



# STATES OF JERSEY ORDER PAPER

14th NOVEMBER 2017

## SUMMARY

- 9.30 a.m. Communications by the Presiding Officer and other announcements  
*Appointments, matters of privilege, petitions (if any)*
- Approx. 9.40 a.m. Summary of written questions
- Up to 2 hours Oral questions with notice  
*Urgent questions (if any)*
- Up to 30 minutes, divided between the two Ministers Oral questions without notice:
- Minister for the Environment
  - Minister for External Relations
- Statements (if any)*
- Approx. 12.10 p.m. **Health and Social Care System: a new governance model (P.60/2017)**
- Health and Social Care System: a new governance model (P.60/2017) – amendment (P.60/2017 Amd.)**
- Draft Asian Infrastructure Investment Bank (Immunities and Privileges) (Jersey) Regulations 201- (P.68/2017)**
- Ratification of the Multilateral Convention to Implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting (P.83/2017)**
- Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017)**
- Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017) – amendment (P.84/2017 Amd.)**
- Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017) – amendment (P.84/2017 Amd.) – amendment (P.84/2017 Amd.Amd.)**
- Note: Because of the requirement for a one-week lodging period this amendment lodged by Senator Ozouf to the amendment of the Privileges and Procedures Committee cannot be debated before Wednesday 15th November 2017. The Senator has indicated that he will seek the agreement of the Assembly, under Standing Order 26(7), to reduce the lodging period in order that this matter can be debated at the meeting.*
- Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017) – second amendment (P.84/2017 Amd.(2))**



**Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017) – third amendment (P.84/2017 Amd.(3))**

**Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017) – third amendment (P.84/2017 Amd.(3)) – amendment (P.84/2017 Amd.(3)Amd.)**

*Note: Because of the requirement for a one-week lodging period this amendment lodged by Senator Ozouf to the amendment of Senator Bailhache cannot be debated before Thursday 16th November 2017. The Senator has indicated that he will seek the agreement of the Assembly, under Standing Order 26(7), to reduce the lodging period in order that this matter can be debated at the meeting.*

**Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017) – fourth amendment (P.84/2017 Amd.(4))**

*Note: Because of the requirement for a two-week lodging period this amendment lodged by Senator Ozouf cannot be debated before Thursday 23rd November 2017. The Senator has indicated that he will seek the agreement of the Assembly, under Standing Order 26(7), to reduce the lodging period in order that this matter can be debated at the meeting.*

**Draft Road Works and Events (Jersey) Law 2016 (Appointed Day) (No. 2) Act 201- (P.85/2017)**

**Draft Road Works (Embargo Periods and Protected Roads) (Jersey) Regulations 201- (P.86/2017)**

**Draft Road Works and Events (Consequential Provisions) (Jersey) Regulations 201- (P.87/2017)**

**Draft Maintenance Orders (Amendment No. 3) (Jersey) Law 201- (P.89/2017)**

**Draft Marriage and Civil Status (Amendment No. 4) (Jersey) Law 201- (P.91/2017)**

**Draft Marriage and Civil Status (Amendment No. 4) (Jersey) Law 201- (P.91/2017): amendment (P.91/2017 Amd.)**

**Jersey Appointments Commission: re-appointment of Commissioner (P.92/2017)**

**JT Group Limited: restructuring of enterprise (P.96/2017)**

**JT Group Limited: restructuring of enterprise (P.96/2017) – amendment (P.96/2017 Amd.)**

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 15th and Thursday 16th November 2017 if necessary.*



## STATES OF JERSEY ORDER PAPER

14th NOVEMBER 2017

### A. COMMUNICATIONS BY THE PRESIDING OFFICER

### B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

|  |               |
|--|---------------|
| Food Safety (Eat Safe Rating) (Jersey) Order 2017.<br><i>Minister for the Environment.</i>                             | R&O.111/2017. |
| Road Traffic (St. Peter) (Amendment No. 9) (Jersey) Order 2017.<br><i>Minister for Infrastructure.</i>                 | R&O.114/2017. |
| Lodging Houses (General Provisions) (Amendment No. 22) (Jersey) Order 2017.<br><i>Minister for Housing.</i>            | R&O.115/2017. |
| EU Legislation (Sanctions – Ukraine) (Amendment No. 2) (Jersey) Order 2017.<br><i>Minister for External Relations.</i> | R&O.116/2017. |

