



# STATES OF JERSEY ORDER PAPER

26th SEPTEMBER 2016

## SUMMARY

2.30 p.m.	Communications by the Presiding Officer and other announcements <i>Appointments, matters of privilege, petitions (if any)</i>
Approx. 2.40 p.m.	Summary of written questions
Up to 2 hours	Oral questions with notice <i>Urgent questions (if any)</i>
Up to 30 minutes, divided between the two Ministers	Oral questions without notice: <ul style="list-style-type: none"><li>• Minister for Economic Development, Tourism, Sport and Culture</li><li>• Minister for Housing</li></ul> <i>Statements (if any)</i>

-----

**27th September  
9.30 a.m.**

**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016)**

**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016) – amendment (P.68/2016 Amd.(re-issue)) (Teachers' Terms  
and Conditions)**

**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016) – second amendment (P.68/2016 Amd.(2)(re-issue 2))  
(Statistics Unit)**

**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016) – third amendment (P.68/2016 Amd.(3)) (Social Security  
Contributions)**

**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016) – fourth amendment (P.68/2016 Amd.(4)) (Nursery  
Education Fund)**

**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016) – fifth amendment (P.68/2016 Amd.(5)) (Waste Charges)**

**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016) – fifth amendment (P.68/2016 Amd.(5)) – amendment  
(P.68/2016 Amd.(5)Amd.)**

**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016) – sixth amendment (P.68/2016 Amd.(6)) (Public Sector  
Pensions)**

**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016) – seventh amendment (P.68/2016 Amd.(7)) (Jërriais)**



**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016) – eighth amendment (P.68/2016 Amd.(8)) (Vacancy Rate)**

**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016) – ninth amendment (P.68/2016 Amd.(9)) (Tax Review)**

**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016) – ninth amendment (P.68/2016 Amd.(9)) – amendment  
(P.68/2016 Amd.(9)Amd.)**

**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016) – tenth amendment (P.68/2016 Amd.(10)) (St. Brelade's  
Bay)**

**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016) – eleventh amendment (P.68/2016 Amd.(11)) (Water Rates)**

**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016) – eleventh amendment (P.68/2016 Amd.(11)) –  
amendment (P.68/2016 Amd.(11)Amd.)**

**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016) – twelfth amendment (P.68/2016 Amd.(12)) (Health  
Charge)**

**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016) – thirteenth amendment (P.68/2016 Amd.(13)) (Jèrriais)**

**Draft Medium Term Financial Plan Addition for 2017 – 2019  
(P.68/2016) – thirteenth amendment (P.68/2016 Amd.(13)) –  
amendment (P.68/2016 Amd.(13)Amd.)**

**Draft Health Insurance Fund (Miscellaneous Provisions)  
(Amendment No. 2) (Jersey) Law 201- (P.82/2016)**

**Draft Health Insurance Fund (Miscellaneous Provisions)  
(Amendment No. 2) (Jersey) Law 201- (P.82/2016): amendment  
(P.82/2016Amd.)**

**Draft Food Costs Bonus (Jersey) Regulations 201- (P.83/2016)**

**Draft Income Support (Special Payments) (Christmas Bonus)  
(Jersey) Regulations 201- (P.84/2016)**

**Draft Social Security (Christmas Bonus) (Jersey) Regulations 201-  
(P.85/2016)**

Arrangement of public business at subsequent sittings

*The Assembly will convene at 9.30 a.m. on 27th September 2016 to consider public business.*

*Lunch adjournment likely around 12.45 p.m., until 2.15 p.m.*

*If business is not completed by around 5.30 p.m. the Assembly usually adjourns for the evening and will resume its meeting at 9.30 a.m. on Wednesday 28th and Thursday 29th September 2016 if necessary.*



# STATES OF JERSEY ORDER PAPER

26th SEPTEMBER 2016

## A. COMMUNICATIONS BY THE PRESIDING OFFICER

## B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

Motor Traffic (Public Service Vehicles (Conditions of Fitness)) (Amendment No. 2) (Jersey) Order 2016. R&O.94/2016.  
*Minister for Infrastructure*

Motor Traffic (Taxi-Cabs – General) (Amendment) (Jersey) Order 2016. R&O.95/2016.  
*Minister for Infrastructure*

## C. DOCUMENTS PRESENTED

Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – comments. P.68/2016.  
Presented: 21st September 2016, *Environment, Housing and Infrastructure Scrutiny Panel*. Com.

