



STATES OF JERSEY ORDER PAPER

Tuesday 20th November 2012
CONSOLIDATED

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

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|---|---------------|
| Social Security (Insolvency Benefit) (Jersey) Order 2012.
<i>Minister for Social Security.</i> | R&O.123/2012. |
| Public Finances (Transitional Arrangements) (Amendment) (Jersey) Order 2012.
<i>Minister for Treasury and Resources.</i> | R&O.124/2012. |
| Community Provisions (Restrictive Measures – Belarus) (Amendment No. 8) (Jersey) Order 2012.
<i>Deputy Chief Minister for and on behalf of Chief Minister.</i> | R&O.126/2012. |

C. DOCUMENTS PRESENTED OR LAID

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|--|------------------------|
| * Police Station Relocation: review of decision (P.92/2012) – comments.
Presented: 19th November 2012.
<i>Council of Ministers.</i> | P.92/2012.
Com. |
| * Police Station Relocation: review of decision (P.92/2012) – comments.
Presented: 20th November 2012.
<i>Minister for Planning and Environment.</i> | P.92/2012.
Com.(2) |
| * Reform Day: 28th September 1769 (P.107/2012) – comments.
Presented: 19th November 2012.
<i>Council of Ministers.</i> | P.107/2012.
Com. |
| * Reform Day: 28th September 1769 (P.107/2012) – comments.
Presented: 20th November 2012.
<i>Minister for Education, Sport and Culture.</i> | P.107/2012.
Com.(2) |
| * Relocation of Police Head Quarters to Green Street Car Park.
Presented: 16th November 2012.
<i>Education and Home Affairs Scrutiny Panel.</i> | S.R.19/2012. |

D. NOTIFICATION OF LODGED PROPOSITIONS

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|---|------------------------|
| * Old Age Pension: increase for 2012 (P.97/2012) – amendment.
Lodged: 20th November 2012.
<i>Deputy G.P. Southern of St. Helier.</i> | P.97/2012.
Amd. |
| * Draft Budget Statement 2013 (P.102/2012): second amendment.
Lodged: 20th November 2012.
<i>Deputy G.P. Southern of St. Helier.</i> | P.102/2012.
Amd.(2) |
| * Draft Income Tax (Amendment No. 41) (Jersey) Law 201- (P.104/2012):
amendment.
Lodged: 20th November 2012.
<i>Minister for Treasury and Resources.</i> | P.104/2012.
Amd. |



- Minister for Justice and Department of Justice: report. P.120/2012.
Lodged: 13th November 2012.
Senator L.J. Farnham.
- Draft Repatriation of Prisoners (Jersey) Law 2012 (Appointed Day) Act 201-. P.121/2012.
Lodged: 13th November 2012.
Minister for Home Affairs.
- Draft Health Insurance (Amendment No. 14) (Jersey) Law 2012 (Appointed Day) P.122/2012.
Act 201-.
Lodged: 13th November 2012.
Minister for Social Security.
- Greville Bathe Fund: appointment of Jurat. P.123/2012.
Lodged: 16th November 2012.
Minister for Treasury and Resources.
- * Jersey Innovation Fund: establishment, funding and operation. P.124/2012.
Lodged: 20th November 2012.
Minister for Treasury and Resources.

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 Minister for Economic Development will table an answer to a question asked by the Connétable of St. John regarding the construction of a new hangar at Jersey Airport.
2. The Minister for Economic Development will table an answer to a question asked by Deputy S.S.P.A. Power of St. Brelade regarding the insurance liability for cars and vehicles damaged on the car-deck of a Condor ferry.
3. 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 flooding risk to Green Street car park.
4. The Minister for Economic Development will table an answer to a question asked by Deputy S.S.P.A. Power of St. Brelade regarding the current Harbourmaster.
5. The Minister for Housing will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the achievement of affordable and social rented homes targets.



