



STATES OF JERSEY ORDER PAPER

17th NOVEMBER 2020

SUMMARY

- 9.30 a.m. Communications by the Presiding Officer and other announcements
- Appointments, matters of privilege, petitions
- Selection of the Minister for Children and Housing
- Approx. 10.00 a.m. Oral questions with notice
Up to 2 hours
- Urgent questions (if any)*
- Up to 30 minutes, divided between the two Ministers Oral questions without notice:
- Minister for Home Affairs
 - Minister for International Development
- Statements (if any)*
- Approx. 12.30 p.m. **Draft Data Protection (Amendment of Law) (Jersey) Regulations 202-**
(P.121/2020)
- Our Hospital Site Selection: Overdale (P.123/2020)**
- Our Hospital Project: acquisition of land for the new hospital at Overdale (P.129/2020)**
- Draft Social Security (Amendment of Law No.14) (Jersey) Regulations 202-**
(P.124/2020)
- Draft Social Security (Amendment of Law No. 14) (Jersey) Regulations 202-**
(P.124/2020): amendment (P.124/2020 Amd.)
- Draft Financial Services (Disclosure and Provision of Information) (Jersey) Regulations 202-**
(P.125/2020)
- Draft Limited Partnerships (Annual Additional Charge) (Amendment) (Jersey) Regulations 202-**
(P.126/2020)
- Draft Intellectual Property (Unregistered Rights) (Marrakesh Treaty) (Jersey) Regulations 202-**
(P.127/2020)
- Establishment and funding of the Fiscal Stimulus Fund (P.128/2020)**
- Establishment and funding of the Fiscal Stimulus Fund (P.128/2020): amendment (P.128/2020 Amd.)**
- Draft Amendment (No. 48) of the Standing Orders of the States of Jersey (P.131/2020)**
- Carbon Neutral Strategy and Sustainable Transport Policy – Additional Considerations for Implementation (P.132/2020)**



**Draft Financial Services (Disclosure and Provision of Information)
(Jersey) Law 202- (Appointed Day) Act 202- (P.133/2020)**

**Draft Financial Services (Disclosure and Provision of Information)
(Jersey) Law 202- (Appointed Day) Act 202- (P.133/2020): amendment
(P.133/2020 Amd.)**

**Draft Amendment (No.50) of the Standing Orders of the States of
Jersey (P.144/2020)**

*Note: Notice has been given of the intention to propose that the minimum
lodging period be reduced so that the proposition can be debated.*

Arrangement of public business at subsequent meetings

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 17th and Thursday 18th November 2020 if necessary.*



STATES OF JERSEY ORDER PAPER

17th NOVEMBER 2020

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

EU Legislation (Customs and Excise – Customs Tariff and Export Duty) (Jersey) Order 2020. R&O.127/2020.

Minister for Home Affairs.

EU Legislation (Customs Union, Import and Export Control) (Amendment of Law) (Jersey) Order 2020. R&O.128/2020.

Minister for Home Affairs.

Motor Traffic (Cabs – Fares and Charges) (Amendment No. 3) (Jersey) Order 2020. R&O.133/2020.

Minister for Infrastructure.

C. DOCUMENTS PRESENTED

Draft Financial Services (Disclosure and Provision of Information) (Jersey) Regulations 202- (P.125/2020): comments. P.125/2020.
Com.

Presented: 10th November 2020, *Economic and International Affairs Scrutiny Panel.*

PFAS and water quality in Jersey 2020: An update report from the Government of Jersey Officer Technical Group. R.126/2020.

Presented: 6th November 2020, *Minister for the Environment.*

Transfers between Heads of Expenditure under the Public Finances (Jersey) Law 2019: Article 18 – 29th October 2020. R.127/2020.

Presented: 10th November 2020, *Minister for Treasury and Resources.*

States of Jersey Law 2005: delegation of functions – Minister for Economic Development, Tourism, Sport and Culture – Shipping delegations. R.128/2020.

Presented: 10th November 2020, *Minister for Economic Development, Tourism, Sport and Culture.*

States of Jersey Complaints Panel: report for 2019. R.129/2020

Presented: 11th November 2020, *Privileges and Procedures Committee.*

Safer Travel Guidelines Review: Final Report. S.R.8/2020.

Presented: 12th November 2020, *Safer Travel Guidelines Review Panel.*

D. NOTIFICATION OF LODGED PROPOSITIONS

Draft Financial Services (Disclosure and Provision of Information) (Jersey) Law 202- (Appointed Day) Act 202- (P.133/2020): amendment. P.133/2020.
Amd.

Lodged: 9th November 2020, *Minister for External Relations.*



Composition and Election of the States: Proposed Changes (P.139/2020) – P.139/2020.
third amendment. Amd.(3).
Lodged: 12th November 2020, *Connétable of St. Martin*.

Draft Health Insurance Fund (Miscellaneous Provisions) (Amendment No. 2) P.156/2020
(Jersey) Law 202-.
Lodged: 5th November 2020, *Minister for Social Security*.

E. WITHDRAWAL OF LODGED PROPOSITIONS

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

Selection of the Minister for Children and Housing.

