

Tuesday 30th April 2013 CONSOLIDATED

A. COMMUNICATIONS BY THE PRESIDING OFFICER

(Explanatory note attached)

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	Community Provisions (Restrictive Measures – Syria) (Amendment No. 10) (Jersey) Order 2013.	R&O.51/2013.
	Deputy Chief Minister, for and on behalf of Chief Minister.	
	Advocates and Solicitors (Qualifying Examination) (Amendment No. 7) Rules 2013. Superior Number of the Royal Court.	R&O.52/2013.
	Petty Debts Court (Amendment) Rules 2013. Superior Number of the Royal Court.	R&O.53/2013.
*	Road Racing (International Festival of Motoring) (Jersey) Order 2013. Minister for Transport and Technical Services.	R&O.54/2013.
*	Road Racing (Motor Vehicle Rally) (Jersey) Order 2013. Minister for Transport and Technical Services.	R&O.55/2013.
*	Sand Racing (No. 2) (Amendment) (Jersey) Order 2013. Minister for Transport and Technical Services.	R&O.56/2013.
*	Community Provisions (Restrictive Measures – North Korea) (Amendment) (Jersey) Order 2013. Chief Minister.	R&O.57/2013.
*	Community Provisions (Restrictive Measures – Libya) (Amendment No. 14) (Jersey) Order 2013. <i>Chief Minister</i> .	R&O.58/2013.
*	Community Provisions (Restrictive Measures – Syria) (Amendment No. 11) (Jersey) Order 2013. <i>Chief Minister</i> .	R&O.59/2013.
*	Community Provisions (Restrictive Measures – Egypt) (Amendment) (Jersey) Order 2013. Chief Minister.	R&O.60/2013.

C. DOCUMENTS PRESENTED OR LAID

*	Jersey Music Service: introduction of 'user pays' charges (P.36/2013) –	P.36/2013.
	comments.	Com.
	Presented: 29th April 2013.	
	Education and Home Affairs Scrutiny Panel.	



Land Transactions under Standing Order 168(3) – (a) 74 La Colomberie, St. Helier – lease; (b) V32B, Victoria Pier – lease; (c) E10, Elizabeth Terminal – lease. Presented: 18th April 2013. Minister for Treasury and Resources.	R.31/2013.
Progress Report by the Minister for Treasury and Resources on the Response to the Fiscal Policy Panel Annual Report April 2013. Presented: 19th April 2013. Minister for Treasury and Resources.	R.32/2013.
The Reform of Social Housing (P.33/2013) and States of Jersey Housing Transformation Programme: Full Business Case (R.15/2013): Note from Professor Christine Whitehead, O.B.E. Presented: 19th April 2013. <i>Minister for Housing</i> .	R.33/2013.
Ministerial Responsibilities: Ministers and Assistant Ministers. Presented: 22nd April 2013. <i>Chief Minister</i> .	R.34/2013.
Control of Housing and Work: Consultation Findings Report and draft Fees Order. Presented: 23rd April 2013. <i>Chief Minister.</i>	R.35/2013.
Control of Housing and Work: draft Exemptions Order. Presented: 23rd April 2013. Chief Minister.	R.36/2013.
States Assembly Annual Report 2012. Presented: 26th April 2013. Privileges and Procedures Committee.	R.37/2013.
States of Jersey Law 2005: delegation of functions – Planning and Environment – revised delegations April 2013. Presented: 26th April 2013. Minister for Planning and Environment.	R.38/2013.
Machinery of Government Review Sub-Committee: Interim Report April 2013. Presented: 30th April 2013. Privileges and Procedures Committee.	R.39/2013.
Land Transactions under Standing Order 168(3) – (a) 2 Dorset Street, St. Helier (Shop) – lease; (b) Langtry Gardens, St. Saviour's Hill, St. Saviour – Bus Shelter. Presented: 30th April 2013. Minister for Treasury and Resources.	R.40/2013.
£200,000 Grant to Film Company. Presented: 25th April 2013. Public Accounts Committee.	P.A.C.2/2013.