### C. DOCUMENTS PRESENTED

|   |                                |
|---|--------------------------------|
| Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017) – second amendment (P.84/2017 Amd.(2)) – comments.<br>Presented: 7th November 2017, <i>Chairmen's Committee.</i>   | P.84/2017.<br>Amd.(2).<br>Com. |
| Land Transactions under Standing Order 168(3) –<br>(a) acquisition of land at Silver Sands, La Grande Route de la Côte, St. Clement;<br>(b) Beau Sejour, Mont Millais, St. Helier – sale;<br>(c) First and Second Floor, F.B. Playing Fields Main Pavilion, La Grande Route de St. Clement, St. Clement – lease.<br>Presented: 9th November 2017, <i>Minister for Infrastructure.</i> | R.120/2017.                    |

### D. NOTIFICATION OF LODGED PROPOSITIONS

|  |                                |
|--|--------------------------------|
| Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017) – amendment (P.84/2017 Amd.) – amendment.<br>Lodged: 8th November 2017, <i>Senator P.F.C. Ozouf.</i>          | P.84/2017.<br>Amd.Amd.         |
| Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017) – third amendment (P.84/2017 Amd.(3)) – amendment.<br>Lodged: 9th November 2017, <i>Senator P.F.C. Ozouf.</i> | P.84/2017.<br>Amd.(3).<br>Amd. |
| Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017) – fourth amendment.<br>Lodged: 9th November 2017, <i>Senator P.F.C. Ozouf.</i>                                | P.84/2017.<br>Amd.(4)          |
| Draft Public Finances (Amendment No. 5) (Jersey) Law 201-.<br>Lodged: 7th November 2017, <i>Minister for Treasury and Resources.</i>   | P.111/2017.                    |

### 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(584) 1. The Chief Minister will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding people contracted to work for the States.
- 1(585) 2. The Chief Minister will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding work being undertaken with the Design Council.
- 1(586) 3. The Chief Minister will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the loan provided to Logfiller Limited from the Jersey Innovation Fund.
- 1(587) 4. The Minister for Health and Social Services will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the waiting list for gastric bypass surgery.
- 1(588) 5. The Minister for Treasury and Resources will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding requests to use departmental underspends to reduce waiting lists for gastric bypass surgery.
- 1(589) 6. The Minister for Health and Social Services will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the use of underspends to reduce waiting lists for gastric bypass surgery.
- 1(590) 7. The Minister for Health and Social Services will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the manner in which his Department puts children at the centre of its work.
- 1(591) 8. The Minister for the Environment will table an answer to a question asked by the Deputy of Grouville regarding the public inquiry into the Future Hospital.
- 1(592) 9. The Minister for Social Security will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding projections for income yield from Social Security contributions.
- 1(593) 10. The Minister for Social Security will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the potential cost of extending the Maternity Allowance period.
- 1(594) 11. The Minister for External Relations will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the Convention on the Elimination of all forms of Discrimination Against Women.
- 1(595) 12. The Chief Minister will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the appointment of women to judicial positions.



- 1(596) 13. The Chief Minister will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding his policy position in respect of legislation on smacking children.
- 1(597) 14. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding nursing vacancies.
- 1(598) 15. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. Ouen regarding the sale of apartments at College Gardens, Rouge Bouillon.
- 1(599) 16. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. Ouen regarding the sale of apartments at the proposed Horizon development in La Rue de l'Étau.
- 1(600) 17. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. Ouen regarding governance within the health and social care system.
- 1(601) 18. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the review of the Social Security contributory system.
- 1(602) 19. The Chief Minister will table an answer to a question asked by the Deputy of St. John regarding the cost of using U.K. Commissioners in the Royal Court.
- 1(603) 20. 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 recruitment and retention of staff.
- 1(604) 21. The Minister for Infrastructure will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding traffic safety around the Millennium Town Park.

**(b) – Oral Questions**

(120 minutes)

- 1(612) 1. Deputy M. Tadier of St. Brelade will ask the following question of the Chairman of the Privileges and Procedures Committee –
- “Further to the C.P.A. benchmarking exercise, which was completed in 2015 by a Privileges and Procedures Sub-Committee, does the Chairman accept the findings of that exercise that there are areas for improvement and, if so, what steps are being taken to follow up in these areas?”
- 1(615) 2. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for Social Security –
- “Will the Minister update members on the scope and progress of the latest part of the Social Security Review and indicate what the timescales are between now and the elections for any resulting changes in policy and legislation that may arise?”
- 1(608) 3. The Connétable of St. Helier will ask the following question of the Minister for the Environment –
- “What steps, if any, is the Minister currently taking to limit the amounts of artificial fertiliser, herbicide and pesticide being applied to fields in Jersey?”
- 1(613) 4. Deputy S.Y. Mézec of St. Helier will ask the following question of the Chief Minister –
- “In light of the disclosures in the ‘Paradise Papers’, what work, if any, does the Chief Minister intend to do to introduce a ‘substance test’ to assist Jersey in playing its part to prevent aggressive tax avoidance schemes from being able to operate?”