- * 6. The Minister for Social Security will table an answer to a question asked by Senator S.C. Ferguson regarding the rebates claimed by G.P.s.
- 7. The Minister for Health and Social Services will table an answer to a question asked by Senator S.C. Ferguson regarding the use of the Liverpool Care Pathway in Jersey.
- 8. The Minister for Treasury and Resources will table an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the use of a storage facility at La Collette.
- 9. The Minister for Treasury and Resources will table an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the proposed location of staff car parking near the Green Street police headquarters scheme.
- * 10. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the potential use of public car parks to provide staff spaces for the proposed Green Street police headquarters scheme.
- 11. The Minister for Home Affairs will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the police investigation into the rezoning of agricultural land.
- 12. The Minister for Home Affairs will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the role played by the Bailiff in live police operational matters.
- 13. H.M. Attorney General will table an answer to a question asked by Deputy T.M. Pitman of St. Helier about so-called 'will kits'.
- 14. H.M. Attorney General will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the public's legal responsibility to report allegations of child abuse to the police.
- * 15. The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the disclosure by banks of suspected tax evasion.
- 16. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the extent to which allowances or subsidies for rental/mortgage costs have been used to recruit or retain public sector staff.
- 17. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the consideration of recommendations made within S.R.3/2011 'Review of Benefit Levels'.
- 18. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the consideration of recommendations made within S.R.3/2011 'Review of Benefit Levels'.
- 19. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding vehicles owned and operated by the States of Jersey Police.
- 20. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding whether Crown Officers, or any States Departments or States Appointed Bodies have been party to obtaining any injunctions in the last 3 years.
- 21. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the extension of the historic abuse redress scheme to include visitors to Haut de la Garenne and other children's homes.



22. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the number and details of prosecutions brought by the Data Protection Commissioner under the Data Protection (Jersey) Law 2005 since the Appointed Day Act was adopted by the States.
23. H.M. Attorney General will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding protections afforded complainants who consent to the use of confidential medical or counselling information in a criminal trial.
24. The Minister for Health and Social Services will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the outcome of the internal review into patient travel expenses.
25. The Chief Minister will table an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding the implementation of Strategic Social Assessments.
26. H.M. Attorney General will table an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding whether the Education (Discretionary Grants – General) (Jersey) Order 2008 already provides the ability to take account of a separated parent’s income or that of the new partner.
27. 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 rights of children and parents to information when the children are under the care of and/or supervision of the Health and Social Services Department.
28. The Chief Minister will table an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding proposed changes to the social policy framework.
29. The Minister for Education, Sport and Culture will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the full impact of the proposal to amend the Education (Discretionary Grants – General) (Jersey) Order 2008.
- * 30. The Chairman of the Electoral Commission will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the proposed changes to electoral constituencies.
- * 31. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the operation of the EU Savings Tax Directive.

(b) – Oral Questions

(120 minutes)

1. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Can the Minister state the source of the projected £250,000 savings figure for the Managed Print Service solution, advise whether Danwood are contractually bound to deliver this level of savings and whether he still considers that the States of Jersey are getting best value for money under this contract?”
2. Senator S.C. Ferguson will ask the following question of the Minister for Health and Social Services –

“Was the Minister aware that the Consultant obstetrician and gynaecologist from the Health and Social Services Department was being featured on the front page of the local paper before the article on childhood obesity and health risks was published?”



3. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –

“Can the Minister explain why, despite measures designed to reduce the supplementation bill by £7 million by raising additional contributions above the standard earnings limit in 2012, estimates indicate a lower return with the 2015 estimate returning to the 2011 sum of £65.3 million and would he outline what further actions, if any, he is considering to reduce the supplementation bill?”

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

“Would the Chief Minister explain why he made the statement on 16th October 2012 concerning the investigation of allegations against a former Senator in relation to planning corruption and on what basis was the statement made?”

5. Deputy M. Tadier will ask the following question of the Chief Minister –

“With reference to the proposed Committee of Inquiry into Historic Child Abuse, will the Chief Minister confirm that Paragraph 10 of the proposed Terms of Reference will allow the Committee to review the suspension of the former Chief Officer of the States of Jersey Police and whether the suspension was because of concerns relating to the prosecution of offenders?”

6. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Transport and Technical Services –

“Now work has started on the drainage shaft at Ann Court can the Minister give a completion date and the full cost of the project?”

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

“Would the Minister explain why it is planned to dismantle the Bellozanne chimney gradually instead of by explosive demolition and would he also advise of the cost differential between the two methods?”

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

“What is the position of the Council of Ministers on the subject of a Channel Islands Confederation?”

9. Deputy J.H. Young of St. Brelade will ask the following question of the Minister for Planning and Environment –

“Would the Minister explain why in his public comments, he has described the development of Housing on the headland at Plémont as an ‘environmental improvement’, when the Planning Inspector’s report concluded that housing at Plémont conflicted with the Island Plan Spatial Strategy and required ‘cogent, exceptional justification’ and how he will prevent his advocacy of this proposal having a damaging effect on the future integrity of the Island Plan?”

10. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Treasury and Resources –

“Further to the recently announced price increase at Jersey Electricity of 9.5%, more than 4 times the rate of inflation, does the Minister, as the shareholder representative, consider that the damage to the undersea cable that provides a link to electricity generated in France is an infrastructure and capital issue and that the cost of repairing and replacing this should not be tariff based and applied to any price increase?”



11. The Deputy of St. Martin will ask the following question of the Minister for Planning and Environment –

“Can the Minister confirm if any cases of Ash dieback fungal disease have been discovered in Ash trees in Jersey, and if so, how many?”

12. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Economic Development –

“Is the Minister employing consultants at a cost of £950,000 to report on the future of the Finance Industry and, if so, why, when a person has just been appointed as Director of Financial Services Policy with the same remit?”

13. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Can the Minister advise whether the £23,367 overpayment to Danwood for managed print services to schools has now been recovered and whether the company has supplied all the figures necessary for the Treasury's internal auditor to reconcile the cost differences between Hautlieu, Les Quennevais and the supplier under the contract and to ascertain the true cost of the contract overall?”

14. Deputy M. Tadier of St. Brelade will ask the following question of the Chief Minister –

“In the light of last week's decision by the Minister for Planning and Environment to grant planning permission for 28 homes to be built on the site, will the Chief Minister be persisting with his proposition seeking to acquire the former Plémont Holiday Village (P.90/2012)?”

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

“Were the almost £1 billion of deposits from EU nationals in HSBC covered by the European Union Savings Tax Directive (EUSTD) which is designed solely to tackle tax evasion and, if so, why is the option of choosing withholding tax which enables depositors to hide their identities from their home authorities to evade tax still available in Jersey?”

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

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

2nd question period – Minister for Health and Social Services

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Ratification of the Agreement for the exchange of information relating to Tax Matters between the Government of Jersey and the Government of the Republic of Austria.

P.85/2012.

Lodged: 17th September 2012.

Chief Minister.



Draft Taxation (Exchange of Information with Third Countries) (Amendment No. 5) (Jersey) Regulations 201-. Lodged: 24th September 2012. <i>Chief Minister.</i>	P.86/2012.
Draft Debt Relief (Developing Countries) Jersey Law 201-. Lodged: 1st October 2012. <i>Chief Minister.</i>	P.91/2012.
Police Station Relocation: review of decision. Lodged: 2nd October 2012. <i>Deputy J.A. Martin of St. Helier.</i>	P.92/2012.
* Police Station Relocation: review of decision (P.92/2012) – comments. Presented: 19th November 2012. <i>Council of Ministers.</i>	P.92/2012. Com.
* Police Station Relocation: review of decision (P.92/2012) – comments. Presented: 20th November 2012. <i>Minister for Planning and Environment.</i>	P.92/2012. Com.(2)
Police Station Relocation: review of decision (P.92/2012) – amendment. Lodged: 31st October 2012. <i>Deputy J.A. Martin of St. Helier.</i>	P.92/2012. Amd.
Draft Royal Court (Amendment No. 13) (Jersey) Law 201-. Lodged: 3rd October 2012. <i>Chief Minister.</i>	P.93/2012.
Draft Incorporated Limited Partnerships (Annual Additional Charge) (Jersey) Regulations 201-. Lodged: 8th October 2012. <i>Minister for Economic Development.</i>	P.94/2012.
Draft Separate Limited Partnerships (Annual Additional Charge) (Jersey) Regulations 201-. Lodged: 8th October 2012. <i>Minister for Economic Development.</i>	P.95/2012.
Draft Limited Partnerships (Annual Additional Charge) (Jersey) Regulations 201-. Lodged: 8th October 2012. <i>Minister for Economic Development.</i>	P.96/2012.
Draft Gambling (Ancillary Services and Miscellaneous Provisions) (Jersey) Regulations 201-. Lodged: 9th October 2012. <i>Minister for Economic Development.</i>	P.98/2012.
Draft Gambling (Charitable and Membership Gambling Services) (Jersey) Regulations 201-. Lodged: 9th October 2012. <i>Minister for Economic Development.</i>	P.99/2012.
Draft Gambling (Jersey) Law 2012 (Appointed Day) Act 201-. Lodged: 9th October 2012. <i>Minister for Economic Development.</i>	P.100/2012.