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D. NOTIFICATION OF LODGED PROPOSITIONS

*	Draft Discrimination (Jersey) Law 201- (P.6/2013) – amendment. Lodged: 30th April 2013. <i>Minister for Social Security</i> .	P.6/2013. Amd.
	Draft Control of Housing and Work (Jersey) Law 2012 (Appointed Day) Act 201-(P.42/2013): amendment. Lodged: 23rd April 2013. Chief Minister.	P.42/2013. Amd.
	Draft Register of Names and Addresses (Jersey) Law 2012 (Appointed Day) Act 201- (P.43/2013): amendment. Lodged: 23rd April 2013. Chief Minister.	P.43/2013. Amd.
	Draft Control of Housing and Work (Business Licences – Annual Charges for Registered Persons) (Jersey) Regulations 201 Lodged: 23rd April 2013. <i>Chief Minister</i> .	P.52/2013.
	Draft Control of Housing and Work (Transitional and Consequential Provisions) (No. 2) (Jersey) Regulations 201 Lodged: 23rd April 2013. Chief Minister.	P.53/2013.
	Draft Education (Amendment No. 2) (Jersey) Law 201 Lodged: 23rd April 2013. Minister for Education, Sport and Culture.	P.54/2013.
*	Approval of the Memorandum of Understanding between the Government of Jersey and Her Majesty's Revenue and Customs of the United Kingdom of Great Britain and Northern Ireland relating to co-operation in tax matters. Lodged: 30th April 2013. <i>Chief Minister</i> .	P.55/2013.
*	Draft Taxation (Implementation) (Disclosure Facility) (Jersey) Regulations 201 Lodged: 30th April 2013. <i>Chief Minister</i> .	P.56/2013.
E.	WITHDRAWAL OF LODGED PROPOSITIONS	

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS



I. QUESTIONS

(a)- Written Questions

(attached)

- 1. The Chief Minister will table an answer to a question asked by the Connétable of St. John regarding the appointments of the Directors of Human Resources and Organisation Development.
- 2. The Minister for Economic Development will table an answer to a question asked by the Connétable of St. John regarding attendance at the Paris Agricultural Show.
- 3. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding breaches of the Data Protection (Jersey) Law 2005 by police officers or their civilian staff.
- 4. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding Data Protection complaints and requests relating to the States of Jersey Police.
- 5. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding requests since 2005 made under Article 53 of the Data Protection (Jersey) Law 2005.
- 6. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding complaints made against the Chief Officer and Deputy Chief Officer of the States of Jersey Police since 2004.
- 7. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding referrals from either the States of Jersey Police or the Data Protection Commissioner regarding data protection breaches.
- 8. The Minister for Treasury and Resources will table an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding returns to the Treasury from income derived through public services.
- 9. The Minister for Transport and Technical Services will table an answer to a question asked by the Connétable of St. Lawrence regarding vehicular access through Coronation Park.
- 10. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact of the rent proposals within the Housing Transformation Programme.
- 11. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the influence on Census figures on the proposals contained within the Housing Transformation Programme.
- 12. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the protection of those in receipt of the rent component of Income Support from the impact of proposed rent increases.
- 13. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding CTPlus Jersey's recognition of the trade union Unite.
- 14. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the date when codes of practice covering the Transfer of Undertakings Protection of Employment will be introduced.



- 15. The Chief Minister will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the use of 'zero hour' contracts.
- 16. The Minister for Planning and Environment will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the cost of off-shore wind-monitoring masts.
- 17. 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 decrease in bus usage since CTPlus replaced Connex.
- 18. The Minister for Economic Development will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the supply of Super unleaded fuel.
- 19. The Minister for Planning and Environment will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the impact on future housing supply of the Jersey Development Company's 2012 report.
- ★ The following written question was inadvertently missed from the principal Order Paper
 - 20. The Chief Minister will table an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding the cost of consultancy reports associated with the various Machinery of Government reviews since 1999.

(b) - Oral Questions

(120 minutes)

- 1. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Health and Social Services
 - "Will the Minister advise whether any concerns have been raised about levels of care at Highlands Care Home in the past 2 years, whether there have been any inspections at the Home during that time period and, if so, what the findings of any such inspection were?"
- 2. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Housing
 - "Given that the scenario described in the 3 policy bullet points included on page 11 of the Full Business Case associated with the Reform of Social Housing (P.33/2013) fails to match up with any of the population projections produced in 2012 following the 2011 Census results, will the Minister state whether, in drafting the proposition, he sought input from the Statistics Unit, and, if not, why not?"
- 3. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Home Affairs
 - "Is the Minister satisfied with the way in which complaints made by serving and former police officers and the public have been investigated by the Jersey Police Complaints Authority, the Deputy Chief of the States of Jersey Police and the Professional Standards Department?"
- 4. Deputy S. Pitman of St. Helier will ask the following question of the Minister for Transport and Technical Services
 - "Will the Minister confirm whether CTPlus has fulfilled its obligation to officially recognise the union and, if so, does he consider that this will represent a step towards resolving some of the service problems being experienced by both staff and customers since the company took over the contract?"



