STATES OF JERSEY ORDER PAPER

Tuesday 25th April 2006

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Child Abduction and Custody (Parties to Conventions) (Jersey) Order

R&O 32/2006.

2006.

Chief Minister.

Police (Complaints and Discipline Procedure) (Amendment No. 3)

R&O 33/2006.

(Jersey) Order 2006.

Minister for Home Affairs.

C. DOCUMENTS PRESENTED OR LAID

Public Sector Manpower Report: December 2005.

R.30/2006.

Presented: 5th April 2006.

Minister for Treasury and Resources.

Code of Practice on Public Access to Official Information: Annual

R.31/2006.

R.32/2006.

R.33/2006.

Report for 2005.

Presented: 7th April 2006.

Privileges and Procedures Committee.

Public Lotteries: report for 2005.

Presented: 11th April 2006.

Minister for Economic Development.

Freedom of Information (Jersey) Law 200-: consultation document.

Presented: 21st April 2006.

Privileges and Procedures Committee.

D. NOTIFICATION OF LODGED PROPOSITIONS

Strategic Plan 2006 to 2011.

P.40/2006.

Lodged: 10th April 2006.

Council of Ministers.

Channel Islands Lottery: allocation of profits for 2005/2006.

P.41/2006.

Lodged: 11th April 2006.

Minister for Economic Development.

Exclusivity of postal services within Jersey: termination of Agreement

P.42/2006.

between the States of Jersey and the United Kingdom.

Lodged: 11th April 2006.

Minister for Economic Development.

Draft Postal Services (Jersey) Law 2004 (Appointed Day) (No. 2) Act

200-.

Lodged: 11th April 2006.

Minister for Economic Development.

Attendance Allowance Board: appointment.

P.44/2006.

P.43/2006.

Lodged: 11th April 2006. *Minister for Social Security.*

Solid Waste Strategy: locations for proposed facilities.

P.45/2006.

Lodged: 11th April 2006.

Minister for Transport and Technical Services.

Draft Planning and Building (Jersey) Law 2002 (Appointed Day) Act

P.46/2006.

200-.

Lodged: 13th April 2006.

Minister for Planning and Environment.

Jersey Community Relations Trust: replacement of Chairman.

P.47/2006.

Lodged: 18th April 2006.

Chief Minister.

Island Plan 2002, Policy H2: Fields 848, 851, 853, and 854.

P.48/2006.

Lodged: 20th April 2006. Connétable of St. Lawrence.

E. WITHDRAWAL OF LODGED PROPOSITIONS

In accordance with Standing Order 34(1), the Minister for Economic Development has informed the Greffier of the States that the following propositions lodged "au Greffe" are to be withdrawn –

Draft Postal Services (Jersey) Law 2004 (Appointed Day) (No. 2) Act

P.8/2006.

200-.

Lodged: 31st January 2006.

Minister for Economic Development.

Exclusivity of postal services within Jersey: termination of Agreement

P.13/2006.

between the States of Jersey and the United Kingdom.

Lodged: 14th February 2006.

Minister for Economic Development.

In accordance with Standing Order 34(1), Senator B.E. Shenton has informed the Greffier of the States that the following proposition lodged "au Greffe" and set down for consideration at the present meeting, is to be withdrawn –

Higher Education 'top-up' fees: payment by the States.

P.33/2006.

Lodged: 21st March 2006.

Senator B.E. Shenton.

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions (attached)

The Chief Minister will table an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding data set comparisons with the U.K. for RPI/cost of living in respect of low income pensioner households.

The Minister for Home Affairs will table an answer to a question asked by the Deputy of St. Ouen regarding the cost of Prison Officer overtime and other expenditure budgets for Home Affairs.

The Minister for Education, Sport and Culture will table an answer to a question asked by Senator J.L. Perchard regarding non-teaching staff numbers.

The Minister for Education, Sport and Culture will table an answer to a question asked by the Connétable of St. Helier regarding the provision of a nursery unit at St. Peter's Primary School.