	Reform Day: 28th September 1769. Lodged: 22nd October 2012. <i>Deputy T.M. Pitman of St. Helier.</i>	P.107/2012.
*	Reform Day: 28th September 1769 (P.107/2012) – comments. Presented: 19th November 2012. <i>Council of Ministers.</i>	P.107/2012. Com.
*	Reform Day: 28th September 1769 (P.107/2012) – comments. Presented: 20th November 2012. <i>Minister for Education, Sport and Culture.</i>	P.107/2012. Com.(2)
M.	ARRANGEMENT OF PUBLIC BUSINESS	
	<u>4th December 2012</u>	
	Draft Budget Statement 2013. Lodged: 17th October 2012. <i>Minister for Treasury and Resources.</i>	P.102/2012.
	Draft Budget Statement 2013 (P.102/2012): amendment. Lodged: 2nd November 2012. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.102/2012. Amd.
*	Draft Budget Statement 2013 (P.102/2012): second amendment. Lodged: 20th November 2012. <i>Deputy G.P. Southern of St. Helier.</i>	P.102/2012. Amd.(2)
	Draft Finance (2013 Budget) (Jersey) Law 201-. Lodged: 17th October 2012. <i>Minister for Treasury and Resources.</i>	P.103/2012.
	Draft Income Tax (Amendment No. 41) (Jersey) Law 201-. Lodged: 17th October 2012. <i>Minister for Treasury and Resources.</i>	P.104/2012.
*	Draft Income Tax (Amendment No. 41) (Jersey) Law 201- (P.104/2012): amendment. Lodged: 20th November 2012. <i>Minister for Treasury and Resources.</i>	P.104/2012. Amd.
	Draft Goods and Services Tax (Amendment No. 4) (Jersey) Law 201-. Lodged: 17th October 2012. <i>Minister for Treasury and Resources.</i>	P.105/2012.
	Plémont Holiday Village – acquisition by the public and sale to the National Trust for Jersey. Lodged: 27th September 2012. <i>Chief Minister.</i>	P.90/2012.
	Plémont Holiday Village – acquisition by the public and sale to the National Trust for Jersey (P.90/2012) – amendment Lodged: 10th October 2012. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.90/2012. Amd.



- * Old Age Pension: increase for 2012.
Lodged: 9th October 2012.
Deputy G.P. Southern of St. Helier. P.97/2012.

- * Old Age Pension: increase for 2012 (P.97/2012) – comments.
Presented: 7th November 2012.
Minister for Social Security. P.97/2012.
Com.

- * Old Age Pension: increase for 2012 (P.97/2012) – amendment.
Lodged: 20th November 2012.
Deputy G.P. Southern of St. Helier. P.97/2012.
Amd.

- Draft Social Security (Amendment of Law No. 4) (Jersey) Regulations 201-.
Lodged: 9th October 2012.
Minister for Social Security. P.101/2012.