5. Deputy T.M. Pitman of St. Helier will ask the following question of the Chief Minister –

"Further to concerns raised by a member of the public travelling on the same flight as the Assistant Chief Minister (with responsibility for External Relations) that he was able to identify details of both the victim and alleged abuser central to the suspension of the Dean's Commission case, did he receive these confidential documents in his official capacity as Assistant Minister?"

6. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Transport and Technical Services –

"Can the Minister advise whether consideration has ever been given to amending the current Motor Traffic (Third Party Insurance) (Jersey) Law 1948 so that uninsured drivers are not only prosecuted for driving an uninsured vehicle, but the uninsured vehicle that is driven on Jersey roads can be impounded and immediately scrapped and, if not, why not?"

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

"Further to media reports on 21st March 2013 regarding a 'spam attack' on Jersey Mail, is Jersey Mail wholly or partly owned by Jersey Post and who do the Information Services Directors report to?"

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

"Would the Minister advise whether changes to some bus routes did not occur on 31st March 2013 as advertised, and, if so, explain why and identify whether the continuing problems with the service lie with the operator, his department or himself and, if the latter, would he apologise to the public for the inconvenience caused?"

9. Deputy R.J. Rondel of St. Helier will ask the following question of the Minister for Treasury and Resources –

"Has any research been undertaken into increasing tax rates for the largest UK retailers operating in the Island, as was recently proposed in the Isle of Man's budget statement, and, if so, what were the conclusions?"

10. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Chief Minister –

"How will the success of the public sector reform project be measured?"

11. Deputy S. Pitman of St. Helier will ask the following question of the Chairman of Privileges and Procedures Committee –

"Given that the dual role of the Bailiff can result in his disallowing, on the grounds that it breaches Standing Order 16, a personal statement from an elected member, criticising the Judiciary, including the Bailiff as Head of the Judiciary, will the Committee be bringing forward proposals to address the role of the Bailiff and, if so, when?"

★ 12. The Connétable of St. John will ask the following question of the Minister for Economic Development –

"Would the Minister advise whether the Jersey Rugby Club has been granted a licence to employ professional rugby players on non local contracts and, if so would he provide details of how many players have been employed on this basis, the length of each contract and advise whether the players concerned have brought over their families?"



13. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Chairman of Privileges and Procedures Committee –

"Would the Chairman agree to provide, in advance of any debate resulting from the referendum, greater detail and clarity (together with supporting research) as to how the States Assembly will be constituted with 42 members?"

- The following question was incorrectly shown on the principal Order Paper as being directed to * the Chief Minister.
 - 14. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Home Affairs -

"Further to statements from the States of Jersey Police that they have thwarted 3 plots to kill Islanders since 2010, will the Minister clarify whether this number is correct, what action was taken against those making the alleged threats and under what Laws these actions were enforced?"

15. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Transport and Technical Services -

"What action has the Minister taken, or will he take, to bring the dispute over union recognition at CTPlus to a satisfactory resolution as soon as possible and, if none, why?"

16. Deputy M.R. Higgins of St. Helier will ask the following question of the Chief Minister –

"Is the Chief Minister satisfied with the action taken by the Data Protection Commissioner relating to a complaint alleging the States of Jersey Police's failure to disclose information allowed under the Data Protection (Jersey) Law 2005 and within the specified time scales?"

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

1st question period – Minister for Social Security

2nd question period - Chief Minister

J. PERSONAL STATEMENTS

STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY K.

L. **PUBLIC BUSINESS**

Draft Restriction on Smoking (Advertising, Promotion and Display) (Jersey) Regulations 201-.

P.17/2013.

Lodged: 6th February 2013.

Minister for Health and Social Services.

Draft Restriction on Smoking (Advertising, Promotion and Display) (Jersey)

P.17/2013.

Amd.

Regulations 201- (P.17/2013): amendment.

Lodged: 9th April 2013.

Minister for Health and Social Services.



