

# STATES OF JERSEY ORDER PAPER

Tuesday 12th May 2009

## A. COMMUNICATIONS BY THE PRESIDING OFFICER

## B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

Community Provisions (Restrictive Measures – Burma/Myanmar)  
(Amendment) (Jersey) Order 2009. R&O.39/2009.  
*Chief Minister.*

Fire Precautions (Fees) (Jersey) Order 2009. R&O.40/2009.  
*Minister for Home Affairs.*

Petroleum (Licensing) (Fees) (Amendment No. 2) (Jersey) Order 2009. R&O.41/2009.  
*Minister for Home Affairs.*

## C. DOCUMENTS PRESENTED OR LAID

Review of the Roles of the Bailiff, Attorney General and Solicitor General:  
terms of reference (P.44/2009) – comments. P.44/2009.  
Presented: 8th May 2009. Com.  
*Minister for Treasury and Resources.*

Committee of Inquiry: Reg's Skips Ltd. – Planning applications (P.50/2009) –  
comments. P.50/2009.  
Presented: 7th May 2009. Com.  
*Minister for Treasury and Resources.*

Jersey Police Complaints Authority: report for 2008. R.45/2009.  
Presented: 6th May 2009.  
*Minister for Home Affairs.*

H.M. Prison, La Moye: report for 2008. R.46/2009.  
Presented: 6th May 2009.  
*Minister for Home Affairs.*

Public Finances (Jersey) Law 2005: financial planning disclosures for the  
6 month period ended 31st December 2008. R.47/2009.  
Presented: 8th May 2009.  
*Minister for Treasury and Resources.*

## D. NOTIFICATION OF LODGED PROPOSITIONS

Draft Social Security (Television Licence Benefit) (Jersey) Regulations 200-. P.64/2009.  
Lodged: 5th May 2009.  
*Minister for Social Security.*

## 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 Health and Social Services will table an answer to a question asked by the Deputy of St. John regarding the revalidation of GPs.
2. The Chief Minister for will table an answer to a question asked by the Deputy of St. John regarding the Emergency Planning Council.
3. The Minister for Economic Development will table an answer to a question asked by the Deputy of St. John regarding the fisheries vessel, the Norman Le Brocq.
4. The Minister for Planning and Environment will table an answer to a question asked by the Deputy of St. John regarding the Water Resources Law (Jersey) 2007.

**(b) – Oral Questions**  
(90 minutes)

The following oral question was deferred from the meeting on 28th April 2009 at the request of the Minister for Health and Social Services –

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

“Would the Minister advise members of the progress of negotiations with the Trustees of Brig y Don over the future of that children's home, along with its experienced staff, as outlined in the implementation plan for the Williamson report?”

1. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Minister for Treasury and Resources –

“Under what circumstances will facilities like Fort Regent benefit from the Fiscal Stimulus Package?”

2. Senator B.E. Shenton will ask the following question of the Minister for Transport and Technical Services –

“Will the Minister give a commitment to continue the current free bus pass arrangement for pensioners during his term of office?”

3. Deputy S. Pitman of St. Helier will ask the following question of the Minister for Social Security –

“Would the Minister for Social Security inform members what discretionary powers, if any, he has in granting a person a benefit?”

4. Senator B.E. Shenton will ask the following question of the Minister for Home Affairs –

“Does the Minister consider that the current penalties for driving whilst under the influence of

alcohol or drugs, or without insurance are sufficient and, if not, what measures, if any, does he plan to implement to address this matter?”

5. The Deputy of St. Martin will ask the following question of H.M. Attorney General –

“Will H.M. Attorney General inform members of the legal definition of a Parish Hall Enquiry, outline the Honorary Police powers of arrest should a member of the public decline to attend such an Enquiry and, in view of the fact that whilst conducting Parish Hall Enquiries Centeniers are performing a prosecution and not a policing function, is that function, particularly when administering sanctions, Human Rights Convention Compliant, if so, how?”

6. Deputy T.A. Vallois of St. Saviour will ask the following question of the Minister for Treasury and Resources –

“In view of the information provided to the States that there is a significant backlog in the maintenance of States owned properties, would the Minister advise what measures, if any, have been put in place to ensure that the public purse does not have to face pressures in the long term to meet high maintenance costs?”

7. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Following a written answer on April 28th 2009 concerning the annual income from 1(1)(k) residents from 2005 to 2007, would the Minister provide a breakdown indicating the amounts paid by those 1(1)(k) residents accepted under the current taxation system (20% on the first million) and those settling in Jersey under the older regulations and indicate the number of residents in each category for each year in question?”

8. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Home Affairs –

“Will the Minister give members further details of the sequence of events and the officials involved in the decision not to pursue a search warrant under the Data Protection (Jersey) Law 2005 but to use the provisions contained within the Police Procedures and Criminal Evidence (Jersey) Law 2003 in relation to the search of Senator Syvret’s premises and advise when he or his department were informed or consulted?”

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

“Would the Minister explain to members why no payments under his temporary scheme for redundancy payments have been made to ex-employees of Collas and Le Sueur since they were made redundant 5 weeks ago and advise what steps, if any, he has taken to alleviate any hardship caused to these redundant workers, and to facilitate payments at the shortest possible timescale?”

10. The Connétable of Grouville will ask the following question of the Minister for Treasury and Resources –

“Given that in the years 2008/2009 allocations from the Drug Confiscation Fund totalling £1,767,800 were made to Health and Social Services/Home Affairs (£1,061,000), Customs, Police and Prison (£589,800) and Health and Social Services (£117,000) whilst Charities associated with assisting recovery from Alcohol and Drug abuse received only £105,000, would the Minister undertake to redress the balance and assist such Charities struggling to cope with the demands put upon them?”

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

“Given that the Strategic Plan currently would lead to 6000 more units of accommodation in the urban area, will the Minister give members details of open areas, both “green” and “non-green”, currently accessible to the public for amenity use within the urbanised centre of town and the area of open space which is available to people living in this urban area per head of population, and if not, why not?”
12. Deputy P.V.F. Le Claire of St. Helier will ask the following question of the Minister for Health and Social Services –

“Given that the Royal Court appealed directly to the Minister on 26th March 2009 for funding to be made available for all three “X children” to take up the therapeutic placements in the United Kingdom, which they considered were in their best interests, will all three children take up these placements and if so, when?”
13. The Deputy of St. Martin will ask the following question of the Chairman of Privileges and Procedures Committee –

“Given that the acoustics and heating systems are poor and there are no toilet or lift facilities in the public area in the States Chamber, has a health and safety audit been conducted in recent times; if so what was the outcome, and if not, would the Chairman agree to call for one?”
14. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Health and Social Services –

“Will the Minister advise whether she intends making an emergency payment to Brig-y-Don children’s home to enable this charitable facility to remain open and continue its important work and, if not, will she explain why?”
15. The Connétable of St. Helier will ask the following question of the Minister for Home Affairs –

“Would the Minister state the duration and cost to date (including staff cover and investigation by Wiltshire Police) of the suspension of the Chief Officer of the States of Jersey Police, and also advise which members of the current Council of Ministers were present at the briefing meeting on the evening of 11th November 2008 at which the suspension was discussed?”
16. Deputy P.V.F. Le Claire of St. Helier will ask the following question of the Minister for Health and Social Services –

“If the ‘children x’ are not sent to the United Kingdom, what will the cost of their treatment in Jersey be?”
17. Deputy T. M. Pitman of St. Helier will ask the following question of H.M. Attorney General –

"In the light of recent concerns about parliamentary privilege and the security of confidential contact between politicians and their constituents, would H.M Attorney General either confirm or deny that a number of States Members have had their phones tapped over the past twelve months; further still, should this be the case would he confirm the number and whether any of these taps is still ongoing?"
18. Deputy S. Pitman of St. Helier will ask the following question of the Chief Minister –

“Would the Chief Minister inform members of the criteria for an item to be placed on the Council of Ministers Confidential ‘B’ agenda and advise whether he is satisfied that the

exemptions under the Code of Practice on Public Access to Official Information are always correctly applied?”

19. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Treasury and Resources –

“Given the recent difficulties to get a few thousand pounds compensation for the staff at Woolworths, does the Minister consider it appropriate to pay up to £600,000 compensation to people who invested in high risk/high return schemes?”

(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**

The Minister for Economic Development will make a statement regarding payments to the investors of Alternate Insurance Services Limited.