- 1(611) 5. Deputy A.D. Lewis of St. Helier will ask the following question of the Minister for Infrastructure –
- “Given that, in the Draft 2018 Budget Statement a capital allocation of £2.5 million is proposed for the building of a new commercial recycling centre, will the Minister advise why this service has not been outsourced and whether his Department has undertaken a full assessment of what current facilities already exist in the Island?”
- 1(609) 6. Deputy M.R. Higgins of St. Helier will ask the following question of the Chief Minister –
- “Will the Chief Minister advise members whether Jersey is one of 53 territories that have reportedly been warned via letter to make changes to their tax code or they may appear on a European Union black list that is expected to be finalised in December; or whether any other similar correspondence has been received in relation to potential blacklisting or suggested non-compliance of Jersey as a financial services centre?”
- 1(583) 7. Deputy J.M. Maçon of St. Saviour will ask the following question of the Chief Minister –
- “Now that States Members have had an opportunity to read the response of the Council of Ministers to the recommendations of the Independent Jersey Care Inquiry, will the Chief Minister make an official statement to the Assembly regarding the Council’s response in order to give States Members the opportunity to ask him questions in public and, if not, why not?”
- 1(606) 8. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Infrastructure –
- “Given the statement of St. Helier’s Director of Technical Services in the Parish Roads Committee’s minutes of 18th December 2013, that rising bollards around the Tunnell Street access to the Town Park had been “*removed by TTS due to the cost*”, how does the Minister justify his response to my written question on 10th October 2017 that “*all decisions and implementation work on these roads were undertaken by the Parish*”?”
- 1(610) 9. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Health and Social Services –
- “Will the Minister explain how complaints made by children or young people in Residential and Secure Services are dealt with and how children are represented in the complaints and appeals process?”
- 1(614) 10. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Treasury and Resources –
- “Based on typical current market rates, will the Minister, as shareholder representative, advise what the estimated annual gross income the States of Jersey Development Company is expected to receive from the first completed building of the International Finance Centre, once fully let?”
- 1(605) 11. Deputy J.M. Maçon of St. Saviour will ask the following question of the Chairman of the States Employment Board –
- “Has there been an independent review of the Serious Concerns Policy, which has included input from staff representatives, the Comptroller and Auditor General and other interested parties, within the last three years; if so, what were the results and, if not, why has there been no such review?”



1(607) 12. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –

“Will the Chief Minister advise whether the £47 million of “investment” in the States Workforce Modernisation programme over the next four years works out as an average increase in earnings of 5.4% and thereby amounts to a wage cut in real terms against estimated inflation of 12.5% over this period; and will he confirm whether this sum covers all annual increments and a contingency for recruitment and retention?”

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

1st question period – Minister for the Environment

2nd question period – Minister for External Relations

## **J. PERSONAL STATEMENTS**

## **K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY**

## **L. PUBLIC BUSINESS**

**Health and Social Care System: a new governance model.** P.60/2017.  
Lodged: 23rd June 2017, *Council of Ministers.*

**Health and Social Care System: a new governance model (P.60/2017) – amendment.** P.60/2017.  
Lodged: 31st October 2017, *Health and Social Security Scrutiny Panel.* Amd.

**Draft Asian Infrastructure Investment Bank (Immunities and Privileges) (Jersey) Regulations 201-.** P.68/2017.  
Lodged: 21st July 2017, *Minister for External Relations.* (re-issue)

**Ratification of the Multilateral Convention to Implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting.** P.83/2017.  
Lodged: 20th September 2017, *Minister for External Relations.*

**Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment.** P.84/2017.  
Lodged: 26th September 2017, *Chief Minister.*

**Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017) – amendment.** P.84/2017.  
Lodged: 11th October 2017, *Privileges and Procedures Committee.* Amd.

**Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017) – amendment (P.84/2017 Amd.) – amendment.** P.84/2017.  
Lodged: 8th November 2017, *Senator P.F.C. Ozouf.* Amd.Amd.