	Draft Restriction on Smoking (Amendment No. 3) (Jersey) Law 201 Lodged: 7th February 2013.	P.18/2013.
	Minister for Health and Social Services.	
	Jersey Music Service: introduction of 'user pays' charges. Lodged: 8th March 2013.	P.36/2013.
	Minister for Education, Sport and Culture.	
*	Jersey Music Service: introduction of 'user pays' charges (P.36/2013) – comments. Presented: 29th April 2013. Education and Home Affairs Scrutiny Panel.	P.36/2013. Com.
	Living Wage for Jersey: investigation. Lodged: 18th March 2013.	P.37/2013.
	Deputy G.P. Southern of St. Helier.	
	Draft Wills and Successions (Amendment No. 2) (Jersey) Law 201 Lodged: 19th March 2013. Chief Minister.	P.38/2013.
	Draft Policing of Parks (Amendment No. 5) (Jersey) Regulations 201 Lodged: 20th March 2013. Minister for Transport and Technical Services.	P.41/2013.
	Draft Control of Housing and Work (Jersey) Law 2012 (Appointed Day) Act 201 Lodged: 20th March 2013. <i>Chief Minister.</i>	P.42/2013.
	Draft Control of Housing and Work (Jersey) Law 2012 (Appointed Day) Act 201-(P.42/2013): amendment. Lodged: 23rd April 2013. Chief Minister.	P.42/2013. Amd.
	Draft Register of Names and Addresses (Jersey) Law 2012 (Appointed Day) Act 201 Lodged: 20th March 2013. Chief Minister.	P.43/2013.
	Draft Register of Names and Addresses (Jersey) Law 2012 (Appointed Day) Act 201- (P.43/2013): amendment. Lodged: 23rd April 2013. Chief Minister.	P.43/2013. Amd.
	Jersey Innovation Fund: establishment, funding and operation. Lodged: 20th November 2012. Minister for Treasury and Resources.	P.124/2012.
	Jersey Innovation Fund: establishment, funding and operation (P.124/2012) – amendment. Lodged: 17th April 2013. <i>Minister for Treasury and Resources</i> .	P.124/2012. Amd.



M. ARRANGEMENT OF PUBLIC BUSINESS

14th May 2013

	Code of Conduct for Elected Members: Commissioner for Standards. Lodged: 14th January 2013. Privileges and Procedures Committee.	P.4/2013.
	Draft Discrimination (Jersey) Law 201 Lodged: 15th January 2013. Minister for Social Security.	P.6/2013.
*	Draft Discrimination (Jersey) Law 201- (P.6/2013) – amendment. Lodged: 30th April 2013. <i>Minister for Social Security</i> .	P.6/2013. Amd.
	The Reform of Social Housing. Lodged: 4th March 2013. Council of Ministers.	P.33/2013.
	The Reform of Social Housing (P.33/2013): amendment. Lodged: 16th April 2013. Health, Social Security and Housing Scrutiny Panel.	P.33/2013. Amd.
	The Reform of Social Housing (P.33/2013): second amendment. Lodged: 16th April 2013. Deputy G.P. Southern of St. Helier.	P.33/2013. Amd.(2)
	The Reform of Social Housing (P.33/2013): third amendment. Lodged: 16th April 2013. Deputy J.A.N. Le Fondré of St. Lawrence.	P.33/2013. Amd.(3)
	The Reform of Social Housing (P.33/2013): fourth amendment. Lodged: 17th April 2013. Deputy T.A. Vallois of St. Saviour.	P.33/2013. Amd.(4)
	Parish Rates: the States' liability. Lodged: 20th March 2013. Connétable of St. Helier.	P.40/2013.
	Draft Procureurs du Bien Public (Terms of Office) (Jersey) Law 201 Lodged: 2nd April 2013. Comité des Connétables.	P.45/2013.
	Manual Workers' Joint Council: Employers' Side membership. Lodged: 10th April 2013. States Employment Board.	P.49/2013.
	Chief Minister and Chairman of Comité des Connétables: monthly meetings. Lodged: 16th April 2013. Deputy M. Tadier of St. Brelade.	P.51/2013.