The Environment in Figures: A report on the condition of Jersey's environment 2011–2015. R.92/2016.  
Presented: 16th September 2016, *Minister for the Environment*.

Jersey Innovation Fund: Annual Report 2015. R.93/2016.  
Presented: 21st September 2016, *Chief Minister*.

Andium Homes Ltd.: appointment of Tenant Representative Non-Executive Director. R.94/2016.  
Presented: 21st September 2016, *Minister for Treasury and Resources*.

Management Information in Education. R.95/2016.  
Presented: 22nd September 2016, *Comptroller and Auditor General*.

## D. NOTIFICATION OF LODGED PROPOSITIONS

Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – fifth amendment (P.68/2016 Amd.(5)) – amendment. P.68/2016.  
Lodged: 20th September 2016, *Council of Ministers*. Amd.(5)  
Amd.

Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – ninth amendment (P.68/2016 Amd.(9)) – amendment. P.68/2016.  
Lodged: 21st September 2016, *Deputy G.P. Southern of St. Helier*. Amd.(9)  
Amd.

Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – eleventh amendment (P.68/2016 Amd.(11)) – amendment. P.68/2016.  
Lodged: 20th September 2016, *Deputy K.C. Lewis of St. Saviour*. Amd.(11)  
Amd.

Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – thirteenth amendment (P.68/2016 Amd.(13)) – amendment. P.68/2016.  
Lodged: 20th September 2016, *Senator P.F.C. Ozouf*. Amd.(13)  
Amd.



Ministerial Government: referendum. P.94/2016.  
Lodged: 16th September 2016, *Deputy J.A. Martin of St. Helier*.

Draft Limited Liability Partnerships (Jersey) Law 201-. P.95/2016.  
Lodged: 19th September 2016, *Chief Minister*.

Antarctic Act 2013: extension of sections 14, 15 and 16 to Jersey by Order in P.96/2016.  
Council.  
Lodged: 20th September 2016, *Chief Minister*.

Public Elections: polling cards and accessibility of polling stations. P.97/2016.  
Lodged: 22nd September 2016, *Deputy S.Y. Mézec of St. Helier*.

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

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

## **G. MATTERS OF PRIVILEGE**

## **H. PETITIONS**

## **I. QUESTIONS**

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

- 9605 1. The Minister for Health and Social Services will table an answer to a question asked by Deputy A.D. Lewis of St. Helier regarding the treatment of stroke patients.
- 9606 2. The Minister for the Environment will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding planning applications for urban developments.
- 9607 3. The Minister for Economic Development, Tourism, Sport and Culture will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the reduction of the administrative burden on the Island's businesses.
- 9608 4. The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the pilot study to determine the feasibility of establishing a central electoral register.
- 9609 5. The Minister for Infrastructure will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding improvement works at the junction of Les Varines and Longueville Road.
- 9610 6. The Minister for Treasury and Resources will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour of the potential revival of the Starter Home Deposit Loan Scheme.
- 9611 7. The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by the Deputy of St. John regarding the status of propositions approved by the States Assembly.



- 9612 8. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. John regarding work on the Income Support and Tax systems to provide incentives for people to return to work.
- 9613 9. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. John regarding potential problems regarding the prior year basis of Income Tax payment for taxpayers nearing retirement.
- 9614 10. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding pay provisions contained in the MTFP Addition.
- 9615 11. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the potential impact of revised economic assumptions on the delivery of efficiency savings on return to work schemes.
- 9616 12. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the Department's use of agency workers.
- 9618 13. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding plans contained in the MTFP Addition for departmental user-pays charges.
- 9619 14. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the terminology of the proposed health charge.

**(b) – Oral Questions**

(120 minutes)

- 9622 1. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –
- “How many people aged over 65 depend on a partial or full States pension combined with Income Support for their total income, how many such people in receipt of a partial or full States pension combined with Income Support also have a private or occupational pension, and what measures, if any, is the Department considering in conjunction with the Treasury and Resources Department to increase the availability of occupational pensions?”
- 9626 2. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for Infrastructure –
- “Following the recent fatal accident near Millennium Park, what measures will the Minister take across the Island to improve road safety for children and other pedestrians, particularly around parks and schools?”
- 9617 3. The Deputy of Grouville will ask the following question of the Chief Minister –
- “When will ‘grandfathered’ rights be given to European Union nationals living in the Island, as the Chief Minister announced post-Brexit, and under what criteria?”
- 9621 4. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Education –
- “What increases in fees, if any, have occurred in the last year for people wishing to re-sit GCSEs, when did those increases take effect, and, if there were such increases, what consultation and assessment, if any, was undertaken in respect of the potential impact on the uptake of re-sits?”