*Note: Because of the requirement for a one-week lodging period the amendment lodged by Senator Ozouf to the amendment of the Privileges and Procedures Committee cannot be debated before Wednesday 15th November 2017. If other business on the Order Paper for the 14th November 2017 is completed before the 15th November, the Senator has indicated that he will seek the agreement of the Assembly, under Standing Order 26(7), to reduce the lodging period in order that this matter can be debated at the meeting.*



|   |                                |
|---|--------------------------------|
| <b>Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017) – second amendment.</b><br>Lodged: 20th October 2017, <i>Senator P.F.C. Ozouf.</i>  | P.84/2017.<br>Amd.(2)          |
| Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017) – second amendment (P.84/2017 Amd.(2)) – comments.<br>Presented: 7th November 2017, <i>Chairmen’s Committee.</i>   | P.84/2017.<br>Amd.(2).<br>Com. |
| <b>Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017) – third amendment.</b><br>Lodged: 25th October 2017, <i>Senator Sir P.M. Bailhache.</i>   | P.84/2017.<br>Amd.(3)          |
| <b>Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017) – third amendment (P.84/2017 Amd.(3)) – amendment.</b><br>Lodged: 9th November 2017, <i>Senator P.F.C. Ozouf.</i>   | P.84/2017.<br>Amd.(3).<br>Amd. |
| <i>Note: Because of the requirement for a one-week lodging period the amendment lodged by Senator Ozouf to the amendment of Senator Bailhache cannot be debated before Thursday 16th November 2017. If other business on the Order Paper for the 14th November 2017 is completed before the 16th November, the Senator has indicated that he will seek the agreement of the Assembly, under Standing Order 26(7), to reduce the lodging period in order that this matter can be debated at the meeting.</i> |                                |
| <b>Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.84/2017) – fourth amendment.</b><br>Lodged: 9th November 2017, <i>Senator P.F.C. Ozouf.</i>  | P.84/2017.<br>Amd.(4)          |
| <i>Note: Because of the requirement for a two-week lodging period the amendment lodged by Senator Ozouf cannot be debated before Thursday 23rd November 2017. The Senator has indicated that he will therefore seek the agreement of the Assembly, under Standing Order 26(7), to reduce the lodging period in order that this matter can be debated at the meeting.</i>  |                                |
| <b>Draft Road Works and Events (Jersey) Law 2016 (Appointed Day) (No. 2) Act 201-.</b><br>Lodged: 26th September 2017, <i>Minister for Infrastructure.</i>  | P.85/2017.                     |
| <b>Draft Road Works (Embargo Periods and Protected Roads) (Jersey) Regulations 201-.</b><br>Lodged: 26th September 2017, <i>Minister for Infrastructure.</i>  | P.86/2017.                     |
| <b>Draft Road Works and Events (Consequential Provisions) (Jersey) Regulations 201-.</b><br>Lodged: 26th September 2017, <i>Minister for Infrastructure.</i>  | P.87/2017.                     |
| <b>Draft Maintenance Orders (Amendment No. 3) (Jersey) Law 201-.</b><br>Lodged: 26th September 2017, <i>Chief Minister.</i>   | P.89/2017.                     |
| <b>Draft Marriage and Civil Status (Amendment No. 4) (Jersey) Law 201-.</b><br>Lodged: 3rd October 2017, <i>Chief Minister.</i>   | P.91/2017.                     |
| <b>Draft Marriage and Civil Status (Amendment No. 4) (Jersey) Law 201- (P.91/2017): amendment.</b><br>Lodged: 30th October 2017, <i>Chief Minister.</i>   | P.91/2017.<br>Amd.             |
| <b>Jersey Appointments Commission: re-appointment of Commissioner.</b><br>Lodged: 5th October 2017, <i>States Employment Board.</i>   | P.92/2017.                     |





**JT Group Limited: restructuring of enterprise.** P.96/2017.  
Lodged: 12th October 2017, *Senator S.C. Ferguson.*

**JT Group Limited: restructuring of enterprise (P.96/2017) – amendment.** P.96/2017.  
Lodged: 31st October 2017, *Senator S.C. Ferguson.* Amd.

## M. ARRANGEMENT OF PUBLIC BUSINESS

### 27th November 2017

*(Meeting to commence at 2.45 p.m. on Monday 27th November 2017. Consideration of Public Business to commence at 9.30 a.m. on 28th November 2017.)*

**Draft Budget Statement 2018.** P.90/2017.  
Lodged: 3rd October 2017, *Minister for Treasury and Resources.*

**Draft Public Employees (Pensions) (Deferred Pensions, Transfer Payments and Refund of Contributions) (Miscellaneous Amendments) (Jersey) Regulations 201-.** P.93/2017.  
Lodged: 10th October 2017, *Chief Minister.*

**Draft Loi (201-) (Amendement No. 6) sur la propriété foncière.** P.94/2017.  
Lodged: 11th October 2017, *Chief Minister.*

**Draft Finance (2018 Budget) (Jersey) Law 201-.** P.98/2017.  
Lodged: 17th October 2017, *Minister for Treasury and Resources.*