## **L. PUBLIC BUSINESS**

Draft Health and Safety at Work (Amendment No. 4) (Jersey) Law 200-. P.37/2009.  
Lodged: 17th March 2009.  
*Minister for Social Security.*

Draft Loi (200-) (Amendement No. 11) réglant la procédure criminelle. P.39/2009.  
Lodged: 19th March 2009.  
*Minister for Home Affairs.*

Review of the roles of the Bailiff, Attorney General and Solicitor General: P.44/2009.  
terms of reference.  
Lodged: 31st March 2009.  
*Council of Ministers.*

Review of the Roles of the Bailiff, Attorney General and Solicitor General: P.44/2009.  
terms of reference (P.44/2009) – comments. Com.  
Presented: 8th May 2009.  
*Minister for Treasury and Resources.*

Review of the roles of the Bailiff, Attorney General and Solicitor General: P.44/2009.  
terms of reference (P.44/2009) – amendment. Amd.  
Lodged: 21st April 2009.  
*Deputy of St. Martin.*

Draft Housing (General Provisions) (Amendment No. 26) (Jersey) Regulations P.45/2009.  
200-.  
Lodged: 31st March 2009.  
*Minister for Housing.*

Child abuse compensation claims: freedom of expression for survivors. P.49/2009.  
Lodged: 6th April 2009.  
*Senator S. Syvret.*

Child abuse compensation claims: freedom of expression for survivors (P.49/2009) – amendment. P.49/2009.  
Lodged: 29th April 2009. Amd.  
*Council of Ministers.*

Committee of Inquiry: Reg’s Skips Ltd. – Planning applications. P.50/2009.  
Lodged: 6th April 2009.  
*Minister for Planning and Environment.*

Committee of Inquiry: Reg’s Skips Ltd. – Planning applications (P.50/2009) – comments. P.50/2009.  
Presented: 7th May 2009. Com.  
*Minister for Treasury and Resources.*

Committee of Inquiry: Reg’s Skips Ltd. – Planning applications (P.50/2009) – amendment. P.50/2009.  
Lodged: 17th April 2009. Amd.  
*Deputy R.G. Le Hérissier of St. Saviour.*

Family X: placement in the United Kingdom. P.62/2009.  
Lodged: 22nd April 2009.  
*Deputy P.V.F. Le Claire of St. Helier.*

Code of Conduct for elected members of the States: review. P.63/2009.  
Lodged: 28th April 2009.  
*Deputy of St. John.*

The Minister for Treasury and Resources, in accordance with Standing Order 32, has given notice that he intends to seek leave of the States to debate the following matter at the present meeting in accordance with the provisions of Standing Order 87(1) –

Williamson Report: Implementation Plan – funding. P.17/2009.  
Lodged: 4th February 2009.  
*Minister for Treasury and Resources.*

Williamson Report: Implementation Plan – funding (P.17/2009) – amendment. P.17/2009.  
Lodged: 25th March 2009. Amd.  
*Deputy G.P. Southern of St. Helier.*

## **M. ARRANGEMENT OF PUBLIC BUSINESS**

### **19th May 2009**

Draft Shipping (Safety of Navigation) (Jersey) Regulations 200-. P.48/2009.  
Lodged: 6th April 2009.  
*Minister for Economic Development.*

Economic Stimulus Plan. P.55/2009.  
Lodged: 9th April 2009.  
*Minister for Treasury and Resources.*

### **2nd June 2009**

Public Elections (Jersey) Law 2002: rescindment of Article 39A. P.18/2009.  
Lodged: 4th February 2009.  
*Deputy G.P. Southern of St. Helier.*

States Strategic Plan 2009 – 2014. P.52/2009.  
Lodged: 8th April 2009.  
*Council of Ministers.*

Public Finances (Jersey) Law 2005: proposed changes. P.54/2009  
Lodged: 9th April 2009.  
*Public Accounts Committee.*

Electricity tariffs: Regulations under Article 22 of the Electricity (Jersey) Law P.41/2009.  
1937.  
Lodged: 24th March 2009.  
*Senator A. Breckon.*

Electricity tariffs: Regulations under Article 22 of the Electricity (Jersey) Law P.41/2009.  
1937 (P.41/2009) – comments. Com.  
Presented: 27th April 2009.  
*Minister for Economic Development.*

### **16th June 2009**

La Pouquelaye old school site: provision of youth and community facilities. P.187/2008.  
Lodged: 24th December 2008.  
*Connétable of St. Helier.*

Natural gas pipeline: strategic study. P.16/2009.  
Lodged: 29th January 2009.  
*Deputy P.V.F. Le Claire of St. Helier.*

Natural gas pipeline: strategic study (P.16/2009) – comments. P.16/2009.  
Presented: 10th March 2009. Com.  
*Minister for Treasury and Resources.*