4th June 2013

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Committee of Inquiry: costs for local businesses. Lodged: 25th February 2013. Senator A. Breckon.	P.31/2013.
Victoria and George V Cottage Homes (Repeal of General Principles). Lodged: 28th March 2013. <i>Minister for Housing</i> .	P.44/2013.
Ratification of the Agreement between the Government of Jersey and the Government of the Isle of Man for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income. Lodged: 3rd April 2013. <i>Chief Minister.</i>	P.46/2013.
Ratification of the Agreement between the Government of Jersey and the States of Guernsey for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income. Lodged: 3rd April 2013. Chief Minister.	P.47/2013.
Draft Unlawful Public Entertainments (Jersey) Regulations 201 Lodged: 8th April 2013. <i>Minister for Home Affairs</i> .	P.48/2013.
Draft Taxation (Accounting Records) (Jersey) Regulations 201 Lodged: 15th April 2013. Chief Minister.	P.50/2013.
Draft Control of Housing and Work (Business Licences – Annual Charges for Registered Persons) (Jersey) Regulations 201 Lodged: 23rd April 2013. <i>Chief Minister</i> .	P.52/2013.
Draft Control of Housing and Work (Transitional and Consequential Provisions) (No. 2) (Jersey) Regulations 201 Lodged: 23rd April 2013. <i>Chief Minister</i> .	P.53/2013.
Draft Education (Amendment No. 2) (Jersey) Law 201 Lodged: 23rd April 2013. Minister for Education, Sport and Culture.	P.54/2013.
<u>18th June 2013</u>	
Approval of the Memorandum of Understanding between the Government of Jersey	P.55/2013.

and Her Majesty's Revenue and Customs of the United Kingdom of Great Britain

and Northern Ireland relating to co-operation in tax matters.

Lodged: 30th April 2013.

 $Chief\,Minister.$



★ Draft Taxation (Implementation) (Disclosure Facility) (Jersey) Regulations 201-. Lodged: 30th April 2013.
Chief Minister. P.56/2013.

M.N. DE LA HAYE Greffier of the States

29th April 2013

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 25th April 2013, or an item which has been moved.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.54/2013.

This Order permits the Classic and Vintage Motor Racing Club of Jersey to hold races and an entertainment from 7th to 9th June 2013 on roads in St. Helier, including Mount Bingham and parts of Victoria Avenue, Westmount Road and La Route de St. Aubin, and to close those roads to traffic.

This Order was made on 26th April 2013 and came into force immediately upon being made.

R&O.55/2013.

This Order allows the Jersey Motor Cycle and Light Car Club to hold motor rallies on Saturday 15th June 2013, on 2 courses in the parish of St. Ouen, and to close certain roads in the parish for that purpose.

This Order was made on 26th April 2013 and came into force immediately upon being made.

R&O.56/2013.

This Order amends the Sand Racing (No. 2) (Jersey) Order 2012 to move the event on 20th July 2013 from the St. Ouen's Bay course to the West Park course.

The Order was made on 26th April 2013 and comes into force 14 days after being made.

R&O.57/2013.

This Order amends the Community Provisions (Restrictive Measures – North Korea) (Jersey) Order 2013, to give effect to Commission Implementing Regulation (EU) No. 370/2013 of 22 April 2013 (O.J. No. L 111/43, 23.4.2013) amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea. The Implementing Regulation adds 5 entries to the list in Annex IV to the 2007 Regulation, and deletes one entry and replaces another in the list in Annex V. Both Annexes list persons subject to restrictive measures concerning funds.

The Order was made on 26th April 2013 and came into force on the day after it was made.

R&O.58/2013.

This Order further amends, by *Article 1*, the Community Provisions (Restrictive Measures – Libya) (Jersey) Order 2011, to give effect in Jersey to Council Implementing Regulation (EU) No. 364/2013 of 22nd April 2013 (O.J. No. L 111/25, 23.4.2013), the effect of which is to remove one named person from the list set out in Annex III to Regulation (EU) No. 204/2011 of 2 March 2011 concerning restrictive measures in view of the situation in Libya.

Article 2 provides for the citation of this Order and for its commencement.

The Order was made on 26th April 2013 and came into force on 27th April 2013.

R&O.59/2013.

This Order gives effect in Jersey to Council Implementing Regulation (EU) No. 363/2013 of 22nd April 2013 (O.J. L111, 23.4.13, p.1). That Regulation amends Council Regulation (EU) No. 36/2012 concerning restrictive measures in view of the situation in Syria. Those amendments amend the list of persons, entities and bodies subject to restrictive measures.

The Order was made on 26th April 2013 and came into force on 27th April 2013.

R&O.60/2013.

This Order gives effect to Council Regulation (EU) No. 1099/2012 of 26 November 2012 amending Regulation (EU) No. 270/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Egypt.



The Council Regulation being given effect –

- (a) widens the circumstances in which the release of certain frozen funds or economic resources is permitted; and
- (b) allows information which would facilitate compliance with the restrictive measures in respect of Egypt to be shared with the relevant authorities of Egypt and of Member States, for the purpose of assisting the recovery of misappropriated assets.

The Order was made on 26th April 2013 and came into force on the day after it was made.