



STATES OF JERSEY ORDER PAPER

Tuesday 15th May 2012
CONSOLIDATED

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Community Provisions (Restrictive Measures – Iran) (Amendment) (Jersey) Order 2012. R&O.62/2012.
Chief Minister.

- * Customs and Excise (Import and Export Control) (Amendment No. 2) (Jersey) Order 2012. R&O.63/2012.
Minister for Home Affairs.

C. DOCUMENTS PRESENTED OR LAID

- * Draft States of Jersey Police Force Law 201- (P.182/2011): comments. P.182/2011.
Presented: 14th May 2012. Com.
Education and Home Affairs Scrutiny Panel.

Code of Practice on Public Access to Official Information: Annual Report for 2011. R.58/2012
Presented: 4th May 2012.
Privileges and Procedures Committee.

Health and Social Services Review: Public consultation on the Health and Social Services Green Paper. R.59/2012.
Presented: 10th May 2012.
Minister for Health and Social Services.

States of Jersey Law 2005: delegation of functions – Chairman of the Legislation Advisory Panel – Law Drafting instructions. R.60/2012.
Presented: 11th May 2012.
Chief Minister.

- * Prison Board of Visitors: Annual Report 2011. R.61/2012.
Presented: 15th May 2012.
Minister for Home Affairs.

D. NOTIFICATION OF LODGED PROPOSITIONS

- * Draft Health Insurance (Medical Benefit) (Amendment No. 5) (Jersey) Regulations 201-. P.47/2012.
Lodged: 15th May 2012.
Minister for Social Security.



E. WITHDRAWAL OF LODGED PROPOSITIONS

In accordance with Standing Order 34(1), the proposer of the following proposition lodged 'au Greffe' has informed the Greffier of the States that it is to be withdrawn –

Jersey Heritage Trust: amendments to Constitution.

P.31/2012.

Lodged: 27th March 2012.

Minister for Education, Sport and Culture.

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions

(attached)

1. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the replacement and cost of square manhole covers.
2. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding Jersey Telecom's fibre optic expansion.
3. 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 hours' staff.
4. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding ash from La Collette.
5. The Minister for Transport and Technical Services will table an answer to a question asked by the Connétable of St. John regarding the resurfacing of the Airport Road.
6. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the contributions system.
7. The Chief Minister will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding renewable energy.
8. The Minister for Economic Development will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the funding of Tourism development.
9. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the use of 'zero hours' staff by States departments.
10. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding tax revenues from zero rated companies.
11. The Chief Minister will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the modernisation of the public sector.



(b) – Oral Questions

(120 minutes)

1. The Connétable of St. Martin will ask the following question of the Chief Minister –

“Will the Chief Minister detail the reasons for the considerable differences in the salary ranges being advertised for public sector positions, with some recent examples indicating a £30,000 difference between the minimum and maximum salary available, another with a £21,000 range and another at over £10,000 difference?”

2. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Planning and Environment –

“Will the Minister explain whether or not the Planning Department conducted a Human Rights Audit of the Laws, Regulations, Orders, Guidance Notes and Procedures before the introduction of the Human Rights (Jersey) Law 2000; detail on what dates these documents and procedures have been reviewed since then and advise whether he will publish the policy in force as of 26th November 2010, and, if not, why not?”

3. The Connétable of St. John will ask the following question of the Chief Minister –

“Would the Minister detail the retirement package which the Consultant for Obstetrics and Gynaecology received when he retired in March 2012?”

4. Deputy S. Pitman of St. Helier will ask the following question of the Chief Minister -

“Could the Chief Minister confirm whether any compensation paid to the victims of historical child abuse will come directly from an insurance fund rather than from the public purse?”

5. Deputy G.P. Southern of St Helier will ask the following question of the Minister for Health and Social Services –

“Will the Minister inform members how the figures for elective surgery compare for the first quarter of 2012 and the first quarter 2008 in respect of the number of operations performed, the number on the waiting list and waiting times and explain any marked differences these reveal?”

6. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Chief Minister –

“Could the Chief Minister advise whether the Council of Ministers intends to re-introduce the States Loan Scheme as a matter of urgency in order to assist home buyers if banks are less inclined to loan?”

7. Deputy T.M. Pitman of St. Helier will ask the following question of H.M. Attorney General –

“Given the small size of Jersey’s community what checks and balances, if any, are in place within our justice system to ensure that no conflicts of interest arise or that a fair hearing is compromised due to those sitting in judgement having close past links through either practice or friendship?”

8. Senator S.C. Ferguson will ask the following question of the Minister for Social Security –

“Why is it that if a pensioner is employed then there is no necessity to pay the employee’s social security but the employer’s social security contribution still has to be paid and how does the employer benefit from this arrangement?”



9. Deputy M. Tadier of St. Brelade will ask the following question of the Chief Minister –
- “Will the Chief Minister inform Members whether Jersey will be participating in the Queen Elizabeth II Fields Challenge, which aims to protect outdoor recreational spaces in communities all across the UK as a permanent living legacy to mark her Majesty's Diamond Jubilee; and, if so, when will the public be able to nominate and vote on playing fields in line with the Field Challenge criteria?”
10. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –
- “Does the Minister accept that there is widespread use of zero-hours contracts by employers in attempts to either avoid their legal obligations to employees regarding sickness and holiday pay and notice periods, or to evade head office or Regulation of Undertakings' headcount quotas, and if so, what action does he propose to improve employee protection and, if not, will he investigate the practice and report his findings to the States?”
11. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Education, Sport and Culture –
- “Will the Minister clarify why, given the criticism contained within the Sharp Report of the former Principal, Vice-Principal and a third teacher at Victoria College regarding their failure to act appropriately in relation to allegations of child abuse at the school, all three were allowed to resign, rather than being sacked?”
12. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Chief Minister –
- “Will the Chief Minister advise what research, if any, has been undertaken into the possible economic consequences of implementing carbon trading and similar exercises and will he assure members that he will resist pressures from the European Union and United Kingdom for Jersey to become involved in such schemes?”
13. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Economic Development –
- “Will the Minister advise whether his Department has any information regarding how many recorded instances there have been of Personal Protection Insurance (PPI) being mis-sold in Jersey in the past 5 years; how many complaints, if any, have been received by his Department, the Jersey Financial Services Commission and Trading Standards and whether any prosecutions/penalties have arisen as a result of the ‘mis-selling’ of PPI's?”
14. The Connétable of St. John will ask the following question of the Minister for Treasury and Resources –
- “Are expressions of interest to tender for building contracts, such as the refurbishment of the high rise flats at La Collette, advertised in the Jersey Evening Post/media or only through government portals and, if the latter, how is it determined who can tender from within the local building industry and who makes this decision?”
- * 15. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Planning and Environment –
- “How confident is the Minister that he and his department are acting in conformity with the European Convention on Human Rights in their dealings with the public in all areas of the department's responsibilities?”



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

1st question period – Minister for Home Affairs

2nd question period – Chief Minister

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

Senator S.C. Ferguson, Chairman of the Corporate Services Scrutiny Panel, will make a statement, in accordance with Standing Order 79(4), regarding the scrutiny of the proposition entitled ‘Tourism Development Fund: assistance to the private sector’ (P.26/2012).

- * The Minister for Social Security will make a statement regarding meeting the costs of long term care.

L. PUBLIC BUSINESS

Draft States of Jersey Police Force Law 201-. P.182/2011.
Lodged: 16th November 2011.
Minister for Home Affairs.

- * Draft States of Jersey Police Force Law 201- (P.182/2011): comments. P.182/2011.
Presented: 14th May 2012. Com.
Education and Home Affairs Scrutiny Panel.

Draft States of Jersey Police Force Law 201- (P.182/2011): amendment. P.182/2011.
Lodged: 20th April 2012. Amd.
Minister for Home Affairs.

Draft Connétables (Miscellaneous Provisions) (Jersey) Law 201-. P.36/2012.
Lodged: 3rd April 2012.
Comité des Connétables.