The Minister for Transport and Technical Services will table an answer to a question asked by the Connétable of St. Helier regarding private non-residential parking spaces in St. Helier.

The Minister for Health and Social Services will table an answer to a question asked by the Connétable of St. Helier regarding health matters relating to the composting site.

The Minister for Transport and Technical Services will table an answer to a question asked by the Connétable of St. Helier regarding cycle rickshaws.

The Minister for Economic Development will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the Service Level Agreement for the northern route ferry service.

The Minister for Home Affairs will table answers to questions asked by Deputy G.C.L. Baudains of St. Clement regarding e-mail exchanges between the Deputy Chief Officer, States of Jersey Police and the Jersey Evening Post relating to matters in connection with firearms.

The Minister for Health and Social Services will table an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the Nurses Job Families Agreement.

The Minister for Economic Development will table an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding Airport bollards.

The Minister for Education, Sport and Culture will table an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding training and development needs of the finance and allied industries.

The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding proposals for the composition of the States.

(b) - Oral Questions

The Deputy of St. Martin will ask the following question of the Minister for Education, Sport and Culture –

"Would the Minister inform members how many historic buildings are being refitted by the Jersey Heritage Trust for letting purposes, and whether any have proved unsuitable for this purpose?"

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

"Would the Minister inform members whether the Western Tanker Berth Gangway has malfunctioned since its installation and, if so, on how many occasions, what has been the cost of remedying any faults, and what has been the cost of supplying alternative cover whilst it has been unserviceable?"

Deputy G.C.L. Baudains of St. Clement will ask the following question of the Chief Minister –

"Will the Minister agree to make available to all members the most up-to-date proposals that the Waterfront Enterprise Board has for the waterfront area?"

The Deputy of St. Martin will ask the following question of the Minister for Health and Social Services –

"On 20th July 2005, the States adopted P.111/2005 and P.126/2005 relating to the restriction of smoking, both of which stated that enforcement would be carried out from within existing health protection resources. Why is the appointment of a Tobacco Control Officer and the need for £50,000 new funding for out-of-hours support for existing staff, as stated in P.39/2006, now required for enforcement purposes?"

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

1st question period – Minister for Transport and Technical Services.

2nd question period – Minister for Health and Social Services.

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

The Chairman of the Privileges and Procedures Committee will make a statement regarding matters relating to investigations under the Code of Conduct for Elected Members.

L. PUBLIC BUSINESS

Political activities by States employees.

P.17/2006.

Lodged: 24th February 2006.

Council of Ministers.

Draft Restriction on Smoking (Vending Machines) (Jersey) Regulations

P.21/2006.

200-.

Lodged: 28th February 2006.

Minister for Health and Social Services.

Draft Restriction on Smoking (Public Transport) (Amendment) (Jersey) P.22/2006.

Regulations 200-.

Lodged: 28th February 2006.

Minister for Health and Social Services.

Draft Restriction on Smoking (Sales of Cigarettes to Children) P.23/2006.

(Amendment No. 2) (Jersey) Regulations 200.

Lodged: 28th February 2006.

Minister for Health and Social Services.

Draft Restriction on Smoking (Amendment) (Jersey) Law 2006 P.28/2006.

(Appointed Day Act) 200-. Lodged: 14th March 2006.

Minister for Health and Social Services.

Draft Housing (General Provisions) (Amendment No. 24) (Jersey) P.25/2006.

Regulations 200-.

Lodged: 14th March 2006.

Minister for Housing.

Draft Housing (General Provisions) (Amendment No. 24) (Jersey) P.25/2006. Com.

Regulations 200- (P.25/2006): comments.

Presented: 30th March 2006.

Minister for Treasury and Resources.

Draft States of Jersey (Transfer of Functions No. 1) (Home Affairs to P.26/2006.

Transport and Technical Services) (Jersey) Regulations 200-.

Lodged: 14th March 2006.

Chief Minister.

Draft Amendment (No. 4) of the Standing Orders of the States of Jersey. P.27/2006.