- 9628 5. Deputy S.Y. Mézec of St. Helier will ask the following question of the Minister for Social Security –
- “What support, if any, is available for Islanders below the age of 25 who, because of suffering from a mental illness, are not able to work and have not been able to work since leaving education and have therefore not paid any Social Security contributions?”
- 9624 6. Deputy R. Labey of St. Helier will ask the following question of the Minister for External Relations –
- “What advice from the Channel Islands Brussels Office, or from other expert sources, has the Minister received about the impact on Jersey of the potential loss by financial services based in the City of London of ‘passporting’ rights into the EU, and what measures, if any, will he take to bolster confidence in Jersey’s financial services industry?”
- 9630 7. The Connétable of St. Helier will ask the following question of the Chief Minister –
- “What assessment, if any, will the Council of Ministers undertake of the report ‘The Environment in Figures: A report on the condition of Jersey’s environment 2011-2015’ (R.92/2016) and the Council’s fulfilment of the environmental goals set out in the Strategic Plan, and what action, if any, will the Chief Minister take to ensure any improvements required are made in order to achieve those goals?”
- 9625 8. Deputy R. Labey of St. Helier will ask the following question of the Minister for Health and Social Services –
- “Does the Minister receive regular information on how much income the Department’s consultants make from private practice, and can the Minister advise who pays for the administrative support provided to those consultants, such as patient contact and the booking of clinics and theatres?”
- 9629 9. Deputy S.Y. Mézec of St. Helier will ask the following question of the Minister for Social Security –
- “Given the conclusion of ‘Living on Low Income’ (S.R.4/2016) that the decision to abolish the single parent component of Income Support was "unsound", what measures, if any, has the Minister taken to improve the decision-making processes with which she is involved?”
- 9623 10. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –
- “Will the Chief Minister inform members whether the States Employment Board has refused to accept arbitration to resolve the 2015 / 2016 pay dispute with civil service representatives and, if so, explain why, and will he further state what action, if any, will be taken to ensure that a productive process for pay talks is put in place for 2017?”
- 9620 11. The Deputy of Grouville will ask the following question of the Chief Minister –
- “Given the Chief Minister’s announcement that the rights of EU Nationals currently resident in the Island would be ‘grandfathered’, what reciprocal rights, if any, will the Chief Minister seek at post-Brexit negotiations for Jersey residents, especially those Islanders with a stamp in their passports denying them an automatic right to work in the European Union?”
- 9631 12. The Connétable of St. Helier will ask the following question of the Minister for the Environment –
- “Given the Minister’s statement in the report ‘The Environment in Figures: A report on the condition of Jersey’s environment 2011-2015’ (R.92/2016) that “it is a matter of concern that this



report is not more positive”, what steps, if any, will the Minister take to improve levels of environmental protection and enhancement in the remaining period of this Council of Ministers?”

- 9632 13. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Social Security –

“Will the Minister advise Members of the average time taken for redeterminations and appeals against decisions made by the Department to be completed, and will she state what is considered to be a reasonable time frame for redeterminations and appeals to be addressed?”

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

1st question period – Minister for Economic Development, Tourism, Sport and Culture

2nd question period – Minister for Housing

**J. PERSONAL STATEMENTS**

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

**L. PUBLIC BUSINESS**

<b>Draft Medium Term Financial Plan Addition for 2017 – 2019.</b> Lodged: 30th June 2016, <i>Council of Ministers.</i>	P.68/2016.
Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016): addendum (Annex to the MTFP Addition). Presented: 5th July 2016, <i>Council of Ministers.</i>	P.68/2016. Add.
Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016): second addendum (Distributional analysis of the MTFP proposals). Presented: 5th July 2016, <i>Council of Ministers.</i>	P.68/2016. Add.(2)
Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016): third addendum (IFG Income Tax Forecast note – May 2016). Presented: 5th July 2016, <i>Council of Ministers.</i>	P.68/2016. Add.(3)
Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – comments. Presented: 21st September 2016, <i>Environment, Housing and Infrastructure Scrutiny Panel.</i>	P.68/2016. Com.
<b>Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – amendment.</b> Lodged: 30th August 2016, <i>Deputy G.P. Southern of St. Helier.</i>	P.68/2016. Amd. (re-issue)
<b>Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – second amendment.</b> Lodged: 30th August 2016, <i>Deputy G.P. Southern of St. Helier.</i>	P.68/2016. Amd.(2) (re-issue 2)
<b>Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – third amendment.</b> Lodged: 12th September 2016, <i>Deputy G.P. Southern of St. Helier.</i>	P.68/2016. Amd.(3)