**Draft EU Legislation (Payment Services – SEPA) (Amendment) (Jersey) Regulations 201-.** P.99/2017.  
Lodged: 17th October 2017, *Chief Minister.*

**Short-Term Incapacity Allowance: lower threshold.** P.102/2017.  
Lodged: 23rd October 2017, *Deputy G.P. Southern of St. Helier.*

**Minimum Wage: revocation of Social Security Order (R&O.109/2017) and amendment of States Act dated 21st April 2010.** P.109/2017.  
Lodged: 31st October 2017, *Deputy S.Y. Mézec of St. Helier.*

### 11th December 2017

*(Meeting to commence at 2.30 p.m. on Monday 11th December 2017. Consideration of Public Business to commence at 9.30 a.m. on 12th December 2017.)*

**Draft Public Health and Safety (Rented Dwellings) (Jersey) Law 201-.** P.66/2017.  
Lodged; 17th July 2017, *Minister for the Environment.*

*Note: Note: The 2nd reading of the Draft Law will resume, following adoption of the principles on 31st October 2017 and the subsequent referral to the Environment, Housing and Infrastructure Scrutiny Panel under Standing Order 72(1).*

**States Employment Board: living wage 2017.** P.72/2017.  
Lodged: 31st July 2017, *Deputy G.P. Southern of St. Helier.*

**Draft Petty Debts Court (Miscellaneous Amendments) (Jersey) Regulations 201-.** P.95/2017.  
Lodged: 12th October 2017, *Chief Minister.*

**Draft States of Jersey (Appointment Procedures) (Jersey) Law 201-.** P.97/2017.  
Lodged: 13th October 2017, *Privileges and Procedures Committee.* (re-issue)



- Jersey Infrastructure Levy: approval in principle.** P.100/2017.  
Lodged: 20th October 2017, *Minister for the Environment.*
- Draft Royal Court (Amendment No. 15) (Jersey) Law 201-.** P.101/2017.  
Lodged: 23rd October 2017, *Deputy M. Tadier of St. Brelade.*
- Draft Employment (Minimum Wage) (Amendment No. 14) (Jersey) Regulations 201-.** P.104/2017.  
Lodged: 24th October 2017, *Minister for Social Security.*
- Draft Howard Davis Farm (Arrangements for further Abrogation of Covenant) (Jersey) Law 201-.** P.105/2017.  
Lodged: 24th October 2017, *Minister for Infrastructure.*
- Draft Statistics and Census (Jersey) Law 201-.** P.106/2017.  
Lodged: 27th October 2017, *Chief Minister.*
- Future Hospital: approval of preferred scheme and funding.** P.107/2017.  
Lodged: 31st October 2017, *Minister for Treasury and Resources.*
- Independent Jersey Care Inquiry Report: implementation of recommendations.** P.108/2017.  
Lodged: 31st October 2017, *Chief Minister.*
- Draft Public Finances (Amendment No. 5) (Jersey) Law 201-.** P.111/2017.  
Lodged: 7th November 2017, *Minister for Treasury and Resources.*

*Note: Because of the requirement for a six-week lodging period the proposition lodged by the Minister for Treasury and Resources cannot be debated before Tuesday 19th December 2017. The Minister has indicated that he will therefore seek the agreement of the Assembly, under Standing Order 26(7), to reduce the lodging period in order that this matter can be debated at the meeting.*

### **16th January 2018**

- Draft Road Traffic (No. 63) (Jersey) Regulations 201-.** P.67/2017.  
Lodged: 17th July 2017, *Minister for Infrastructure.*
- Draft Connétables (Amendment No. 2) (Jersey) Law 201-.** P.110/2017.  
Lodged: 31st October 2017, *Privileges and Procedures Committee.*

### **30th January 2018**

- Jersey Electricity plc.: referral of stand-by charges to the Channel Islands Competition and Regulatory Authorities.** P.88/2017.  
Lodged: 26th September 2017, *Deputy of Grouville.*
- Draft Liquor Licensing (Jersey) Law 201-.** P.103/2017.  
Lodged: 24th October 2017, *Minister for Economic Development, Tourism, Sport and Culture.*

**DR. M. EGAN**  
**Greffier of the States**

9th November 2017

**Note –**

**In accordance with the meeting dates fixed for 2017 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 15th and Thursday 16th November 2017.**



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

(See Item B)

### **R&O.111/2017.**

Food Safety (Eat Safe Rating) (Jersey) Order 2017.

This Order makes certain provisions in respect of the “Eat Safe” scheme whereby food businesses are assessed against certain food hygiene requirements and allocated a rating linked to the extent to which those requirements are met.

*Article 1* contains the interpretation provisions.