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

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

- WQ.425/2020 1. The Minister for Infrastructure will table an answer to a question asked by Deputy K.F. Morel of St. Lawrence regarding the sale of publicly-owned flying freehold properties.
- WQ.426/2020 2. The Chair of the States Employment Board will table an answer to a question asked by Deputy K.F. Morel of St. Lawrence regarding the remuneration of Directors in the public sector.
- WQ.427/2020 3. The Chair of the States Employment Board will table an answer to a question asked by the Deputy of St. John regarding the number of civil servants working remotely.
- WQ.428/2020 4. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. John regarding inpatient bed spaces in the new hospital.
- WQ.429/2020 5. The Assistant Minister for Education will table an answer to a question asked by the Deputy of St. John regarding the repatriation of university students.
- WQ.430/2020 6. The Minister for Health and Social Services will table an answer to a question asked by Deputy I. Gardiner of St. Helier regarding the independent oversight board to be established for the Jersey Care Model.
- WQ.431/2020 7. The Minister for the Environment will table an answer to a question asked by Deputy I. Gardiner of St. Helier regarding the hospital catering unit at St. Peter's Technical Park.
- WQ.432/2020 8. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding staffing at the General Hospital.
- WQ.433/2020 9. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the 2019/2020 Income Distribution Survey.
- WQ.434/2020 10. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the delivery of affordable primary care.



- WQ.435/2020 11. The Minister for Treasury and Resources will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the sale of Andium Homes properties.
- WQ.436/2020 12. The Chair of the Comité des Connétables will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding Parish housing schemes.
- WQ.437/2020 13. The Minister for Social Security will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding individuals between the ages of 18 and 25 who have lost their right to claim Income Support.
- WQ.438/2020 14. The Minister for Social Security will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the provision of glasses to children in families who are struggling financially.
- WQ.439/2020 15. The Minister for Education will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the impact of online teaching on children's eyesight.
- WQ.440/2020 16. The Minister for Education will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the prevalence of Covid-19 in the Island's schools.
- WQ.441/2020 17. The Chief Minister will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding Subject Access Requests to Government departments.
- WQ.442/2020 18. The Minister for Health and Social Services will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding adults with learning difficulties.
- WQ.443/2020 19. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the use of zero-hour contracts.
- WQ.444/2020 20. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the reviews of contributory funds within the Minister's remit.
- WQ.445/2020 21. The Minister for Economic Development, Tourism, Sport and Culture will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding a review of the impact of the Island's current and projected industries.
- WQ.446/2020 22. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the impact of Covid-19 during the winter months.
- WQ.447/2020 23. The Minister for Children and Housing will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the use of independent advocates.
- WQ.448/2020 24. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the wellbeing of staff in the uniformed services.
- WQ.449/2020 25. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the disciplinary processes used in the uniformed services.



(b) – Oral Questions

(120 minutes)

Note: Oral Questions 324/2020 and 335/2020 were submitted for the Minister for Children and Housing but will be answered by the Chief Minister.

- OQ.323/2020 1. Senator K.L. Moore will ask the following question of the Minister for Treasury and Resources –
- “How many letters have been sent out to taxpayers requesting payment by 30th November for the 2019 year of assessment?”
- OQ.341/2020 2. Deputy C.S. Alves of St. Helier will ask the following question of the Minister for Health and Social Services –
- “Will the Minister advise how many social worker vacancies there are currently in the States of Jersey and how many social workers have left employment in the 12 months?”
- OQ.316/2020 3. Deputy J.M. Maçon of St. Saviour will ask the following question of the Minister for Infrastructure –
- “Further to the adoption of ‘Cats: additional protection when involved in road traffic accidents’ (P.30/2019), will the Minister provide an update on the progress, if any, made to date in its implementation?”
- OQ.334/2020 4. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Health and Social Services –
- “Given the continuing level of vacancies experienced by his department, will the Minister explain the role, and extent, of the use of vacancy factor management in achieving efficiency savings or any re-balancing measures in the Government Plan 2021–2024?”
- OQ.324/2020 5. Deputy R.J. Ward of St. Helier will ask the following question of the Chief Minister –
- “Will the Minister state how many dwellings have breached tenancy laws in the past 2 years due to the sale of utilities above cost price to tenants, and will he confirm what action, if any, is taken against any landlords found in breach of the law?”
- OQ.319/2020 6. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Home Affairs –
- “Will the Minister advise whether there has been any incidence of a disciplinary hearing organised by the Ambulance Service, Jersey Customs and Immigration Service, Jersey Fire and Rescue Service or the States of Jersey Police not being conducted in accordance with Article 6 of the European Convention on Human Rights (the right to a fair trial); and, if so, will he provide the reasons for non-adherence to that Article?”
- OQ.330/2020 7. Deputy L.B.E. Ash of St. Clement will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –
- “Will the Minister advise whether the gate giving access to F.B. Fields from Samarès is ever locked and, if so, will he commit to remedying this situation to allow for ease of access to this facility, particularly for those residents of Andium Homes properties who are elderly or have young children who are otherwise required to walk to the front entrance?”