<b>Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – fourth amendment.</b> Lodged: 12th September 2016, <i>Deputy J.A.N. Le Fondré of St. Lawrence.</i>	P.68/2016. Amd.(4)
<b>Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – fifth amendment.</b> Lodged: 13th September 2016 <i>Deputy J.A.N. Le Fondré of St. Lawrence.</i>	P.68/2016. Amd.(5) (re-issue)
<b>Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – fifth amendment (P.68/2016 Amd.(5)) – amendment.</b> Lodged: 20th September 2016, <i>Council of Ministers.</i>	P.68/2016. Amd.(5) Amd.
<b>Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – sixth amendment.</b> Lodged: 13th September 2016, <i>Deputy J.A.N. Le Fondré of St. Lawrence.</i>	P.68/2016. Amd.(6)
<b>Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – seventh amendment.</b> Lodged: 13th September 2016, <i>Deputy M. Tadier of St. Brelade.</i>	P.68/2016. Amd.(7)
<b>Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – eighth amendment.</b> Lodged: 13th September 2016, <i>Corporate Services Scrutiny Panel.</i>	P.68/2016. Amd.(8)
<b>Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – ninth amendment.</b> Lodged: 13th September 2016, <i>Senator S.C. Ferguson.</i>	P.68/2016. Amd.(9) (re-issue)
<b>Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – ninth amendment (P.68/2016 Amd.(9)) – amendment.</b> Lodged: 21st September 2016, <i>Deputy G.P. Southern of St. Helier.</i>	P.68/2016. Amd.(9) Amd.
<b>Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – tenth amendment.</b> Lodged: 13th September 2016, <i>Senator S.C. Ferguson.</i>	P.68/2016. Amd.(10)
<b>Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – eleventh amendment.</b> Lodged: 13th September 2016, <i>Deputy K.C. Lewis of St. Saviour.</i>	P.68/2016. Amd.(11)
<b>Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – eleventh amendment (P.68/2016 Amd.(11)) – amendment.</b> Lodged: 20th September 2016, <i>Deputy K.C. Lewis of St. Saviour.</i>	P.68/2016. Amd.(11) Amd.
<b>Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – twelfth amendment.</b> Lodged: 13th September 2016, <i>Deputy S.Y. Mézec of St. Helier.</i>	P.68/2016. Amd.(12)
<b>Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – thirteenth amendment.</b> Lodged: 13th September 2016, <i>Connétable of St. Saviour.</i>	P.68/2016. Amd.(13)
<b>Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016) – thirteenth amendment (P.68/2016 Amd.(13)) – amendment.</b> Lodged: 20th September 2016, <i>Senator P.F.C. Ozouf.</i>	P.68/2016. Amd.(13) Amd.





**Draft Health Insurance Fund (Miscellaneous Provisions) (Amendment No. 2) (Jersey) Law 201-** P.82/2016.  
Lodged: 16th August 2016, *Minister for Social Security*.

**Draft Health Insurance Fund (Miscellaneous Provisions) (Amendment No. 2) (Jersey) Law 201- (P.82/2016): amendment.** P.82/2016.  
Lodged: 12th September 2016, *Deputy G.P. Southern of St. Helier*. Amd.

**Draft Food Costs Bonus (Jersey) Regulations 201-** P.83/2016.  
Lodged: 16th August 2016, *Minister for Social Security*.

**Draft Income Support (Special Payments) (Christmas Bonus) (Jersey) Regulations 201-** P.84/2016.  
Lodged: 16th August 2016, *Minister for Social Security*.

**Draft Social Security (Christmas Bonus) (Jersey) Regulations 201-** P.85/2016.  
Lodged: 16th August 2016, *Minister for Social Security*.

