if any, and how will these be met?”

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

“What steps, if any, is the Chief Minister taking to ensure that responses to consultations conducted by all ministerial departments, through whatever bodies, are made available to the Scrutiny Panels?”

Senator L. Norman will ask the following question of the Minister for Transport and Technical Services –

“Would the Minister advise members whether he will take account of the level of public opinion against his proposal to re-introduce barriers in public car parks and, if so, what influence is public opinion having, if any, on other decisions he is making?”

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

“Is the Minister undertaking any work to examine any fresh evidence, either on health or economic grounds, as part of a review of the decision of the former Economic Development Committee to withdraw funding for school milk and is he aware of the grounds that lay behind the former Committee’s decision?”

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

“Would the Minister inform members what targets exist, if any, for the expeditious handling of discipline cases within the Department, and whether overtime and bonus payments, in addition to the normal salary, continue to be paid to a suspended member of staff and, if so, the reasons why?”

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

“Will the Minister inform members what detailed progress, if any, has been made during the development of the income support scheme to decide what aspects of housing benefits will be included in the scheme?”

Deputy R.G. Le Hérisssier of St. Saviour will ask the following question of the Minister for Housing –

“Will the Minister be bringing legislation to the States for the protection of tenants’ deposits and, if so, when?”

(c) – Questions to Ministers without notice -
(rota attached)

1st question period – Minister for Education Sport and Culture.

2nd question period – Minister for Health and Social Services.

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Speeding fines: allocation of funds to Parishes. Lodged: 20th July 2005. <i>Deputy of St. Martin.</i>	P.156/2005.
Speeding fines: allocation of funds to Parishes (P.156/2005) – comments. Presented: 27th September 2005. <i>Minister for Treasury and Resource, (formerly the Finance and Economics Committee).</i>	P.156/2005. Com.
Speeding fines: allocation of funds to Parishes (P.156/2005) – comments. Presented: 27th September 2005. <i>Minister for Home Affairs, (formerly the Home Affairs Committee).</i>	P.156/2005. Com.(2)
Speeding fines: allocation of funds to Parishes (P.156/2005) – comments – addendum. Presented: 18th October 2005. <i>Minister for Home Affairs, (formerly the Home Affairs Committee).</i>	P.156/2005. Com.(2) Add.
Speeding fines: allocation of funds to Parishes (P.156/2005) – amendment. Lodged: 16th January 2006. <i>Comité des Connétables.</i>	P.156/2005. Amd.
Speeding fines: allocation of funds to Parishes (P.156/2005) – amendment (P.156/2005 Amd.)– comments. Presented: 27th January 2006. <i>Minister for Treasury and Resources.</i>	P.156/2005. Amd.Com.
Draft Sexual Offences (Jersey) Law 200-. Lodged: 13th September 2005. <i>Minister for Home Affairs, (formerly the Home Affairs Committee).</i> <i>(debate suspended on 18.01.06 and item referred to Scrutiny under S.O. 79(i)).</i>	P.196/2005.
Draft Telecommunications (Amendment) (Jersey) Law 200-. Lodged: 1st November 2005. <i>Minister for Economic Development, (formerly the Economic Development Committee).</i>	P.257/2005.
Draft Police Procedures and Criminal Evidence (Jersey) Law 2003 (Appointed Day) (No. 3) Act 200. Lodged: 15th November 2005. <i>Minister for Home Affairs, (formerly the Home Affairs Committee).</i>	P.267/2005.
Draft Dogs (Amendment No. 3) (Jersey) Law 200. Lodged: 12th December 2005. <i>Comité des Connétables.</i>	P.280/2005
Draft Companies (Amendment No. 1) (Jersey) Regulations 200. Lodged: 17th January 2006. <i>Minister for Economic Development.</i>	P.4/2006.

Draft Companies (Amendment No. 8) (Jersey) Law 2005 (Appointed Day) Act 200-. P.3/2006.
Lodged: 13th January 2006.
Minister for Economic Development.

M. ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

14th February 2006

Draft Administrative Decisions (Review) (Amendment No. 2) P.195/2005.
(Jersey) Law 200 -.
Lodged: 13th September 2005.
Privileges and Procedures Committee.

Draft Administrative Decisions (Review) (Amendment No. 2) P.195/2005.
(Jersey) Law 200- (P.195/2005): amendment. Amd.
Lodged: 20th January 2006.
Deputy of St. Martin.

Private hospital development: Scrutiny Review. P.221/2005.
Lodged: 6th October 2005.
Deputy P.V.F. Le Claire of St. Helier, (formerly in the name of Senator P.V.F. Le Claire), and referred to the Council of Ministers, and the Ministers for Economic Development and Health and Social Services, (formerly the Policy and Resources, the Economic Development and the Health and Social Services Committees).

Draft Employment (Minimum Wage) (Amendment) (Jersey) P.282/2005.
Regulations 200-.
Lodged: 29th December 2005.
Minister for Social Security.

28th February 2006

Cigarette lighter refill canisters: sale to minors. P.218/2005.
Lodged: 5th October 2005.
Deputy G.P. Southern of St. Helier.

Draft Public Elections (Jersey) Law 2002 (Appointed Day) (No. 2) P.1/2006
Act 200-.
Lodged: 13th January 2006.
Privileges and Procedures Committee.

Draft Public Elections (Amendment) (Jersey) Regulations 200-. P.2/2006.
Lodged: 13th January 2006.
Privileges and Procedures Committee.

14th March 2006

Strategic Travel and Transport Plan. P.174/2005.
Lodged: 30th August 2005.
Minister for Transport and Technical Services, (formerly the Environment and Public Services Committee).

Strategic Travel and Transport Plan (P.174/2005): comments. Presented: 27th September 2005. <i>Minister for Treasury and Resources, (formerly the Finance and Economics Committee).</i>	P.174/2005. Com.
Strategic Travel and Transport Plan (P.174/2005): amendment. Lodged: 13th September 2005. <i>Deputy R.G. Le Hérisssier of St. Saviour.</i>	P.174/2005. Amd.
Strategic Travel and Transport Plan (P.174/2005): amendment (P.174/2005 Amd.) – comments. Presented: 27th September 2005. <i>Minister for Transport and Technical Services, (formerly the Environment and Public Services Committee).</i>	P.174/2005. Amd.Com.
Employment legislation: petition. Lodged: 4th October 2005. <i>Deputy G.P. Southern of St. Helier.</i>	P.214/2005.
Employment legislation: petition (P.214/2005) – comments. Presented: 11th January 2006. <i>Minister for Social Security.</i>	P.214/2005. Com.
Composting facilities. Lodged: 1st November 2005. <i>Deputy P.V.F. Le Claire of St. Helier, (formerly in the name of Senator P.V.F. Le Claire), and referred to the Ministers for Health and Social Services, Planning and Environment, and Transport and Technical Services, (formerly the Health and Social Services and the Environment and Public Services Committees).</i>	P.258/2005.
Composting facilities (P.258/2005): comments. Presented: 19th December 2005. <i>Comité des Connétables.</i>	P.258/2005. Com.
Draft Taxation (United States of America) (Jersey) Regulations 200-. Lodged: 8th November 2005. <i>Chief Minister, (formerly the Policy and Resources Committee).</i>	P.264/2005.
<u>28th March 2006</u>	
Draft Employment (Amendment No. 2) (Jersey) Law 200-. Lodged: 15th November 2005. <i>Deputy G.P. Southern of St. Helier.</i>	P.270/2005.
Draft Employment (Amendment No. 2) (Jersey) Law 200- (P.270/2005): comments. Presented: 17th January 2006. <i>Minister for Social Security.</i>	P.270/2005. Com.
<u>11th April 2006</u>	
Draft Water Resources (Jersey) Law 200-. Lodged: 27th September 2005. <i>Minister for Planning and Environment, (formerly the Environment and Public Services Committee).</i>	P.206/2005.

