



STATES OF JERSEY ORDER PAPER

10th DECEMBER 2019

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.
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 External Relations
 - Minister for Social Security
- Statements
- Minister for Children and Housing regarding the report ‘Making a Difference; Driving Improvement – An Inspection of The Government of Jersey Children’s Social Work Service – A follow-up report’
- Approx. 12.35 p.m. **Public Holidays: designation of 28th September from 2021 onwards** (P.102/2019)
- Draft Children and Education (Amendment) (Jersey) Law 201-** (P.112/2019)
- Guidelines for Busking in Jersey: proposed changes** (P.113/2019)
- Draft Data Protection (Registration and Charges) (Amendment) (Jersey) Regulations 201-** (P.114/2019)
- Draft Revenue Administration (Jersey) Law 2019 (Appointed Day) Act 201-** (P.115/2019)
- Draft Dormant Bank Accounts (Jersey) Law 2017 (Appointed Day) (No. 2) (Jersey) Act 201-** (P.116/2019)
- Jersey Police Complaints Authority: re-appointment of members** (P.117/2019)
- Draft EU Legislation (Official Controls and Agricultural Products) (Jersey) Regulations 201-** (P.123/2019)
- Note: Notice has been given of the intention to propose that Standing Order 32 be suspended for the proposition to be listed for debate; and for the minimum lodging period to be reduced so that it can be debated.*
- 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 11th and Thursday 12th December 2019 if necessary.



STATES OF JERSEY ORDER PAPER

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CONSOLIDATED

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Dogs (Licence Fee) (Jersey) Order 2019. R&O.128/2019.
Comité des Connétables.

* Taxation (Land Transactions) (LTT Statements and Receipts) (Jersey) Order 2019. R&O.131/2019.
Minister for Treasury and Resources.

* Home Affairs (Fire and Rescue and Petroleum – 2020 Fees) (Jersey) Order 2019. R&O.132/2019.
Minister for Home Affairs.

* Long-Term Care (Benefits) (Amendment No. 8) (Jersey) Order 2019. R&O.133/2019.
Minister for Social Security.

C. DOCUMENTS PRESENTED

* Public Holidays: designation of 28th September from 2021 onwards P.102/2019.
(P.102/2019) – comments. Com.
Presented: 6th December 2019, *Council of Ministers.*

States of Jersey Complaints Board: findings – complaint by Mr. T. Binet and Ms. R. Binet against the Minister for the Environment regarding the processing of Planning applications by them and the various companies in which they have significant interests (R.125/2019) – Response of the Minister for the Environment. R.125/2019.
Presented: 5th December 2019, *Minister for the Environment.* Res.

Non-Ministerial Departments. R.148/2019.
Presented: 5th December 2019, *Comptroller and Auditor General.*

* Consultants: reporting on their use by the Government of Jersey (P.59/2019) – report of the Chief Minister – December 2019. R.149/2019.
Presented: 9th December 2019.
Chief Minister.

D. NOTIFICATION OF LODGED PROPOSITIONS

Public Elections: declaration of donations exceeding the current threshold for declaration in law. P.120/2019.
Lodged: 4th December 2019, *Connétable of St. Martin.*

* Draft Employment (Minimum Wage) (Amendment No. 16) (Jersey) Regulations 201-. P.121/2019.
Lodged: 6th December 2019, *Minister for Social Security.*



- * Policy Development Boards. P.122/2019.
Lodged: 6th December 2019, *Deputy I. Gardiner of St. Helier.*
- * Draft EU Legislation (Official Controls and Agricultural Products) (Jersey) P.123/2019.
Regulations 201-.
Lodged: 6th December 2019, *Minister for the Environment.*

E. WITHDRAWAL OF LODGED PROPOSITIONS

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

5G Network: restrictions on use. P.69/2019.
Lodged: 2nd July 2019, *Senator S.C. Ferguson.*

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – **Written Questions**
(attached)

- WQ.535/2019 1. The Chief Minister will table an answer to a question asked by Deputy J.H. Perchard of St. Saviour regarding recruitment of the Chair of the Jersey Competition Regulatory Authority.
- WQ.536/2019 2. The Minister for Social Security will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the repayment of overpayments made by the Minister's department.
- WQ.537/2019 3. The Minister for Health and Social Services will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the implementation of the Jersey Care Model.
- WQ.538/2019 4. The Minister for Infrastructure will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding expenditure on bus shelters.
- WQ.539/2019 5. The Minister for Infrastructure will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the completion of the Eastern Cycle Network.
- WQ.540/2019 6. The Minister for Social Security will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the cost of administering the Income Support system.
- WQ.541/2019 7. The Minister for Health and Social Services will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the performance measures and standards in place at Orchard House.
- WQ.542/2019 8. The Minister for Health and Social Services will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the improvements made to Orchard House following the most recent health and safety report.