Lodged: 14th March 2006.

Privileges and Procedures Committee.

Draft Trusts (Amendment No. 4) (Jersey) Law 200. P.29/2006.

Lodged: 14th March 2006.

Minister for Economic Development.

In accordance with Standing Order 32, the Minister for Social Security has given notice that he will propose that the following matter be included under Public Business at the present meeting –

Attendance Allowance Board: appointment.

P.44/2006.

Lodged: 11th April 2006. *Minister for Social Security.*

M. ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

16th May 2006

Milk Subsidy for Delivery to Special Classes.

P.145/2005.

Lodged: 5th July 2005.

Deputy G.P. Southern of St. Helier, and referred to the Ministers for Economic Development and Social Security (formerly the Economic Development and the Employment and Social Security Committees).

Draft Sexual Offences (Jersey) Law 200-. P.196/2005. Lodged: 13th September 2005. Minister for Home Affairs, (formerly the Home Affairs Committee). (debate suspended on 18.01.06 and remained such on 31.01.06 as item referred to Corporate Services Scrutiny Panel under Standing Order 79(i)). Draft Taxation (United States of America) (Jersey) Regulations 200-. P.264/2005. Lodged: 8th November 2005. Chief Minister (formerly the Policy and Resources Committee). Draft Employment (Amendment No. 2) (Jersey) Law 200-. P.270/2005. Lodged: 15th November 2005. Deputy G.P. Southern of St. Helier. Draft Employment (Amendment No. 2) (Jersey) Law 200- (P.270/2005): P.270/2005. Com. comments. Presented: 17th January 2006. Minister for Social Security. Draft Employment Relations (Amendment) (Jersey) Law 200-. P.5/2006. Lodged: 30th January 2006. Deputy G.P. Southern of St. Helier. Draft Employment Relations (Amendment) (Jersey) Law 200- (P.5/2006): P.5/2006. Com. comments. Presented: 8th February 2006. Minister for Social Security. Bailiff's Consultative Panel. P.20/2006. Lodged: 28th February 2006. Privileges and Procedures Committee. Bailiff's Consultative Panel (P.20/2006): amendment. P.20/2006, Amd. Lodged: 3rd March 2006. Connétable of St. Helier. Bailiff's Consultative Panel (P.20/2006): amendment (P.20/2006 Amd.)— P.20/2006. comments. Amd.Com. Presented: 10th March 2006. Privileges and Procedures Committee. Bellozanne Waste Treatment Works: petition. P.34/2006. Lodged: 28th March 2006. Deputy J.B. Fox of St. Helier. Draft Social Security (Television Licence Benefit) (Jersey) Law 200-. P.36/2006. Lodged: 4th April 2006. Minister for Social Security. Draft Social Security (Television Licence Benefit) (Jersey) Regulations P.37/2006. 200-.

P.38/2006.

Lodged: 4th April 2006. *Minister for Social Security*.

Lodged: 4th April 2006.

Charing Cross: vacant site – petition.

Connétable of St. Helier.

Draft Restriction on Smoking (Amendment No. 2) (Jersey) Law 200. P.39/2006.

Lodged: 4th April 2006.

Minister for Health and Social Services.

Draft Planning and Building (Jersey) Law 2002 (Appointed Day) Act 200-. P.46/2006.

Lodged: 13th April 2006.

Minister for Planning and Environment.

Jersey Community Relations Trust: replacement of Chairman. P.47/2006.

Lodged: 18th April 2006.

Chief Minister.

Island Plan 2002, Policy H2: Fields 848, 851, 853, and 854. P.48/2006.

Lodged: 20th April 2006. *Connétable of St. Lawrence*.

23rd May 2006

Employment legislation: petition. P.214/2005.

Lodged: 4th October 2005.

Deputy G.P. Southern of St. Helier.

Employment legislation: petition (P.214/2005) – comments. P.214/2005. Com.

Presented: 11th January 2006. *Minister for Social Security*.