## M. ARRANGEMENT OF PUBLIC BUSINESS

### 11th October 2016

**Higher Education Funding.** R.51/2016.  
Presented: 10th May 2016, *Minister for Education*. (Consideration 'in Committee'.)

**Draft Price Indicators (Amendment No. 2) (Jersey) Regulations 201-** P.81/2016.  
Lodged: 8th August 2016, *Minister for Economic Development, Tourism, Sport and Culture*.

**Draft Commissioner for Standards (Jersey) Law 201-** P.87/2016.  
Lodged: 23rd August 2016, *Privileges and Procedures Committee*.

**Public Elections: introduction of STV and AV.** P.88/2016.  
Lodged: 24th August 2016, *Deputy M. Tadier of St. Brelade*.

**Draft Prison (Amendment No. 7) (Jersey) Law 201-** P.89/2016.  
Lodged: 30th August 2016, *Minister for Home Affairs*.

**Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Chile for the Exchange of Information on Tax Matters.** P.90/2016.  
Lodged: 30th August 2016, *Minister for External Relations*.

**Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Cyprus for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to taxes on income.** P.91/2016.  
Lodged: 30th August 2016, *Minister for External Relations*.

**States of Jersey Development Company Limited: appointment of Non-Executive Directors.** P.93/2016.  
Lodged: 7th September 2016, *Minister for Treasury and Resources*. (re-issue)

### 1st November 2016

**Bailiff of Jersey: cessation of dual role and the appointment of an elected Speaker of the States.** P.54/2016.  
Lodged: 24th May 2016, *Deputy M. Tadier of St. Brelade*.



Bailiff of Jersey: cessation of dual role and the appointment of an elected Speaker of the States (P.54/2016) – comments. Presented: 22nd June 2016, <i>Privileges and Procedures Committee</i> .	P.54/2016. Com.
Bailiff of Jersey: cessation of dual role and the appointment of an elected Speaker of the States (P.54/2016) – comments. Presented: 27th June 2016, <i>H.M. Attorney General</i> .	P.54/2016. Com.(2)
<b>Ministerial Government: referendum.</b> Lodged: 16th September 2016, <i>Deputy J.A. Martin of St. Helier</i> .	P.94/2016.
<b>Draft Limited Liability Partnerships (Jersey) Law 201-</b> Lodged: 19th September 2016, <i>Chief Minister</i> .	P.95/2016.
<b>Antarctic Act 2013: extension of sections 14, 15 and 16 to Jersey by Order in Council.</b> Lodged: 20th September 2016, <i>Chief Minister</i> .	P.96/2016.
<b>Public Elections: polling cards and accessibility of polling stations.</b> Lodged: 22nd September 2016, <i>Deputy S.Y. Mézec of St. Helier</i> .	P.97/2016.
<b><u>15th November 2016</u></b>	
<b>Draft Jersey Appointments Commission (Miscellaneous Amendments) (Jersey) Law 201-</b> Lodged: 19th May 2016, <i>States Employment Board</i> .	P.50/2016.
<b>Zero-hours contracts.</b> Lodged: 1st September 2016, <i>Deputy S.Y. Mézec of St. Helier</i> .	P.92/2016.
<b><u>29th November 2016</u></b>	
<b>Draft International Criminal Court (Immunities and Privileges) (Jersey) Regulations 201-</b> Lodged: 22nd July 2016, <i>Chief Minister</i> .	P.72/2016.
<b>Draft International Criminal Court (Remand Time) (Jersey) Regulations 201-</b> Lodged: 22nd July 2016, <i>Chief Minister</i> .	P.73/2016.

**DR. M. EGAN**  
**Greffier of the States**

21st September 2016

**Note –**

**In accordance with the meeting dates fixed for 2016 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Tuesday 27th, Wednesday 28th and Thursday 29th September 2016.**



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

(See Item B)

### **R&O.94/2016.**

Motor Traffic (Public Service Vehicles (Conditions of Fitness)) (Amendment No. 2) (Jersey) Order 2016.

This Order prescribes conditions of fitness to be met by taxis and the equipment to be carried by them in order to qualify for a certificate of fitness under Article 7 of the Motor Traffic (Jersey) Law 1935 (“1935 Law”). The conditions are prescribed by way of amendment to the Motor Traffic (Public Service Vehicles (Conditions of Fitness)) (Jersey) Order 2003 (“principal Order”). That Order currently sets out detailed conditions of fitness in respect of chars-à-bancs and omnibuses only.