- WQ.543/2019 9. The Minister for Infrastructure will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the planning application for the work to be undertaken on Clinique Pinel and the surrounding area.
- WQ.544/2019 10. The Chief Minister will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the Future Jersey vision.
- WQ.545/2019 11. The Minister for Education will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the provision of canteen services at the Island's schools.
- WQ.546/2019 12. 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 accessibility of primary care by those people in most need of support.
- WQ.547/2019 13. The Minister for the Environment will table an answer to a question asked by the Connétable of St. Brelade regarding the management of tree numbers in Jersey.

(b) – Oral Questions
(120 minutes)

- OQ.310/2019 1. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Health and Social Services –
- “Will the Minister inform members which groups of patients he considers to fall into the three categories of financial, clinical and social vulnerability outlined in the Jersey Care Model and for which he will “consider all opportunities for expanding access” to primary care services; and will he state how many people each such group contains?”
- OQ.300/2019 2. Senator K.L. Moore will ask the following question of the Minister for Education –
- “How does the Minister propose to deliver the efficiencies set for her portfolio?”
- OQ.309/2019 3. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Infrastructure –
- “Further to his answer to Written Question 502/3019 regarding the consultation on the future use of the current Les Quennevais School, in which the Minister stated the consultation “will take place once the options have been developed and are available”, will the Minister explain why the consultation cannot take place now as a means of developing options to be shortlisted?”
- OQ.298/2019 4. The Connétable of St. Martin will ask the following question of the Minister for External Relations –
- “In light of the ongoing protests in Hong Kong, and the release of the China Cables showing the mass internment of Muslim minorities in China, will the Minister explain how U.K. Foreign Policy informs the Island's external relations with areas where there are significant Human Rights concerns and whether the Government has considered any policy changes with respect to those external relations?”
- OQ.297/2019 5. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for Health and Social Services –
- “Given the latest Jersey Opinions and Lifestyle Survey showed that 82% of Islanders think it is important for government to provide support for those suffering from domestic abuse, will the Minister agree to review the funding levels for the Jersey Women's Refuge?”



- OQ.296/2019 6. Deputy K.F. Morel of St. Lawrence will ask the following question of the Chief Minister –
- “Given the end of the term of office of the current Chair of the Jersey Competition Regulatory Authority has been known since June, as expressed in R.76/2019, will the Chief Minister explain why a permanent Chair has not since been sought and appointed, resulting in the Government having to appoint an Interim Chair at short notice?”
- OQ.304/2019 7. Deputy C.S. Alves of St. Helier will ask the following question of the Chair of the Comité des Connétables –
- “Will the Chair explain the reasons for doubling the price of a dog licence; and will she advise whether the cost of any other licences issued by the Parishes, for example gun licences, are also due to increase and, if so, by how much?”
- OQ.307/2019 8. Deputy R.J. Ward of St. Helier will ask the following question of the Minister for Treasury and Resources –
- “Given that new taxpayers pay on a current year basis, what is being done to ensure that part-time and seasonal workers (particularly young people at school, college or university) who earn well below tax thresholds are not being charged at an effective emergency rate of 20%; and, when this happens, what action is taken to return monies to the individuals involved?”
- OQ.302/2019 9. Deputy K.G. Pamplin of St. Saviour will ask the following question of the Minister for Education –
- “Further to the answer to my written question, WQ.545/2019, what measures are either being taken, or are proposed, to ensure that canteen food across the Island’s schools is not only healthy but also affordable for all students?”
- OQ.306/2019 10. Senator S.Y. Mézec will ask the following question of the Chair of the Privileges and Procedures Committee –
- “Will the Chair give an update on the work being undertaken by his Committee to implement the recommendations of the Election Observers’ Report; and advise when the Assembly can expect to debate legislation to implement these changes?”
- OQ.308/2019
* 11. Deputy R.J. Ward of St. Helier will ask the following question of the Minister for Children and Housing –
- “Will the Minister explain what the justification is for annual increases in Andium Homes rents at a time when the States has recognised income inequality as a major issue for the Island; and will he state how much this year’s increase in rents will raise and where these monies will go?”
- OQ.303/2019 12. Deputy K.G. Pamplin of St. Saviour will ask the following question of the Chief Minister –
- “Will the Chief Minister clarify how the new Hospital will be funded and explain whether any assessment has been undertaken of the likely affect on the cost of the Hospital if there were any delays in announcing the final site selection or in the timing of the planning application?”
- OQ.305/2019 13. Deputy K.F. Morel of St. Lawrence will ask the following question of the Minister for Education –
- “What percentage of the education budget is spent on adult education and what assessment has been made of how this compares with O.E.C.D. member states?”