Draft Harbours (Inshore Safety) (Jersey) Regulations 201-. P.24/2012.
Lodged: 9th March 2012.
Minister for Economic Development.

Draft Harbours (Inshore Safety) (Jersey) Regulations 201- (P.24/2012): P.24/2012.
amendment. Amd.
Lodged: 4th April 2012.
Minister for Economic Development.

Ratification of the Agreement for the Exchange of Information relating to Tax P.33/2012.
Matters between the Government of Jersey and the Government of the Hong Kong
Special Administrative Region of the People’s Republic of China.
Lodged: 30th March 2012.
Chief Minister.

Ratification of the Agreement for the Exchange of Information relating to Tax P.34/2012.
Matters between the Government of Jersey and the Government of the Italian
Republic.
Lodged: 30th March 2012.
Chief Minister.



Ratification of the Agreement for the Exchange of Information relating to Tax Matters between the Government of Jersey and the Government of the State of Qatar. P.35/2012.
Lodged: 30th March 2012.
Chief Minister.

Electoral Commission: appointment of members. P.39/2012.
Lodged: 12th April 2012.
Privileges and Procedures Committee.

M. ARRANGEMENT OF PUBLIC BUSINESS

29th May 2012

Open ballot for Ministers and Chairmen. P.188/2011.
Lodged: 5th December 2011.
Deputy T.M. Pitman of St. Helier.

Open ballot for Ministers and Chairmen (P.188/2011): comments. P.188/2011.
Presented: 6th January 2012. Com.
Privileges and Procedures Committee.

Draft Income Tax (Amendment No. 41) (Jersey) Law 201-. P.38/2012.
Lodged: 4th April 2012.
Minister for Treasury and Resources.

Social Housing Schemes: funding. P.40/2012.
Lodged: 17th April 2012.
Minister for Treasury and Resources.

Draft Money Laundering and Weapons Development (Directions) (Amendment) P.41/2012.
(Jersey) Law 201-.
Lodged: 17th April 2012.
Chief Minister.

Draft Collective Investment Funds (Amendment and Validation) (Jersey) Law 201-. P.42/2012.
Lodged: 17th April 2012.
Minister for Economic Development.

Draft Amendment (No. 19) of the Standing Orders of the States of Jersey. P.43/2012.
Lodged: 19th April 2012.
Minister for Treasury and Resources.

Jersey Employment Tribunal: appointment of Chairman and Deputy Chairman. P.45/2012.
Lodged: 1st May 2012.
Minister for Social Security.

Ex gratia payment: Mr. D. Turner. P.46/2012.
Lodged: 1st May 2012.
Deputy M.R. Higgins of St. Helier.

12th June 2012

Standing Orders: Answers to Questions. P.30/2012.
Lodged: 26th March 2012.
Deputy G.P. Southern of St. Helier.



Standing Orders: Answers to Questions (P.30/2012) – comments.
Presented: 27th April 2012.
Privileges and Procedures Committee.

P.30/2012.
Com.

States Members' Remuneration Review Body: revised Terms of Reference.
Lodged: 27th April 2012.
Privileges and Procedures Committee.

P.44/2012.

26th June 2012

* Draft Health Insurance (Medical Benefit) (Amendment No. 5) (Jersey) Regulations
201-
Lodged: 15th May 2012.
Minister for Social Security.

P.47/2012.

A.H. HARRIS
Deputy Greffier of the States

14th May 2012

Note –

An asterix * in the left hand margin denotes either a new item added to this Order Paper since the principal Order Paper was published on 10th May 2012, or an item which has been moved.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.63/2012.

This Order amends the Customs and Excise (Import and Export Control) (Jersey) Order 2006 so as to clarify the language of an exception to the requirement for a licence to export an item that is of cultural or artistic value to Jersey. The exception is for the personal documents or writings of the exporter or of that person's spouse or civil partner, and for objects that are being exported by, and are the personal property of, the person who made them or that person's spouse, civil partner, surviving spouse or surviving civil partner.

The Order was made on 12th May 2012 and comes into force on 19th May 2012.