### **30th June 2009**

States Members' remuneration for 2009. P.24/2009.  
Lodged: 19th February 2009.  
*Connétable of St. Peter.*

States Members' remuneration for 2009 (P.24/2009): comments. P.24/2009.  
Presented: 5th March 2009. Com.  
*Privileges and Procedures Committee.*

States Members' remuneration for 2009 (P.24/2009): amendment. P.24/2009.  
Lodged: 3rd March 2009. Amd.  
*Deputy P.V.F. Le Claire of St. Helier.*

Ann Court Site, St. Helier: use for sheltered social housing for the over55s. P.43/2009.  
Lodged: 27th March 2009.  
*Deputy J.A. Martin of St. Helier.*

Draft Social Security (Television Licence Benefit) (Jersey) Regulations 200-. P.64/2009.  
Lodged: 5th May 2009.  
*Minister for Social Security.*

### **14th July 2009**

Draft Sea Fisheries (Satellite Monitoring) (Jersey) Regulations 200. Lodged: 14th April 2009. <i>Minister for Economic Development.</i>	P.56/2009.
Draft Sea Fisheries (Miscellaneous Provisions) (Amendment No. 5) (Jersey) Regulations 200-. Lodged: 14th April 2009. <i>Minister for Economic Development.</i>	P.57/2009.
Draft Sea Fisheries (Bag Limits) (Jersey) Regulations 200-. Lodged: 14th April 2009. <i>Minister for Economic Development.</i>	P.58/2009.

**M.N. DE LA HAYE**  
**Greffier of the States**

7th May 2009

**Note –**

**In accordance with the meeting dates fixed for 2009 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 13th and Thursday 14th May 2009.**



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

(See Item B)

### **R&O.39/2009.**

This Order substitutes the list of persons and entities connected with the government of Burma/Myanmar whose funds are frozen and to whom funds and economic resources must not be made available and the list of enterprises to which financing must not be provided.

The Order was made on 1st May 2009 and came into force on 2nd May 2009.

### **R&O.40/2009.**

This Order increases the fees in relation to fire certificates for premises by between 8% and 9% since they were last increased on 1st January 2006.

The Order was made on 1st May 2009 and came into force on the day it was made.

### **R&O.41/2009.**

This Order increases the fees for licences to keep petroleum spirit by around 9% since they were last increased on 19th May 2006.

The Order was made on 1st May 2009 and came into force on the day it was made.

## WRITTEN QUESTIONS

(See Item I(a))

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

“Given the proposals to require doctors to be revalidated, what infrastructure, if any, is in place for this to happen; if none, how long will it take to put in place, at what cost and will it be the doctor or taxpayer who pays?”

Would the Minister describe the proposed process of revalidation and indicate whether there would be any negative impact upon the services provided by GPs?”

2. The Chief Minister will table an answer to the following question asked by the Deputy of St. John –

“Would the Minister advise what budget is available for the Emergency Planning Council and how frequently it holds training for all of the parties involved with dealing with full scale Island emergencies?”

3. The Minister for Economic Development will table an answer to the following question asked by the Deputy of St. John –

“Could members be told of the total mileage to date of the fisheries vessel, the Norman Le Brocq; the mileage covered in 2008 and how many hours sea time this equated to in 2008?”

Will the Minister undertake to advise members in October 2009 whether the total sea time from 1st May – 30th September 2009 for the Norman Le Brocq has increased or decreased as a result of the introduction of the Sea Fisheries (Licensing of Fishing Boats) (Amendment No.4) (Jersey) Regulations 2009, which it was maintained would have no financial manpower implications (according to P.35/2009, adopted by the States on 29th April 2009)?”

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

“Would the Minister advise whether there have been any problems with the Water Resources Law (Jersey) 2007, requiring householders to register their wells and boreholes, and, if so, would he consider inviting the States to rescind this part of the Law?”

Will the Minister agree to review this part of the water law for those householders who do not have the opportunity to be connected to a mains supply, and, if not, what action, if any, will the Minister take to put in place a portable water supply to all the Island by 2015?”

## ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

1st Session –

	<b>First 15 minute period</b>	<b>Second 15 minute period</b>
	<b>Minister</b>	<b>Minister</b>
19th May	Home Affairs	Chief Minister
2nd June	Housing	Planning and Environment
16th June	Social Security	Chief Minister
30th June	Transport and Technical Services	Treasury and Resources
14th July	Economic Development	Chief Minister