- OQ.301/2019 14. Senator K.L. Moore will ask the following question of the Minister for Infrastructure –
- “Following the Assembly’s decision to adopt the amendment to the Government Plan relating to an increase in parking charges, how, if at all, does the Minister propose to make an equivalent saving within his portfolio?”
- OQ.311/2019 15. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Health and Social Services –
- “Will the Minister state what measures he has under consideration, if any, to improve access to primary care for the vulnerable groups outlined in the Jersey Care Model and what timescale he has for any such measures?”
- OQ.299/2019 16. The Connétable of St. Martin will ask the following question of the Minister for Treasury and Resources –
- “Will the Minister state when in 2020 she plans to lodge a further proposition to authorise preparations for the subsequent stages of the move towards phased independent taxation, as outlined in ‘Personal Tax Reforms’ (P.119/2019); and when does she estimate that couples who marry, or who enter civil partnerships, will be able to enter automatically the independent tax regime?”

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

1st question period – Minister for External Relations

2nd question period – Minister for Social Security

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

- * The Minister for Children and Housing will make a statement regarding the report ‘Making a Difference; Driving Improvement – An Inspection of The Government of Jersey Children’s Social Work Service – A follow-up report’.

L. PUBLIC BUSINESS

Public Holidays: designation of 28th September from 2021 onwards. P.102/2019.
Lodged: 16th September 2019, *Deputy M. Tadier of St. Brelade.*

- * Public Holidays: designation of 28th September from 2021 onwards P.102/2019.
(P.102/2019) – comments. Com.
Presented: 6th December 2019, *Council of Ministers.*

Draft Children and Education (Amendment) (Jersey) Law 201-. P.112/2019.
Lodged: 21st October 2019, *Minister for Children and Housing.*

Guidelines for Busking in Jersey: proposed changes. P.113/2019.
Lodged: 21st October 2019, *Deputy M. Tadier of St. Brelade.*

Draft Data Protection (Registration and Charges) (Amendment) (Jersey) Regulations 201-. P.114/2019.
Lodged: 22nd October 2019, *Minister for Economic Development, Tourism, Sport and Culture.*



Draft Revenue Administration (Jersey) Law 2019 (Appointed Day) Act 201- P.115/2019.
Lodged: 4th November 2019, *Minister for Treasury and Resources.*

Draft Dormant Bank Accounts (Jersey) Law 2017 (Appointed Day) (No. 2) (Jersey) Act 201- P.116/2019.
Lodged: 7th November 2019, *Minister for External Relations.*

Jersey Police Complaints Authority: re-appointment of members. P.117/2019.
Lodged: 12th November 2019, *Minister for Home Affairs.*

* **Draft EU Legislation (Official Controls and Agricultural Products) (Jersey) Regulations 201-** P.123/2019.
Lodged: 6th December 2019, *Minister for the Environment.*

Note: Because of the requirement for a six-week lodging period, the minimum lodging period of the proposition lodged by the Minister for the Environment will expire on Friday 17th January 2020. Furthermore, notification for the proposition to be listed for debate at the meeting was not received by 5th December 2019, in accordance with Standing Order 32. The Minister has therefore given notice of his intention to propose, in accordance with Standing Order 80, that Standing Order 32 be suspended in order that the proposition may be listed for debate at the meeting; and subsequently to propose, in accordance with Standing Order 26(7), that the minimum lodging period for the proposition be reduced in order that it can be debated at the meeting.

M. ARRANGEMENT OF PUBLIC BUSINESS

21st January 2020

(Meeting to commence at 10.30 a.m. following a short service for members at 9.30 a.m. at the Parish Church of St. Helier.)

Draft Banking Business (Depositors Compensation) (Amendment No. 2) (Jersey) Regulations 201- P.81/2019.
Lodged: 14th August 2019, *Minister for External Relations.*

Draft Rehabilitation of Offenders (Exceptions) (Amendment No. 2) (Jersey) Regulations 201- P.104/2019.
Lodged: 23rd September 2019, *Minister for Home Affairs.*

Note: The 2nd reading of the Draft Law will resume, following adoption of the principles on 12th November 2019 and the subsequent referral to the Education and Home Affairs Scrutiny Panel under Standing Order 72(1).