- OQ.327/2020 8. Deputy R. Labey of St. Helier will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –
- “Given the impact of last-minute flight cancellations by airlines, will the Minister explain what action, if any, he is taking to ensure that flights remain affordable, particularly for students returning to the Island over the Christmas period?”
- OQ.318/2020 9. The Deputy of St. Martin will ask the following question of the Minister for Health and Social Services –
- “Will the Minister advise how he intends to assist any Islanders with medical conditions who are facing challenges caused by the reduction in flights to Southampton to just one a day?”
- OQ.337/2020 10. Senator S.Y. Mézec will ask the following question of the Chief Minister –
- “When will the Chief Minister publish the Housing Policy Development Board’s final report; and does he accept its recommendations?”
- OQ.321/2020 11. Deputy I Gardiner of St. Helier will ask the following question of the Minister for Infrastructure –
- “Following the Minister’s statement to the Assembly in June that “discussions are ongoing” with regards to the trial No.19 bus service allowing passengers to access the Town centre via Library Place with a stop at the Le Sueur Obelisk, will the Minister give an update as to when this service will be implemented?”
- OQ.331/2020 12. Deputy K.G. Pamplin of St. Saviour will ask the following question of the Minister for Health and Social Services –
- “Given the measures to be used to combat the recent rise in Covid-19 infections in the Island, will the Minister advise what plan, or enhanced plan, is in place to combat the effects on mental health and to support those with mental illness, both in and out of a care environment?”
- OQ.322/2020 13. The Connétable of St. Peter will ask the following question of the Minister for Infrastructure –
- “Given that the Government Plan indicates expenditure as part of the Covid response of £2 million in 2021 on the bus contract, with further expenditure anticipated from 2022 to 2024, will the Minister advise what this money is to be used for?”
- OQ.336/2020 14. The Connétable of St. Helier will ask the following question of H.M. Attorney General –
- “Is H.M. Attorney General able to provide legal advice on how the Parishes can provide free and fair elections for posts such as the Roads Committees which are due to be held next month, and seek decisions from the Parish Assembly, when Covid-19 restrictions prevent gatherings of more than 40 persons; and if so, will he do so?”
- OQ.339/2020 15. Deputy K.F. Morel of St. Lawrence will ask the following question of the Minister for Infrastructure –
- “Does the Minister have any plans to undertake a review of the availability of residential parking at Beaumont, particularly for those who live on Route de La Haule and the surrounding area, and if not, why not?”



- OQ.320/2020 16. The Deputy of St. John will ask the following question of the Minister for Treasury and Resources –
- “Will the Minister consider issuing 3, 5, and 10-year investment bonds to residents of the Island which offer a realistic rate of return; and if not, why not?”
- OQ.328/2020 17. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for the Environment –
- “Will the Minister advise what powers, if any, he has to order the repair or removal of glasshouses that have been left to fall into disrepair and that are not in current agricultural use; have such powers been used; and if not, why not?”
- OQ.342/2020 18. Deputy C.S. Alves of St. Helier will ask the following question of the Minister for Home Affairs –
- “Further to recent media reports that approximately 6,000 people have not yet applied for settled status, will the Minister advise what, if anything, is being done to contact and encourage these individuals to submit their applications?”
- OQ.332/2020 19. Deputy K.G. Pamplin of St. Saviour will ask the following question of the Chief Minister –
- “Further to the Chief Minister comments during the debate on P.149/2020, that a new protocol will be put in place for Government press releases, will he provide a timescale for this to be implemented and state what action, if any, will be undertaken in the meantime?”
- OQ.338/2020 20. Senator S.Y. Mézec will ask the following question of the Minister for Social Security –
- “When will the Minister implement the decision made by the States in adopting ‘Zero-Hours Contracts’ (P.92/2016) that exclusivity clauses in zero-hours contracts should be banned?”
- OQ.335/2020 21. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –
- “Will the Minister state what the waiting time is between the submission of an application to the Affordable Housing Gateway and acceptance on a priority band enabling the applicant to bid for suitable housing units; and is this processing time dependent on the type of property required?”
- OQ.329/2020 22. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for International Development –
- “Will the Minister advise when the Island Identity and International Profile Report will be published; which of the stakeholders have seen the current draft; and whether the current draft has support from all Ministers who have seen it?”
- OQ.317/2020 23. Deputy J.M. Maçon of St. Saviour will ask the following question of the Chair of the States Employment Board –
- “Given the resignation of the Chief Executive Officer, will the Chair advise whether succession planning is in place for the role and, if not, why not; and what opportunities, if any, will be offered to local staff to gain experience in order to apply for such a position?”



OQ.326/2020 24. The Deputy of St. Martin will ask the following question of the Assistant Minister for Education –

“Will the Assistant Minister update the Assembly on his plans for travel arrangements for Jersey students returning to the Island for Christmas?”

OQ.325/2020 25. Deputy R.J. Ward of St. Helier will ask the following question of the Minister for the Environment –

“Will the Minister explain what spending there has been, if any, from the Climate Emergency Fund during 2019, and will he outline any spending and planned allocations for 2020?”

OQ.340/2020 26. Deputy K.F. Morel of St. Lawrence will ask the following question of the Minister for Infrastructure –

“Will the Minister advise the Assembly what steps, if any, he is taking to ensure that Island-based architectural practices are given every opportunity to compete for infrastructure projects undertaken by his department, particularly, but not limited to, those large capital projects identified in the proposed Government Plan?”

OQ.343/2020 27. Deputy M.R. Higgins of St. Helier will ask the following question of the Chair of the States Employment Board –

“Will the Chair explain how the States Employment Board’s policies ensure that all disciplinary hearings are conducted in accordance with the principles of natural justice and with Article 6 of the European Convention on Human Rights?”