Employment legislation: petition (P.214/2005) – comments – addendum.

Presented: 21st March 2006.

Minister for Social Security.

P.214/2005.

Com.Add.

(re-issue)

Composting facilities. P.258/2005.

Lodged: 1st November 2005.

Deputy P.V.F. Le Claire of St. Helier (formerly in the name of Senator P.V.F. Le Claire), and referred to the Ministers for Health and Social Services, Planning and Environment, and Transport and Technical Services (formerly the Health and Social Services and the Environment and Public Services Committees).

Composting facilities (P.258/2005): comments. P.258/2005. Com.

Presented: 19th December 2005.

Comité des Connétables.

Composting facilities (P.258/2005): comments. P.258/2005. Com.

(2)

Presented: 9th March 2006.

Minister for Health and Social Services.

Composting facilities (P.258/2005): comments. P.258/2005. Com.

Presented: 9th March 2006. (3)

Minister for Transport and Technical Services.

Draft Postal Services (Transfer) (Jersey) Regulations 200-. P.9/2006.

Lodged: 31st January 2006.

Minister for Treasury and Resources.

2nd reading

(Principles adopted on 28th March 2006 before referral to Economic

Affairs Scrutiny Panel in accordance with Standing Order 72(1)).

Draft Postal Services (Transfer) (Jersey) Regulations 200- (P.9/2006): P.9/2006. amendment. Amd.

Lodged: 28th February 2006.

Minister for Treasury and Resources.

Draft Postal Services (Transfer) (Jersey) Regulations 200- (P.9/2006): P.9/2006. Amd. second amendment. (2)

Lodged: 14th March 2006.

Minister for Treasury and Resources.

Channel Islands Lottery: allocation of profits for 2005/2006. P.41/2006.

Lodged: 11th April 2006.

Minister for Economic Development.

Exclusivity of postal services within Jersey: termination of Agreement P.42/2006.

between the States of Jersey and the United Kingdom.

Lodged: 11th April 2006.

Minister for Economic Development.

Draft Postal Services (Jersey) Law 2004 (Appointed Day) (No. 2) Act 200. P.43/2006.

Lodged: 11th April 2006.

Minister for Economic Development.

6th June 2006

Strategic Plan 2006 to 2011. P.40/2006.

Lodged: 10th April 2006. *Council of Ministers*.

Senators and Deputies: terms of office. P.227/2004.

Lodged: 14th December 2004. Deputy A. Breckon of St. Saviour.

(debate commenced and States adopted move to next item of public

business on 1st February 2005).

Senators and Deputies: terms of office (P.227/2004) – comments. P.227/2004. Com.

Presented: 18th January 2005.

Presented by the Minister for Treasury and Resources (formerly the

Finance and Economics Committee).

Draft Water Resources (Jersey) Law 200-. P.206/2005.

Lodged: 27th September 2005.

Minister for Planning and Environment (formerly the Environment and

Public Services Committee).

Draft Water Resources (Jersey) Law 200- (P.206/2005): comments. P.206/2005. Com.

Presented: 1st November 2005.

Minister for Economic Development (formerly the Economic Development

Committee).

Draft Water Resources (Jersey) Law 200- (P.206/2005): amendment. P.206/2005. Amd.

Lodged: 25th October 2005.

Deputy R.C. Duhamel of St. Saviour.

Draft Water Resources (Jersey) Law 200- (P.206/2005): amendments P.206/2005. (P.206/2005 Amd.)—comments. Amd.Com.

Presented: 22nd November 2005.

Minister for Planning and Environment (formerly the Environment and Public Services Committee).

Draft Water Resources (Jersey) Law 200- (P.206/2005): second P.206/2005. Amd. amendments. (2)

Lodged: 1st November 2005. Deputy P.N. Troy of St. Brelade.

Draft Water Resources (Jersey) Law 200- (P.206/2005): second P.206/2005. Amd. amendments (P.206/2005 Amd.(2))—comments. (2) Com.