*Article 2* requires the Minister for the Environment to notify the operator of a food business, within 14 days of an inspection and allocation of an Eat Safe rating to that business, what the Eat Safe rating is along with certain information and to send an Eat Safe sticker and certificate.

*Article 3* provides for the Eat Safe rating to cease to be valid when replaced by a new rating, allowing for time to appeal the new rating, or where there has been a transfer of ownership of the food business or it has ceased to trade.

*Article 4* provides a mechanism for an operator to request a re-rating in the light of improvements after 3 months have passed since the last inspection and no appeal is pending.

*Article 5* enables the operator to appeal to the Minister against the allocated Eat Safe rating within 21 days of the notification on the grounds that the rating does not properly reflect the food hygiene standards of the food premises at the time of the inspection or the rating criteria were not properly applied.

*Article 6* sets out the requirements for display of the Eat Safe stickers.

*Article 7* requires operators to make staff who are likely to come into contact with the public aware of the applicable Eat Safe rating. There is a duty on the operator and such employees to state what the Eat Safe rating is when so requested.

*Article 8* sets out requirements with respect to the Eat Safe rating that are applicable to websites and promotional material.

*Article 9* creates a number of offences where the Order has been contravened which attract a fine of up to £1,000.

*Article 10* names the Order and provides for it to come into force on 1st December 2017. However, Article 8 and the associated offence in Article 9(f) do not come into force until 1st June 2018.

The Order was made on 30th October 2017 and comes into force in accordance with Article 10.

### **R&O.114/2017.**

Road Traffic (St. Peter) (Amendment No. 9) (Jersey) Order 2017.

This Order amends the Road Traffic (St. Peter) (Jersey) Order 1992 to permit parking in a loading bay in La Route de la Haule for the purpose of loading or unloading for a maximum period of 20 minutes at any time, with a prohibition on returning to park in the bay within an hour of departing from it.

The Order was made on 7th November 2017 and comes into force on 14th November 2017.



**R&O.115/2017.**

Lodging Houses (General Provisions) (Amendment No. 22) (Jersey) Order 2017.

This Order increases the fee payable on an application to register or renew the registration of a lodging house. From 1st December 2017, when this Order comes into force, the fee will be £14.35 multiplied by the maximum number of persons proposed to be lodged, except in the case of children under the age of 5, where the fee does not apply.

The fee was last increased on 1st December 2016, when the fee was set at £14.00. The fee of £14.35 represents a 2.5% increase on last year's fee.

The Order was made on 7th November 2017 and comes into force on 1st December 2017.

**R&O.116/2017.**

EU Legislation (Sanctions – Ukraine) (Amendment No. 2) (Jersey) Order 2017.

This Order amends the EU Legislation (Sanctions – Ukraine) (Jersey) Order 2014 to give effect in Jersey to Council Regulation (EU) 2017/1547 of 14 September 2017 amending (EU) No. 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ L 237, 15.9.2017, p. 37.). Council Regulation (EU) No. 269/2014 prohibits funds or economic resources being made available, directly or indirectly, to or for the benefit of natural or legal persons, entities or bodies, or natural or legal persons, entities or bodies associated with them, as listed in Annex I of (EU) No. 269/2014. Council Regulation (EU) 2017/1547 provides for an additional derogation from that prohibition.

The Order was made on 8th November 2017 and came into force on 9th November 2017.



## WRITTEN QUESTIONS

(See Item I(a))

1. The Chief Minister will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier regarding –

“Will the Chief Minister provide a breakdown of how many people he has contracted to work for the States since October 2014 who have charged over £400 per day; and will he further provide details of which Departments they have worked for, what type of work they have undertaken and to which politician they were ultimately accountable?”

2. The Chief Minister will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –

“Will the Chief Minister explain –

- (a) when and where contact was first made by a representative of the Jersey government with the Design Council;
- (b) when a decision was formally made to contract the Design Council to undertake work for the States; and
- (c) on which projects they are currently leading and what the States is paying for this work?”

3. The Chief Minister will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –

“In relation to the loan provided to Logfiller Ltd from the Jersey Innovation Fund (JIF), will the Chief Minister advise –

- (a) whether the then Minister for Economic Development accepted all of the recommendations made by the JIF Board and, if not, why not;
- (b) whether the States secured any rights over intellectual property before the loan was granted;
- (c) why all of the loan was released in one go, given that the loan was to assist with cash flow for the business; and
- (d) whether his Department considers the absence of any terms in its agreement with Logfiller to be the cause which led to the loss of £400,000?”