OQ.333/2020 28. Deputy I. Gardiner of St. Helier will ask the following question of the Minister for Health and Social Services-

“Will the Minister advise the Assembly what impact, if any, the presence of the on-Island testing laboratory has had on the speed of polymerase chain reaction (P.C.R.) testing within the last month?”

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

1st question period – Minister for Home Affairs

2nd question period – Minister for International Development

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Draft Data Protection (Amendment of Law) (Jersey) Regulations 202-. P.121/2020.
Lodged: 25th September 2020, *Minister for Economic Development, Tourism, Sport and Culture.*

Our Hospital Site Selection: Overdale. P.123/2020.
Lodged: 6th October 2020, *Council of Ministers.*



- Our Hospital Project: acquisition of land for the new hospital at Overdale.** P.129/2020.
Lodged: 6th October 2020, *Council of Ministers*.
- Draft Social Security (Amendment of Law No.14) (Jersey) Regulations 202-** P.124/2020.
Lodged: 6th October 2020, *Minister for Social Security*.
- Draft Social Security (Amendment of Law No. 14) (Jersey) Regulations 202-** P.124/2020.
(P.124/2020): amendment. Amd.
Lodged: 3rd November 2020, *Minister for Social Security*.
- Draft Financial Services (Disclosure and Provision of Information) (Jersey)** P.125/2020.
Regulations 202-
Lodged: 6th October 2020, *Minister for External Relations*.
- Draft Financial Services (Disclosure and Provision of Information) (Jersey) P.125/2020.
Regulations 202- (P.125/2020): comments. Com.
Presented: 10th November 2020, *Economic and International Affairs Scrutiny Panel*.
- Draft Limited Partnerships (Annual Additional Charge) (Amendment)** P.126/2020.
(Jersey) Regulations 202-
Lodged: 6th October 2020, *Minister for External Relations*.
- Draft Intellectual Property (Unregistered Rights) (Marrakesh Treaty)** P.127/2020.
(Jersey) Regulations 202-
Lodged: 6th October 2020, *Minister for External Relations*.
- Establishment and funding of the Fiscal Stimulus Fund.** P.128/2020.
Lodged: 6th October 2020, *Minister for Treasury and Resources*.
- Establishment and funding of the Fiscal Stimulus Fund (P.128/2020):** P.128/2020.
amendment. Amd.
Lodged: 2nd November 2020, *Deputy K.F. Morel of St. Lawrence*.
- Draft Amendment (No. 48) of the Standing Orders of the States of Jersey.** P.131/2020.
Lodged: 13th October 2020, *Privileges and Procedures Committee*. (re-issue).
- Carbon Neutral Strategy and Sustainable Transport Policy – Additional** P.132/2020.
Considerations for Implementation.
Lodged: 14th October 2020, *Deputy J.H. Perchard of St. Saviour*.
- Draft Financial Services (Disclosure and Provision of Information) (Jersey)** P.133/2020.
Law 202- (Appointed Day) Act 202-
Lodged: 16th October 2020, *Minister for External Relations*.
- Draft Financial Services (Disclosure and Provision of Information) (Jersey)** P.133/2020.
Law 202- (Appointed Day) Act 202- (P.133/2020): amendment. Amd.
Lodged: 9th November 2020, *Minister for External Relations*.
- Draft Amendment (No.50) of the Standing Orders of the States of Jersey.** P.144/2020.
Lodged: 22nd October 2020, *Senator L.J. Farnham*.

Note: Because of the requirement for a four-week lodging period, the minimum lodging period of the proposition of Senator L.J. Farnham will expire on Thursday 19th November 2020. The Senator has therefore given notice of his intention to propose, in accordance with Standing Order 26(7), that the minimum lodging period for the amendment be reduced in order that it can be debated at the meeting.



M. ARRANGEMENT OF PUBLIC BUSINESS

30th November 2020

(Consideration of Public Business to commence at 9.30 a.m. on Tuesday 1st December 2020)

Draft Customs and Excise (Export Declarations and Export Controls) (Jersey) Regulations 202-. P.134/2020.

Lodged: 16th October 2020, *Minister for Home Affairs.*

Draft EU Legislation (Welfare of Animals during Transport and Pet Travel) (Amendment) (Jersey) Regulations 202-. P.135/2020.

Lodged: 16th October 2020, *Minister for the Environment.*

Draft Income Support (Amendment No. 20) (Jersey) Regulations 202-. P.136/2020.

Lodged: 20th October 2020, *Minister for Social Security.*

Migration Control Policy. P.137/2020.

Lodged: 20th October 2020, *Chief Minister.*

Migration Control Policy (P.137/2020): amendment. P.137/2020.

Lodged: 23rd October 2020, *Deputy J.H. Perchard of St. Saviour.* Amd.

Draft EU Legislation (Official Controls) (Jersey) Regulations 202-. P.138/2020.

Lodged: 20th October 2020, *Minister for the Environment.*

Composition and Election of the States: Proposed Changes. P.139/2020.

Lodged: 20th October 2020, *Privileges and Procedures Committee.*

Composition and Election of the States: Proposed Changes (P.139/2020) – amendment. P.139/2020.
Amd.

Lodged: 27th October 2020, *Deputy J.M Maçon of St. Saviour.* (re-issue)

Composition and Election of the States: Proposed Changes (P.139/2020) – second amendment. P.139/2020.
Amd.(2).