*Article 1* is an interpretation provision which defines the principal Order.

*Article 2* defines “taxi” to mean a cab that is used or intended to be used to provide a cab service. “Cab” is defined in the 1935 Law to mean a motor vehicle being used to provide a cab service. A “cab service” is defined in that Law to mean “a service that consists of the carriage by motor vehicles of passengers for hire or reward under a contract expressed or implied for the use of the vehicle as a whole at a fixed rate or for an agreed sum”.

*Article 3* inserts a condition of fitness into the principal Order which applies to char-à-bancs and omnibuses so as to require them to display a notice on the exterior of the vehicle specifying the number of passengers that the vehicle is licensed to carry.

*Article 4* inserts a new Part in the principal Order relating to taxis. Conditions are specified with respect to a notice displaying the number of passengers which the vehicle is licensed to carry; a sign showing when the taxi is available for hire; taximeters and specifications for seats (including child booster seats).

The new Part also sets out specifications which apply if a vehicle is fitted with equipment for persons with a disability. Such specifications concern swivel cushions, caddie straps, door handybars, door threshold strips, and storage space for a wheelchair or a lightweight portable mobility scooter. If a taxi is fitted to meet all these specifications the taxi must also be designed so that its emissions do not exceed certain specifications depending on how many passengers it is licensed to carry. It must also have an airbag which can de-activated when the vehicle is carrying a dog trained to assist a blind person or person with another disability.

The new Part also sets out conditions which the vehicle must meet if it is constructed or converted specifically so that it can carry at least one person seated in his or her wheelchair when travelling.

*Article 5* renumbers an Article in the current Order consequentially on the insertion of the new Part relating to taxis.

*Article 6* sets out the title of the Order and provides that it will come into force 7 days after the day it is made.

The Order was made on 12th September 2016 and came into force on 19th September 2016.

### **R&O.95/2016.**

Motor Traffic (Taxi-Cabs – General) (Amendment) (Jersey) Order 2016.

This Order amends the Motor Traffic (Taxi-Cabs – General) (Jersey) Order 2002 (“principal Order” see *Article 1*).

*Article 2* amends 2 definitions in the principal Order. One is in respect of the term “controlled taxi-cab” which is defined to mean a cab which can use taxi ranks without restriction. The other is in respect of the term “restricted taxi-cab” which is defined to mean a cab which is licensed to have only restricted use of taxi ranks. This Order substitutes “taxi” for “controlled taxi-cab” and “private-hire cab” for “restricted



taxi-cab”. The amendments made by *Articles 3, 4, 5, 6 and 7* are consequential upon these changes. For the purposes of this note, “taxi” refers to both taxis and private-hire cabs.

*Article 2* also inserts a new definition in the principal Order. This defines “accessible standard” to mean either or both of (a) the requirements of Articles 26 to 32 of the Motor Traffic (Public Service Vehicles (Conditions of Fitness)) (Jersey) Order 2003 or (b) the requirements of Article 33 of that Order. Articles 26 to 32 set out conditions that must be met if a taxi is fitted for use by persons with a disability other than persons using a wheelchair. Article 33 sets out the conditions that must be met if a taxi is fitted so that it can be used by at least one person in a wheelchair.

*Article 4*, as well as making amendments consequential upon *Article 2*, amends the circumstances in which a private-hire cab can use a taxi rank. The amendments allow a private-hire cab to use a taxi rank (a) if the taxi rank indicates that it can be used by a private-hire cab at certain times and it is in use by the cab during those times or (b) in respect of any taxi rank, if it meets the accessible standard and displays a notice to that effect.

*Article 8* sets out the title of this Order and provides that it will come into force 7 days after being made. The Order was made on 12th September 2016 and came into force on 19th September 2016.



## WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Health and Social Services will table an answer to the following question asked by Deputy A.D. Lewis of St. Helier –

“Could the Minister provide information for 2010 and 2015 on the proportion of stroke patients in Jersey who:

- (a) Spend the majority of their hospital stay in a stroke unit;
- (b) Receive a brain scan within 12 hours of arriving in hospital; and
- (c) Receive clot-busting drugs?”

2. The Minister for the Environment will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –

“Would the Minister advise whether guidance is provided to applicants for urban developments on the circumstances where, although a development does not meet minimum standards for parking and amenity provision, permission may be granted if significantly more living space is provided than is required by the minimum standards?”