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

“Will the Minister request his Department to publish –

- (a) the number of people on the waiting list for gastric bypass surgery;
- (b) how many such people are in the urgent category;
- (c) how long each of them has been waiting for this surgery;
- (d) over the past five years, how many people have been moved up the waiting list;



- (e) how many of these people were moved up the waiting list due to their health deteriorating or other conditions developing as a result of not receiving this surgery in a timely fashion; and
- (f) what the increased cost to the Department has been, if any, from not being able to provide this surgery in a timely fashion?”
5. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –
- “Has the Minister received any request from the Minister for Health and Social Services for the use of departmental underspends towards ensuring that the Department of Health and Social Services is able to perform more gastric bypass surgeries and to reduce the waiting list for such surgeries and, if so, what was the Minister’s response to that request?”
6. The Minister for Health and Social Services will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –
- “Will the Minister use underspends within his Department’s budget to address the waiting lists for gastric bypass surgery and, if not, why not?”
7. The Minister for Health and Social Services will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –
- “Given the report of the Independent Jersey Care Inquiry (R.59/2017), will the Minister advise how his Department puts children at the centre of what it does and explain whether this includes, as an example, the examination of waiting lists for gastric bypass surgery and, if not, why not?”
8. The Minister for the Environment will table an answer to the following question asked by the Deputy of Grouville –
- “Will the Minister request from the independent planning inspector leading the Future Hospital public inquiry an explanation as to why the inspector is holding the open submission forum when there are no detailed plans or building model to refer to and whether the inspector will be holding another forum when these are ready?”
9. The Minister for Social Security will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –
- “Further to the answer provided to Written Question 8473 on 9th September 2014, will the Minister provide up-to-date projections for income yield if Social Security contributions were set at 4%, 5% and 6%, respectively, with no Standard Earnings Limit (SEL) or Upper Earnings Limit (UEL) and with employer contributions remaining unchanged?
- Will the Minister further provide projections for income yield if the employer contributions rate under Class 2 contributions was set at 0%, 1% and 2% below the SEL?”



10. The Minister for Social Security will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –

“Will the Minister provide an estimate of the potential cost of extending the Maternity Allowance period from 18 weeks to 26 weeks?”

11. The Minister for External Relations will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“Has Jersey signed up to the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and, if not, why not?”

12. The Chief Minister will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“Further to the report of the Jersey Community Relations Trust entitled ‘Contribution to the Women’s Resource Centre, CEDAW Shadow Report’, which was submitted in April 2012 and which recommended that “*the Bailiff should explore the barriers to the appointment of women to judicial positions*”, will the Chief Minister request from the Bailiff’s Chambers an update on the steps taken by the Bailiff, if any, in relation to this recommendation?”

13. The Chief Minister will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“Further to the call from all four of the U.K.’s children’s commissioners for a ban on smacking children, will the Chief Minister outline his policy position on the matter?”

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

“In light of figures provided to the Health and Social Security Scrutiny Panel in respect of nursing vacancies (presented on page 12 of ‘Staff Recruitment and Retention at the Hospital’ (S.R.1/2016)) and the figures given in response to Written Question 1(256) on 2nd May 2017, will the Minister –

- (a) account for the discrepancies in these figures, in particular the figure given on 2nd May 2017 of 521.3 in 2017 for budgeted head count for hospital nurses;
- (b) provide a monthly breakdown for the number of shifts which needed bank nurses on overtime (4,731) and those filled by agency nurses (5,011) over the first three quarters of 2017;
- (c) inform members what the cost of bank and agency shifts in 2017 were, how the stated reduction in cost was achieved and advise whether this involved the closure of beds and/or wards, stating whether staffing levels were maintained at recognised safe levels throughout;
- (d) provide further details in respect of his statement that when the 29 new starters, 32 offers and 23 interviewed applicants are in place a full complement of nursing staff will have been achieved?”



15. The Minister for Treasury and Resources will table an answer to the following question asked by the Deputy of St. Ouen –

“In relation to the 107 Category B apartments at College Gardens, Rouge Bouillon, developed by the States of Jersey Development Company, will the Minister, as shareholder representative, advise –

- (a) whether the apartments have been sold as flying freehold or share transfer units; and
- (b) what factors were taken into account by the Company in reaching a decision on the method of sale of the apartments and whether the Minister was consulted on the matter?”

16. The Minister for Treasury and Resources will table an answer to the following question asked by the Deputy of St. Ouen –

“In relation to the proposed development of 280 apartments at Horizon, La Rue de l'Etiau, planned by the States of Jersey Development Company, will the Minister, as shareholder representative, advise –

- (a) whether the apartments will be marketed and sold as flying freehold or share transfer units; and
- (b) what factors have been taken into account by the Company in reaching a decision on the method of sale of the apartments and whether the Minister has been consulted on the matter?”