Lodged: 29th October 2020, *Connétable of St. Clement.*

Composition and Election of the States: Proposed Changes (P.139/2020) – third amendment. P.139/2020.
Amd.(3).

Lodged: 12th November 2020, *Connétable of St. Martin.*

CI Lottery: Allocation of 2019 Proceeds. P.141/2020.

Lodged: 21st October 2020, *Minister for Economic Development, Tourism, Sport and Culture.*

Note: Because of the requirement for a six-week lodging period, the minimum lodging period of the proposition of the Minister for Economic Development, Tourism, Sport and Culture will expire on Wednesday 2nd December 2020. The Minister has therefore given notice of his intention to propose, in accordance with Standing Order 26(7), that the minimum lodging period for the amendment be reduced in order that it can be debated at the meeting.

CI Lottery: allocation of 2019 proceeds (P.141/2020) – amendment. P.141/2020.

Lodged: 2nd November 2020, *Deputy G.C.U. Guida of St. Lawrence* Amd.



Jersey Heritage Trust: Amendments to Constitution. P.142/2020.
Lodged: 21st October 2020, *Minister for Economic Development, Tourism, Sport and Culture.*

Note: Because of the requirement for a six-week lodging period, the minimum lodging period of the proposition of the Minister for Economic Development, Tourism, Sport and Culture will expire on Wednesday 2nd December 2020. The Minister has therefore given notice of his intention to propose, in accordance with Standing Order 26(7), that the minimum lodging period for the amendment be reduced in order that it can be debated at the meeting.

Draft Amendment (No.49) of the Standing Orders of The States of Jersey. P.143/2020.
Lodged: 22nd October 2020, *Deputy S.M. Wickenden of St. Helier.*

Draft Amendment (No. 49) of the Standing Orders of the States of Jersey P.143/2020.
(P.143/2020): comments. Com.
Presented: 4th November 2020, *Privileges and Procedures Committee.*

Draft Geographical Indications (Jersey) Regulations 202-. P.145/2020.
Lodged: 30th October 2020, *Minister for External Relations.*

Note: Because of the requirement for a six-week lodging period, the minimum lodging period of the proposition of the Minister for External Relations will expire on Friday 11th December 2020. The Minister has therefore given notice of his intention to propose, in accordance with Standing Order 26(7), that the minimum lodging period for the proposition be reduced in order that it can be debated at the meeting.

Secondary Employment of Public Sector Employees: Review of Policies. P.146/2020.
Lodged: 30th October 2020, *Deputy J.M. Maçon of St. Saviour.*

Social Security Medical Appeal Tribunal: appointment of Chair. P.150/2020.
Lodged: 2nd November 2020, *Minister for Social Security.*

Jersey Employment and Discrimination Tribunal: appointment of members. P.151/2020.
Lodged: 2nd November 2020, *Minister for Social Security.*

Social Security Tribunal: appointment of Chair. P.152/2020.
Lodged: 2nd November 2020, *Minister for Social Security.*

Draft Amendment (No. 51) of the Standing Orders of the States of Jersey. P.153/2020.
Lodged: 3rd November 2020, *Privileges and Procedures Committee.*

Draft Amendment (No. 52) of the Standing Orders of the States of Jersey. P.154/2020.
Lodged: 3rd November 2020, *Deputy L.M.C. Doublet of St. Saviour.*

Income Support Medical Appeal Tribunal: appointment of Chair. P.155/2020.
Lodged: 3rd November 2020, *Minister for Social Security.*

14th December 2020

Government Plan: 2021-24. P.130/2020
Lodged: 12th October 2020, *Council of Ministers.* (Re-issue)

Government Plan: 2021-24 – Annex. R.111/2020.
Presented: 12th October 2020, *Council of Ministers.*

Draft Finance (2021 Budget) (Jersey) Law 202-. P.147/2020.
Lodged: 2nd November 2020, *Minister for Treasury and Resources.*



Draft Act declaring that the Finance (2021 Budget) (Jersey) Law 202- has immediate effect: addendum to P.147/2020. P.147/2020.
Presented: 4th November 2020, Minister for Treasury and Resources. Add.

Draft Social Security (Amendment of Law No. 15) (Jersey) Regulations 202- P.148/2020.
Lodged: 2nd November 2020, *Minister for Social Security*.

Draft Health Insurance Fund (Miscellaneous Provisions) (Amendment No. 2) (Jersey) Law 202- P.156/2020.
Lodged: 5th November 2020, *Minister for Social Security*.

Note: Because of the requirement for a six-week lodging period, the minimum lodging period of the proposition of the Minister for Social Security will expire on Thursday 17th December 2020. The Minister has therefore given notice of her intention to propose, in accordance with Standing Order 26(7), that the minimum lodging period for the proposition be reduced in order that it can be debated at the meeting.

19th January 2021

Encroachments on the Foreshore: revised policy. P.111/2020.
Lodged: 18th September 2020, *Minister for Infrastructure*.

9th February 2021

Draft Wildlife (Jersey) Law 202- P.110/2020.
Lodged: 11th September 2020, *Minister for the Environment*. (Re-issue)

Note: The 2nd reading of the Draft Regulations will resume, following adoption of the principles on 3rd November 2020 and the subsequent referral to the Environment, Housing and Infrastructure Scrutiny Panel under Standing Order 72(1).