3. The Minister for Economic Development, Tourism, Sport and Culture will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –

“Would the Minister explain what measures, if any, he has taken since being appointed to reduce the administrative burden on businesses operating within the Island?”

4. The Chairman of the Privileges and Procedures Committee will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –

“Has the Committee completed the pilot study in which the Register of Names and Addresses was to be compared with the electoral register to determine the feasibility of establishing a central electoral register, and, if so, when will the results of the pilot study be published?”

5. The Minister for Infrastructure will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –

“Will the Minister provide a timeline for minor improvement works to be undertaken at the bottom of Les Varines at its junction with Longueville Road?”

6. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –

“Will the Minister revive the Deposit Loan Scheme, as initially introduced following the adoption of ‘Starter Home Deposit Loan Scheme’ (P.131/2012) and if not, why not?”

7. The Chairman of the Privileges and Procedures Committee will table an answer to the following question asked by the Deputy of St. John –



“Would the Chairman advise whether the Committee monitors the status of propositions previously approved by the Assembly and explain what the consequences are if an approved proposition is either ignored or if its effect is diluted upon implementation, and would he state how many propositions currently fall within those descriptions?”

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

“What work, if any, has the Department undertaken with the Department of Social Security to use the current Income Support and Tax systems to ensure that there are incentives in monetary terms for people to return to work?”

9. The Minister for Treasury and Resources will table an answer to the following question asked by the Deputy of St. John –

“Would the Minister provide details of the number of taxpayers paying on a current year basis and on a prior year basis, and explain what work, if any, has been done to resolve any problems that exist regarding the prior year basis model as it relates to taxpayers nearing retirement?”

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

“Will the Chief Minister advise Members of the following in relation to the pay provisions contained in the MTFP Addition:

- (a) How the figures for pay restraint efficiencies in the years 2016 to 2019 were determined and how these savings will be delivered;
- (b) What policy underpins the figures provided for pay awards in 2017 and the indicative pay provision figures for 2018 and 2019;
- (c) To what extent delivery of the MTFP Addition is dependent on continued wage restraint in relation to public sector workers; and
- (d) What analysis, if any, has been undertaken to assess the potential for wage restraint in the Department of Health and Social Services, given the potential impact developments in this area can have on maintaining and improving recruitment and retention?”

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

“Given that the Fiscal Policy Panel’s latest annual report, published in August 2016, revised central economic assumptions downwards with, in particular, employment growth estimated as 0% across 2017 to 2019, would the Minister advise what impact, if any, these revised forecasts might have on the delivery of efficiency savings on Return to Work schemes, explaining the rationale for the anticipated savings, and if there will be no impact, would the Minister explain why not?”

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

“Further to the response to Written Question 9584, will the Minister explain the following in relation to the Department’s use of agency workers:



- (a) Whether guidance applicable to zero-hours contracts (in particular, the provisions that there should be genuine variability of weekly hours and 6-monthly reviews) applies to the Department's use of agency workers who have zero-hours contracts but are who expected to work a 37-hour week;
  - (b) Why only 12 of 142 agency workers were engaged on 'projects' and how many of those engaged in other roles were temporary posts to cover absences, and how many were permanent posts;
  - (c) Why, in July 2016, one third of agency workers had been engaged for over 12 months and whether they had been offered permanent contracts with the Department and access to States terms and conditions, such as sick leave; and
  - (d) How the Department therefore meets best practice in its recruitment policies in respect of pension rights and sickness and holiday conditions?"
13. The Minister for Health and Social Services will table an answer to the following question asked by Deputy G.P. Southern –
- “Will the Minister provide Members with the details of plans to raise approximately £600,000 through user-pays charges over the three years covered by the MTFP Addition?”
14. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –
- “Will the Minister explain what link, if any, there will be between liability for the proposed 'health charge' and usage of the services it will fund and, if there is no discernible link, will he commit to referring henceforth to the 'charge' as a 'tax'?”



## ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

### Questions without notice 2016

<b>October 11th</b>	Infrastructure	Chief Minister
<b>November 1st</b>	Environment	Social Security
<b>November 15th</b>	External Relations	Chief Minister
<b>November 29th</b>	Home Affairs	Treasury and Resources
<b>December 13th</b>	Education	Chief Minister