Draft Water Resources (Jersey) Law 200- (P.206/2005): comments. P.206/2005.
Presented: 1st November 2005. Com.
*Minister for Economic Development, (formerly the Economic
Development Committee).*

Draft Water Resources (Jersey) Law 200- (P.206/2005): amendment. P.206/2005.
Lodged: 25th October 2005. Amd.
Deputy R.C. Duhamel of St. Saviour.

Draft Water Resources (Jersey) Law 200- (P.206/2005): amendments P.206/2005.
(P.206/2005 Amd.)– comments. Amd.Com.
Presented: 22nd November 2005.
*Minister for Planning and Environment, (formerly the Environment and
Public Services Committee).*

Draft Water Resources (Jersey) Law 200- (P.206/2005): second P.206/2005.
amendments. Amd.(2)
Lodged: 1st November 2005.
Deputy P.N. Troy of St. Brelade.

Draft Water Resources (Jersey) Law 200- (P.206/2005): second P.206/2005.
amendments (P.206/2005 Amd.(2))– comments. Amd.(2) Com.
Presented: 29th November 2005.
*Minister for Planning and Environment, (formerly the Environment and
Public Services Committee).*

25th April 2006

Criminal Justice Policy. P.201/2005.
Lodged: 20th September 2005.
Minister for Home Affairs, (formerly the Home Affairs Committee).

Criminal Justice Policy (P.201/2005): comments. P.201/2005.
Presented: 25th October 2005. Com.
*Minister for Treasury and Resources, (formerly the Finance and
Economics Committee).*

9th May 2006

16th May 2006

Milk Subsidy for Delivery to Special Classes. P.145/2005.
Lodged: 5th July 2005.
*Deputy G.P. Southern of St. Helier, and referred to the Ministers for
Economic Development and Social Security, (formerly the Economic
Development and the Employment and Social Security Committees).*

23rd May 2006

6th June 2006

Senators and Deputies: terms of office. P.227/2004.
Lodged: 14th December 2004.
*Deputy A. Breckon.
(debate commenced and States adopted move to next item of public
business on 1st Feb 2005)*

Senators and Deputies: terms of office (P.227/2004) – comments.
Presented: 18th January 2005.
Presented by the Minister for Treasury and Resources, (formerly the Finance and Economics Committee).

P.227/2004.
Com.

Housing Trading Organisation: establishment.
Lodged: 27th September 2005.
Minister for Housing, (formerly the Housing Committee).

P.211/2005

20th June 2006

4th July 2006

18th July 2006

Following a suggestion made at the last meeting of the States, the Chairman of the Privileges and Procedures Committee will propose that the States meet on Tuesday 4th April 2006, (and 5th and 6th April if necessary), and that the meeting scheduled for Tuesday 11th April 2006 be cancelled.

M.N. DE LA HAYE
Greffier of the States

26th January 2006

Note –

In accordance with a decision of the States on 25th October 2005, this meeting will continue, if necessary, on Wednesday 1st and Thursday 2nd February 2006.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O 2/2006

This Order amends Schedule 4 to the Education (Jersey) Law 1999. Schedule 4 provides for the constitution and functions of governing bodies of schools and the duty of a headteacher in relation to a school's governing body.

The Order alters the constitution of governing bodies, so that a governing body will cease to have a governor nominated by the Minister for Education, Sport and Culture. It also gives that Minister, or his or her nominee, the right to attend a meeting of a governing body.

The Order was made on 16th January 2006, and came into force on 23rd January 2006.

R&O 4/2006

This Order revokes and replaces the Collective Investment Funds (Permit Fees) (Jersey) Order 2002 with provisions that take account of cell companies. It does not change any fees.

The Order was made on 23rd January 2006, and comes into force in accordance with Article 8(2).

R&O 5/2006

This Order amends the Collective Investment Funds (Unclassified Funds) (Prospectuses) (Jersey) Order 1995 so that prospectuses in respect of funds that are cell companies or cells must contain a statement advising prospective investors to seek advice.

The Order was made on 23rd January 2006, and comes into force in accordance with Article 2(2).