Draft Wildlife (Jersey) Law 2020- (P.110/2020): amendment. P.110/2020.
Lodged: 21st October 2020, *Deputy of St. Martin*. Amd.

Draft Wildlife (Jersey) Law 202- (P.110/202): amendment (P.110/2020 Amd.) – P.110/2020.
comments. Amd.Com.
Presented: 30th October 2020, *Minister for the Environment*.

Immigration Acts: extension to Jersey by Order in Council. P.119/2020.
Lodged: 22nd September 2020, *Chief Minister*.

DR. M. EGAN
Greffier of the States

12th November 2020

Note –

In accordance with the meeting dates fixed for 2019 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 18th and Thursday 19th November 2020.



Explanatory Note regarding the selection of the Minister for Children and Housing

(See Item F)

The Presiding Officer will invite the Chief Minister to make his nomination for the position of Minister for Children and Housing. The Presiding Officer will then invite members to nominate alternative candidates. If there are no alternative nominations, the member nominated by the Chief Minister will speak for up to 10 minutes followed by a 20-minute question period; after which the member nominated by the Chief Minister will be selected for appointment.

If more than one member is nominated, the Presiding Officer will invite each candidate to speak for up to 10 minutes followed by a 20-minute question period. The candidates will speak in the order in which they are nominated, meaning that the Chief Minister's nomination will speak first. During the speeches and question period other candidates must withdraw from the Chamber to a place where they cannot hear the proceedings. After the candidates have spoken and been questioned, a recorded vote will be held. Once a candidate has obtained a majority of the votes cast in the recorded vote, he or she will be appointed to the position of Minister for Children and Housing. Abstentions do not count as 'votes cast'.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.127/2020.

EU Legislation (Customs and Excise – Customs Tariff and Export Duty) (Jersey) Order 2020.

This Order provides that any legislation that the United Kingdom makes under the Taxation (Cross-border Trade) Act 2018 of the United Kingdom in relation to export duty will apply in Jersey.

Article 1 contains definitions. In particular it provides that certain expressions used in the Order have the same meaning as in the arrangement made between the Governments of Jersey and the United Kingdom in relation to a customs union (as set out in Part 2 of the Schedule to the Crown Dependencies Customs Union (Jersey) (EU Exit) Order 2019 of the United Kingdom.

Article 2 provides that any Regulations made by the United Kingdom under section 39 of the Taxation (Cross-border Trade) Act 2018 of the United Kingdom have effect in Jersey as they do in the United Kingdom (including as amended from time to time). Any such Regulations are to be read with the modifications set out in Article 2 and any other modifications necessary to allow them to be given effect in Jersey. The Agent of Impôts must publish guidance as appears useful in relation to the effect of the Regulations in Jersey.

Article 3 provides that no export duty is to be charged in respect of goods that are exported directly from Jersey to the United Kingdom, Guernsey or the Isle of Man, or where liability for customs duties relating to export from Jersey has been discharged.

Article 4 states the name by which this Order may be cited and that it comes into force when the first Regulations made in the United Kingdom come into force.

The Order was made on 30th October 2020 and comes into force in accordance with Article 4.

R&O.128/2020.

EU Legislation (Customs Union, Import and Export Control) (Amendment of Law) (Jersey) Order 2020.

This Order amends the Customs and Excise (Jersey) Law 1999 (“the Law”) to provide a power for fees to be prescribed in relation to functions connected with import duty.

Article 1 inserts a new Article 33D into the Law (Articles 33A to 33C will be inserted by the Customs and Excise (Customs Tariff and Import Duty) (Jersey) Order 2019 (“the 2019 Order”). New Article 33D allows the Minister for Home Affairs to make an Order prescribing fees in relation to the exercise of any function of the Agent of Impôts (or an officer of the Impôts) which are specified in the Order and are for the purposes of or connected with the import duty charged in accordance with any arrangement between the governments of Jersey and United Kingdom in relation to a customs union. The Minister may only make an Order if the Minister considers that it is consistent with the arrangements between Jersey and any other government, international organisation or authority and the circumstances in which the functions specified by the Order are exercised (or likely to be exercised) are such that it is fair and reasonable for a charge to be made.

Article 2 provides for the name by which the Order may be known and the date it comes into force. It comes into force immediately after the coming into force of the 2019 Order, which comes into force when the European Union (Jersey) Law 1973 is repealed by the bringing into force of Article 2 of the European Union (Repeal and Amendment) (Jersey) Law 2018.

The Order was made on 30th October 2020 and comes into force in accordance with Article 2.



R&O.133/2020.

Motor Traffic (Cabs – Fares and Charges) (Amendment No. 3) (Jersey) Order 2020.

The Motor Traffic (Cabs – Fares and Charges) (Amendment No. 3) (Jersey) Order 2020 makes provision for taxi-cab fares and charges to increase by an average of 2.8%.

Fares and charges were last increased with effect from 29th July 2019.

The Order was made on 5th November 2020 and came into force on 9th November 2020.



WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Infrastructure will table an answer to the following question asked by Deputy K.F. Morel of St. Lawrence –

“Will the Minister advise how many flats or apartments have been sold out of public ownership as flying freeholds since 1st January 2010; and, of these, how many were sold to the occupier at the time of the transaction and how many to other parties?”