- Income Tax: Report on Personal Income Tax Assessments.
Lodged: 18th October 2012.
Deputy G.P. Southern of St. Helier. P.106/2012.

- Draft Alternative Investment Funds (Jersey) Regulations 201-.
Lodged: 23rd October 2012.
Minister for Economic Development. P.109/2012.

- Draft Financial Services (Amendment of Law No. 4) (Jersey) Regulations 201-.
Lodged: 23rd October 2012.
Minister for Economic Development. P.110/2012.

- Commissioner of Appeal for Taxes Office: appointment.
Lodged: 31st October 2012.
Minister for Treasury and Resources. P.116/2012.

- Jersey Heritage Trust: appointment of Chairman.
Lodged: 2nd November 2012.
Minister for Education, Sport and Culture. P.117/2012.

- 11th December 2012**

- Jersey Appointments Commission: appointment of Commissioner.
Lodged: 23rd October 2012.
Chief Minister. P.108/2012.

- Draft Intellectual Property (Unregistered Rights) (Jersey) Law 2011 (Appointed Day) Act 201-.
Lodged: 30th October 2012.
Minister for Economic Development. P.111/2012.

- Draft Intellectual Property (Unregistered Rights) (Application, Transitional Provisions and Savings) (Jersey) Regulations 201-.
Lodged: 30th October 2012.
Minister for Economic Development. P.112/2012.

- Tourism Shadow Board: establishment.
Lodged: 30th October 2012.
Minister for Economic Development. P.113/2012.



- Draft Fire Precautions (Amendment No. 2) (Jersey) Law 2012 (Appointed Day) Act 201-. P.114/2012.
Lodged: 30th October 2012.
Minister for Home Affairs.
- Draft Fire Precautions (Designated Premises) (Jersey) Regulations 201-. P.115/2012.
Lodged: 30th October 2012.
Minister for Home Affairs.
- Connétables and other parish officials: explanatory document and new legislation. P.119/2012.
Lodged: 6th November 2012.
Deputy M.R. Higgins of St. Helier.
- Draft Repatriation of Prisoners (Jersey) Law 2012 (Appointed Day) Act 201-. P.121/2012.
Lodged: 13th November 2012.
Minister for Home Affairs.
- Draft Health Insurance (Amendment No. 14) (Jersey) Law 2012 (Appointed Day) Act 201-. P.122/2012.
Lodged: 13th November 2012.
Minister for Social Security.
- 15th January 2013**
- Committee of Inquiry: Historical Child Abuse. P.118/2012.
Lodged: 6th November 2012.
Council of Ministers.
- Minister for Justice and Department of Justice: report. P.120/2012.
Lodged: 13th November 2012.
Senator L.J. Farnham.
- Greville Bathe Fund: appointment of Jurat. P.123/2012.
Lodged: 16th November 2012.
Minister for Treasury and Resources.
- * Jersey Innovation Fund: establishment, funding and operation. P.124/2012.
Lodged: 20th November 2012.
Minister for Treasury and Resources.

M.N. DE LA HAYE
Greffier of the States

19th November 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 15th November 2012, or an item which has been changed.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.126/2012.

This Order amends the Community Provisions (Restrictive Measures – Belarus) (Jersey) Order 2011 (“the Jersey Order”) to give effect in Jersey to Council Implementing Regulation (EU) No. 1017/2012 of 6 November 2012 (OJ No. L307/7, 7.11.2012), which amends Council Regulation (EC) No. 765/2006 (“the Council Regulation”) concerning restrictive measures in respect of Belarus.

The date is changed in the definition of “Council Regulation” in the Jersey Order, with the effect that the list of persons whose assets are frozen is updated.

This Order also deletes from the Jersey Order a reference to Article 2(6) of the Council Regulation in the list of provisions omitted in the application of that Regulation to Jersey. The deletion is made because Council Regulation (EU) No. 1014/2012 of 6 November 2012 (OJ No. L307/1, 7.11.2012) has rearranged Article 2 of the Council Regulation and there is no longer a paragraph (6) in that Article.

The Order was made on 16th November 2012 and came into force on 17th November 2012.