R&O 6/2006

This Order revokes and replaces the present fees Order so that cell companies may be taken into account. No existing fees are altered.

The Order was made on 23rd January 2006, and comes into force in accordance with Article 6(2).

R&O 7/2006

The effect of this Order is to provide a new fee scale for Category B permits granted to cell companies or cells of cell companies. It also provides a fee for those permits in circumstances where a company registered under the Companies (Jersey) Law 1991 or a limited liability partnership registered under the Limited Liability Partnerships (Jersey) Law 1997 change that registration to that of a cell company or cell (and, in the case of a cell company, that fee can extend to the application by the first cell of that cell company for a Category B permit). There is also a fee for a permit where a cell company or a cell changes its registration to a company or a limited liability partnership.

The Order was made on 23rd January 2006, and comes into force in accordance with Article 2.

R&O 8/2006

This Order increases, by 7.8%, the fees in respect of applications for permission to develop land. The increases take effect on 1st February 2006. The fees were last increased on 1st January 2004. The increases reflect the cost of living increases for 2004 and 2005 and the new cost of advertising applications in the Gazette.

The Order was made on 25th January 2006, and comes into force on 1st February 2006.

R&O 9/2006

These Bye-laws amend bye-law 15 of the Building Bye-laws (Jersey) 2004, by replacing the standard for accreditation in the definition of "competent person". They amend a cross-reference in Schedule 1 and replace Schedule 4 which specifies fees for different applications made under the Building Bye-laws.

The increase in the fees is the cumulative total of the following cost of living percentage increases: (a) the 4.8% increase for 2004; and (b) the 3.6% increase for 2005. The fees were last increased on 1st January 2004.

These Bye-laws were made on 25th January 2006, and will come into force on 1st February 2006.

WRITTEN QUESTIONS

(See Item I(a))

The Chief Minister will table an answer to the following question asked by Senator J.L. Perchard –

“Would the Chief Minister inform members-

- (a) what remit or specific areas of responsibility have been assigned to the thirteen Assistant Ministers within the executive.
- (b) when he will be publishing the full list of ministerial responsibilities as required by Article 30 of the States of Jersey Law 2005?
- (c) how the list will be published and, in particular, how the States will be informed in the future of any amendments to the list, particularly in relation to the functions of the Assistant Ministers?”

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

“Would the Minister inform members –

- (a) whether, in October 2005, Health Insurance Exemption (HIE) income allowances were up-rated in line with the RPI (3.6%) whereas Invalidity Benefits were increased in line with the average earnings index (5.3%), and whether this resulted in a number of recipients being rendered ineligible for HIE?
- (b) whether this process has had any effect on those who have high medical costs due to their incapacity and, if so, to what extent?
- (c) of the figures for percentage increases in HIE income allowances and Invalidity benefits for the past 5 years? and,
- (d) what measures, if any, will the Minister take to ensure that the methods of increasing HIE income allowances and Invalidity Benefits outlined in (a) above are reviewed, or, if appropriate, amended –
 - (i) in the short-term under the current system?
 - (ii) in the long-term under the changes proposed in the income support scheme?”

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

“Would the Minister inform members –

- (a) what consideration, if any, has been given to the possibility of opening ferry services to the Island to a fresh tendering process? and,
- (b) what progress, if any, has there been in talks with his Guernsey counterpart regarding the possible adoption of a joint approach to ferry services on the southern route?”

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

“What consideration, if any, has been given to the former Economic Development Committee’s decision to withdraw funding for the provision of school milk?”

**ORAL QUESTIONS WITHOUT NOTICE
ROTA**

(See Item I(c))

First 15 minute period

Transport and Technical Services

Housing

Social Security

Home Affairs

Economic Development

Education Sport and Culture

Transport and Technical Services

Housing

Social Security

Home Affairs

Second 15 minute period

Chief Minister

Planning and Environment

Chief Minister

Treasury and Resources

Chief Minister

Health and Social Services

Chief Minister

Planning and Environment

Chief Minister

Treasury and Resources