2. The Chair of the States Employment Board will table an answer to the following question asked by Deputy K.F. Morel of St. Lawrence –

“Given the ‘Directors’ Remuneration’ section of the 2019 Annual Report and Accounts indicates that some directors receive “other remuneration” outside of salary and allowances of up to £60,000, will the Chair explain what constitutes “other remuneration” in this context and how it is calculated?”

3. The Chair of the States Employment Board will table an answer to the following question asked by the Deputy of St. John –

“Will the Chair advise –

- (a) how many Government of Jersey employees are consistently working remotely from a location outside the Island;
- (b) the grades of any such employees; and
- (c) their roles within the Government of Jersey?”

4. The Minister for Health and Social Services will table an answer to the following question asked by the Deputy of St. John –

“Will the Minister –

- (a) state how many inpatient bed spaces will be provided in the new hospital, not including spaces in the Day Surgery Unit, Emergency Department, Urgent Treatment Centre, Intensive Care Unit, or Outpatients Department;
- (b) state how many of these spaces will be occupied by beds; and
- (c) provide a numerical breakdown by medical speciality of the designation of these inpatient beds?”

5. The Assistant Minister for Education will table an answer to the following question asked by the Deputy of St. John –

“Will the Minister outline what plans are in progress to ensure the repatriation of students studying outside the Island who wish to return to Jersey in time for Christmas; and, furthermore, what provision, if any, will be made for those returning students who are required to self-isolate on arrival in Jersey, but who are not able to do so at the accommodation they would ordinarily be returning to?”



6. The Minister for Health and Social Services will table an answer to the following question asked by Deputy I. Gardiner of St. Helier –

“Will the Minister provide the following details regarding the establishment of the Independent Oversight Board for the Jersey Care Model –

- (a) what criteria, if any, will be applied to the recruitment of Board members, will it allow application by members of the public and who will ultimately be responsible for the appointments;
 - (b) will there be specific requirements for the position of Chair of the Board;
 - (c) will members of the Board include representatives from health care professionals, the Third Sector and the Primary Care sector (i.e. G.P.s, dentists, pharmacists, opticians and care businesses);
 - (d) how, and by whom, will the Terms of Reference be determined;
 - (e) how often will the Board meet;
 - (f) what will be the reporting requirements of the Board and will their reports be made public;
 - (g) how will the Board be able to judge progress i.e. will they get regular updates from Health and Community Services as well as feedback from other stakeholders; and
 - (h) will the Board have the power to alert Scrutiny that things are not going as planned and, if so, what opportunity will the Health and Social Security Scrutiny Panel be given to deal with the situation?”
7. The Minister for the Environment will table an answer to the following question asked by Deputy I. Gardiner of St. Helier –

“Will the Minister advise what progress, if any, has been made and what action, if any, has been taken to address the follow issues in respect of the hospital catering unit located at St. Peter’s Technical Park –

- (a) the strong food odours from the hospital catering unit which can be smelt beyond the boundaries of the Technical Park and inside residents’ properties, depending on the wind direction;
- (b) the daily charging noise of the refrigerated vehicle that can last for up to 3 hours and can also be heard inside residents’ properties; and

will he further advise whether either one or both of the above has been assessed as constituting a breach of planning conditions?”

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

“Will the Minister state –

- (a) the figures for August 2020 for staffing levels at the Hospital in an equivalent table to that provided in response to Written Question 375/2019 (showing the two sets of figures for comparative purposes);



- (b) the number of shifts filled by bank nurses in August 2019 and August 2020;
 - (c) the number of the staff in post who were agency or locum appointments in August 2019 and in August 2020;
 - (d) an estimate, for each staff group, of the additional annual cost, in percentage and in real terms, of using locum or agency workers over substantive employees of the Department;
 - (e) the number of locum physiotherapy posts that have been removed since August 2019 and whether the reduction, if any, has affected the delivery of service in that Department;
 - (f) to what extent the figures for vacancies in 2019 and 2020 reflect the implementation of a vacancy management factor to enable staffing expenditure to be reduced to meet efficiency savings or rebalanced targets; and
 - (g) how he assesses the figures for locum / agency staff for August 2020 against the objective to appoint vacancies with substantive staff rather than continue reliance on agency and locum staff?"
9. The Chief Minister will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –
- “Further to his responses to previous questions asked in the Assembly, will the Chief Minister advise whether he has consulted the Chief Statistician about when the results of the 2019/2020 Income Distribution Survey will be available and, if so, what was the outcome of the consultation; and will he take the necessary steps to ensure that this data is available before the States Assembly is asked to make decisions in respect of the Government Plan?”
10. The Minister for Health and Social Services will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –
- “Will the Minister inform members what measures, if any, will be put in place to deliver affordable primary care to vulnerable groups (whether in financial, social or clinical need) in order to meet the terms of the Affordable Access to Primary Care Scheme (as agreed with the adoption of P.125/2019) and will he confirm when these measures will be introduced?”
11. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy R.J. Ward of St. Helier –
- “With reference to Oral Question 192/2019, will the Minister (as shareholder representative) advise whether any Andium homes have been, or will be, sold on the open market to off-Island investors, buy-to-let purchasers, or ‘lock-up and leave’ investors, especially those within the Millennium Park Development; and, if so, will the Minister confirm the number and size of Andium properties sold in this manner?”
12. The Chair of the Comité des Connétables will table an answer to the following question asked by Deputy R.J. Ward of St. Helier –
- “Will the Chair outline what provision, if any, exists to support single parent families in applying for, and accessing, suitable accommodation via Parish housing schemes?”