Draft Public Health and Safety (Rented Dwellings) (Licensing) (Jersey) Regulations 201- P.106/2019.
Lodged: 1st October 2019, *Minister for the Environment.*

Diversity Working Group. P.118/2019.
Lodged: 15th November 2019, *Deputy J.M. Maçon of St. Saviour.*

Public Elections: declaration of donations exceeding the current threshold for declaration in law. P.120/2019.
Lodged: 4th December 2019, *Connétable of St. Martin.*

* **Draft Employment (Minimum Wage) (Amendment No. 16) (Jersey) Regulations 201-** P.121/2019.
Lodged: 6th December 2019, *Minister for Social Security.*



- * **Policy Development Boards.** P.122/2019.
Lodged: 6th December 2019, *Deputy I. Gardiner of St. Helier.*

4th February 2020

- * **Draft Public Health and Safety (Rented Dwellings) (Licensing) (Jersey) Regulations 201-** P.106/2019.
Lodged: 1st October 2019, *Minister for the Environment.*

- Personal Tax Reforms.** P.119/2019.
Lodged: 22nd November 2019, *Minister for Treasury and Resources.*

DR. M. EGAN
Greffier of the States

9th December 2019

Note –

In accordance with the meeting dates fixed for 2019 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 11th and Thursday 12th December 2019.

An asterisk * in the left-hand margin denotes either a new item added to this Order Paper since the Order Paper was first published on 5th December 2019, or an item which has been altered or moved.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.131/2019.

Taxation (Land Transactions) (LTT Statements and Receipts) (Jersey) Order 2019.

This Order repeals and replaces the Taxation (Land Transactions) (LTT Statements and Receipts) (Jersey) Order 2009. This new Order revises the details required to be included in an LTT statement and an LTT receipt.

In particular –

Article 2 prescribes the details that are required to be included on an LTT statement for a transaction described in Article 3(1)(a) or 3(1)(b) of the Taxation (Land Transactions) (Jersey) Law 2009, that is, the transfer of a share or shares that confer a right of occupation of land in Jersey, or a declaration that a share or shares that confer such a right to occupation of land is held on trust for the benefit of a person.

Article 3 prescribes the details that are required to be included on an LTT statement for a transaction described in Article 3(1)(c) of the Taxation (Land Transactions) (Jersey) Law 2009, that is, the creation of a security interest in any share or shares that confer a right to occupation of land in Jersey.

Article 4 provides that a receipt for payment of LTT may be issued in paper or electronic format, and must contain confirmation from the Comptroller that LTT has been paid.

Article 5 prescribes a fee of £50 for production of a replacement LTT receipt.

Article 6 repeals the Taxation (Land Transactions) (LTT Statements and Receipts) (Jersey) Order 2009.

Article 7 gives the citation and provides that the Order comes into force on 1st January 2020.

The Order was made on 6th December 2019 and comes into force on 1st January 2020.

R&O.132/2019.

Home Affairs (Fire and Rescue and Petroleum – 2020 Fees) (Jersey) Order 2019.

This Order increases, with effect from 1st January 2020, various fees and charges associated with the Fire and Rescue Service and licensing fees under the Petroleum (Jersey) Law 1984. The fees and charges were last increased on 1st January 2019, and the increases range from 1.8% for certain training provided by the Fire and Rescue Service, to 36.3% in respect of the issue and amendment of fire certificates and of inspection of commercial or public premises for the provision of a fire safety report.

The Order was made on 6th December 2019 and comes into force on 1st January 2020.

R&O.133/2019.

Long-Term Care (Benefits) (Amendment No. 8) (Jersey) Order 2019.

This Order amends, with effect from 1st January 2020, provisions of the Long-Term Care (Benefits) (Jersey) Order 2014 (the “2014 Order”) so as to increase the daily rate for each long-term care benefit comprising standard care costs, and the amount required to be paid towards standard care costs, by 2.6%.

In particular, this Order amends the following provisions of the 2014 Order –

- Article 8, to increase by approximately 2.6% the rates for long-term care benefit comprising weekly standard care costs for long-term care. The amount of the rate for long-term care benefit depends on the level of care required and whether it is required in a care home, group home or person’s principal residence;



- Article 9, to increase by approximately 2.6% the amount that a person must pay towards the weekly costs of living in an approved home (as defined in Article 1 of the 2014 Order) and the maximum amount payable by the person per week for incidental expenses that may arise as a condition of receiving a long-term care benefit in the form of a grant for standard care costs;
- Article 10, to increase by approximately 2.6% the amount that a person must pay towards the costs of the person's appropriate level of standard of care (in addition to amounts referred to in amended Article 8, where applicable) as a condition of receiving a long-term care benefit in the form of a grant for standard care costs; and
- Article 12, to increase by approximately 2.6% the weekly costs of living in an approved care home, in line with Article 9

The Order was made on 6th December 2019 and comes into force on 1st January 2020.