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

“What measures, if any, has the Minister taken to implement the recommendation of the Comptroller and Auditor General in her report, ‘Review of Community and Social Services’ (R.131/2015) dated 10th December 2015, to “*establish clear milestones for the completion and implementation of the governance framework of the Community and Social Services Directorate (C&SSD), covering all C&SSD services, ‘business as usual’ and change initiatives, and [to] monitor delivery against those milestones*”?

Has any work carried out as a result of the recommendation influenced the proposed new governance model for the health and social care system described in ‘Health and Social Care System: a new governance model’ (P.60/2017) and, if so, how?”

18. The Minister for Social Security will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Further to the Assistant Minister’s answer to oral question 10 asked on 31st October 2017 (1(576)), will the Minister provide the following information about the current review of the Social Security contributory system –

- (a) whether it has been created internally or through an external agency and, if the latter, outline the tendering process, detailing the terms of reference employed and the budget for the contract and whether these were drafted internally or externally;
- (b) state what quality assurance measures are in place to assess the full range of options available to the Minister; and
- (c) explain why the second most popular option for paying for benefits in part 1 of the Social Security Review, that of increasing employer contributions, is not referred to in part 2 of the Social Security Review?”





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

“Could the Chief Minister provide the average cost per case of using a U.K. Commissioner for Royal Court proceedings?”

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

“Following the recent departure of senior staff members, including from the Child and Adult Mental Health Service and Orchard House, can the Minister advise whether –

- (a) the Department finds it difficult to recruit and retain staff (i) under the constraints of States Employment Board policies relating to terms and conditions and (ii) given the high cost of living and accommodation;
- (b) advise what engagement there has been with the States Employment Board to ensure that Jersey can attract high quality staff for essential services;
- (c) state what gaps have been left in the social service provision and how positions vacated will be replaced.”

21. The Minister for Infrastructure will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Further to the Minister’s response to question 1(533) asked on 10th October 2017 regarding traffic safety around the Millennium Town Park which stated that “*all decisions and implementation work on these roads were undertaken by the Parish*” (St. Helier), can the Minister clarify –

- (a) whether the Parsons Brinkerhoff safety report was commissioned by the then Transport and Technical Services Department (TTS) and, if so, whether the report recommended the installation of rising bollards to restrict access to Tunnell Street;
- (b) whether TTS agreed to consider the “installation of automatic rising bollards in Gas Place which could be used to restrict traffic for events or to allow through traffic to be further restricted” following representations at a Roads Committee meeting on 9th February 2011.
- (c) the cost of the bollards that the St. Helier Director of Technical Services said had been “*removed by TTS due to the cost*” at a Roads Committee meeting on 18th December 2013;
- (d) whether £500,000 of additional contingency from the Town Park project was returned by the Minister to the TTS and Housing rolling votes as per Ministerial Decision 0099/2012 as the project was “*complete and did not encounter any significant issues*”?”



## ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

### Questions without notice 2017

|                      |                 |                        |
|----------------------|-----------------|------------------------|
| <b>November 28th</b> | Social Security | Chief Minister         |
| <b>December 12th</b> | Home Affairs    | Treasury and Resources |

### Questions without notice 2018

#### 1st Session 2018

|                      |                            |   |
|----------------------|----------------------------|---|
| <b>January 16th</b>  | Health and Social Services | Chief Minister                                      |
| <b>January 30th</b>  | Education                  | Economic Development, Tourism,<br>Sport and Culture |
| <b>February 20th</b> | Housing                    | Chief Minister                                      |
| <b>March 6th</b>     | Treasury and Resources     | Environment   |
| <b>March 20th</b>    | External Relations         | Chief Minister                                      |
| <b>April 10th</b>    | Social Security            | Home Affairs  |
| <b>June 26th</b>     | Infrastructure             | Chief Minister                                      |
| <b>July 10th</b>     | Health and Social Services | Education   |

#### 2nd Session 2018

|                       |   |                            |
|-----------------------|---|----------------------------|
| <b>September 11th</b> | Economic Development, Tourism,<br>Sport and Culture | Chief Minister             |
| <b>September 25th</b> | Housing   | Treasury and Resources     |
| <b>October 9th</b>    | Environment   | Chief Minister             |
| <b>October 23rd</b>   | External Relations                                  | Social Security            |
| <b>November 6th</b>   | Home Affairs  | Chief Minister             |
| <b>November 20th</b>  | Infrastructure                                      | Health and Social Services |
| <b>December 4th</b>   | Education   | Chief Minister             |