13. The Minister for Social Security will table an answer to the following question asked by Deputy R.J. Ward of St. Helier –

“Will the Minister advise how many individuals aged between 18 and 25 who are members of a household have lost their right to claim Income Support in the last 2 years?”

14. The Minister for Social Security will table an answer to the following question asked by Deputy R.J. Ward of St. Helier –

“Will the Minister state what provision, if any, is available to meet the cost of glasses for children in families who are struggling financially, particularly where there is a need for thinned lenses or where the child may be suffering from astigmatism?”

15. The Minister for Education will table an answer to the following question asked by Deputy R.J. Ward of St. Helier –

“Following the increase in online teaching in response to Covid-19, and the possible effect on children’s eyesight, will the Minister state –

- (a) what provision, if any, is in place, or planned, to assist families who may need more regular eye tests or to meet the needs for changes to prescription glasses; and
- (b) what work, if any, is being undertaken to monitor the effects on eye health as a result of the change in delivery of education?”

16. The Minister for Education will table an answer to the following question asked by Deputy C.S. Alves of St. Helier –

“Will the Minister outline what contingency plans, if any, are in place should Covid-19 be shown to be spreading through schools and into the wider community, providing the answer in relation to each Key Stage?”

17. The Chief Minister will table an answer to the following question asked by Deputy C.S. Alves of St. Helier –

“Will the Chief Minister provide a breakdown by department of the number of Subject Access Requests that have been submitted across all Government departments over the last 5 years, and, of those, identify how many have –

- (a) not been addressed within the 4-week time limit;
- (b) been referred to the office of the Information Commissioner; and
- (c) resulted in complaints regarding alleged inaccurate record keeping, tampering or altering of original documents, or failure to release all documents?”

18. The Minister for Health and Social Services will table an answer to the following question asked by Deputy C.S. Alves of St. Helier –

“Will the Minister state –

- (a) how many adults with learning difficulties, or who are otherwise vulnerable, are currently looked after by care providers in Jersey;
- (b) what advocacy service, if any, is available to any such individuals; and



- (c) what oversight or monitoring is currently in place to ensure that such individuals receive the appropriate level of care?”
19. The Minister for Social Security will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –
- “Given the most recent Labour Market Report shows that job losses, largely concentrated in the hospitality sector, are disproportionately to be found in those on zero-hour contracts, is it the Minister’s assessment that such jobs are intrinsically insecure and unable to provide a sustainable income; and, if so, will she outline what measures, if any, are planned to control the use of zero-hour contracts under employment legislation?”
20. The Minister for Social Security will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –
- “In light of the recently announced large-scale reviews of the contributory funds within the Minister’s remit, will she state –
- (a) whether such reviews will take into account the impact of the living wage and eligibility considerations and the interaction with non-contributory funds (i.e. Income Support), and
 - (b) when she will engage with States members over the terms of reference and scoping documents for these reviews, and if it not her intention to do so, why not?”
21. The Minister for Economic Development, Tourism, Sport and Culture will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –
- “Will the Minister agree to commission reports on the Island’s current and projected industries (including Finance, Agriculture, Hospitality, Aquaculture, Digital, and Fintech), ensuring that these reports include a cost-benefit analysis of each industry that takes into account not only their contribution in financial, economic and employment terms, but also the associated costs (such as the level of subsidy, if any, provided by Government) and their environmental impact (such as the level of pollution); and if not, why not?”
22. The Minister for Health and Social Services will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –
- “Will the Minister explain his strategy for dealing with an increase in the number of Coronavirus cases in the Island this winter and outline the criteria, if any, that will be used to determine whether or not to lock down the Island, with particular reference to –
- (a) the R (reproduction) rate;
 - (b) the number of infections per 100,000 of the population;
 - (c) the number of Intensive Care Unit beds being used by COVID-19 patients; and
 - (d) the types of illnesses caused by COVID-19?”



23. The Minister for Children and Housing will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister advise Members how many independent advocates have been appointed by his Department to act as a point of contact between the Children’s Service and its clients; and, furthermore, will he provide the following information –

- (a) the role taken by advocates in this context;
- (b) any qualifications or experience an advocate is expected to have;
- (c) the number of people each advocate represents; and
- (d) a list of names of all those persons appointed to date?”

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

“Will the Minister explain to Members how his Department safeguards the wellbeing of any staff within the Ambulance, Fire and Rescue, and Customs and Immigration Services, as well as the States of Jersey Police, who experience mental illnesses, including those associated with a severe addiction to drugs, alcohol or gambling; and, furthermore, will he outline what duty of care his Department has towards employees in this respect?”

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

“Will the Minister explain to Members how the disciplinary procedures followed by the States of Jersey Police, and the Fire and Rescue, Customs and Immigration and Ambulance Services are compatible with the principles of ‘natural justice’ (in that an employee should have the opportunity to state their case freely when facing disciplinary action and that no-one should be a judge in his own cause or act as a judge where there is a real possibility of partiality); and, if it is his assessment that these procedures do not meet those principles, will he explain how this situation will be addressed?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

**Questions without notice
2020**

November 30th

Infrastructure

Chief Minister