Presented: 29th November 2005.

Minister for Planning and Environment (formerly the Environment and Public Services Committee).

20th June 2006

Solid Waste Strategy: locations for proposed facilities.

P.45/2006.

Lodged: 11th April 2006.

Minister for Transport and Technical Services.

4th July 2006

18th July 2006

12th September 2006

26th September 2006

10th October 2006

A.H. HARRIS Deputy Greffier of the States

20th April 2006

Note -

In accordance with a decision of the States on 25th October 2005, this meeting will continue, if necessary, on Wednesday 26th and Thursday 27th April 2006.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O 32/2006

This Order specifies the Contracting States (other than the UK) who are parties to two international Conventions, namely the Convention on the Civil Aspects of International Child Abduction signed at The Hague on 25th October 1980 and the European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on the Restoration of Custody of Children signed at Luxembourg on 20th May 1980.

The Order was made on 21st March 2006, and came into force on 28th March 2006.

R&O.33/2006

This Order clarifies the position on the use of force by officers of the States of Jersey Police Force.

The Order was made on 12th April 2006, and came into force on 19th April 2006.

WRITTEN QUESTIONS

(See Item I(a))

The Chief Minister will table an answer to the following question asked by Deputy P.V.F. Le Claire of St. Helier

"Would the Minister provide the data set collected for RPI for cost of living comparisons for a low income pensioner household in Jersey compared with the U.K.?"

The Minister for Home Affairs will table an answer to the following question asked by the Deputy of St. Ouen –

"Would the Minister -

- (a) inform members of the cost of Prison Officer overtime for each of the financial years 2001 to 2005 and explain what efforts, if any, have been made to reduce this cost over that period?
- (b) provide financial statements of all budgets under her control for the period 2000 to 2006 in the same format as the one provided for H.M. Prison, La Moye in answer to written questions on 28th March 2006?"

The Minister for Education, Sport and Culture will table an answer to the following question asked by Senator J.L. Perchard –

"Would the Minister inform members whether there has been any increase in the number of administrative or non-teaching staff employed by the department compared with the number employed 25 years ago and, if so, explain the reasons for this and whether there are any correlations with pupil numbers over this 25 year period?"

The Minister for Education, Sport and Culture will table an answer to the following question asked by the Connétable of St. Helier –

"Would the Minister inform members –

- (a) of the date when the decision was taken to build a nursery unit as part of the rebuilding of St Peter's Primary School?,
- (b) supply the capital and revenue costs for the nursery unit?
- (c) whether discussions were held with the Parish over the feasibility of using existing premises in the area to avoid the expense of new build?
- (d) whether he took into account the impact of the new free States nursery on private sector nurseries in the West of the Island?"

The Minister for Transport and Technical Services will table an answer to the following question asked by the Connétable of St. Helier –

"Would the Minister inform members –

- (a) whether he is investigating, as part of his ongoing review of transport strategy, the impact that the number of PNR (Private Non-Residential) parking spaces within the Ring Road has on the community in terms of adding to congestion and reducing the incentive for commuters to switch to other modes of transport?
- (b) whether he will undertake to discuss with the Minister for Treasury and Resources the feasibility of a tax on PNR parking with a view to ring-fencing the proceeds to enhance public transport services?"

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

"Would the Minister inform members –

- (a) whether an assessment was carried out on the potential impact of composting on the health of nearby residents prior to moving the compost site from St Mary to St Helier and, if not, the reasons why?
- (b) the number and type of complaints received by the Environmental Health Department concerning nuisance odours both while composting was carried out at St. Mary and since the operation was moved to St. Helier, and what steps, if any, have been taken in response to those complaints?
- (c) whether there has been any evidence of fungal spores produced from the composting site which could be injurious to human health?
- (d) whether equipment has recently been purchased designed to monitor odour levels and, if so, whether such equipment will be used in respect of the temporary composting site at Havre des Pas?"

The Minister for Transport and Technical Services will table an answer to the following question asked by the Connétable of St. Helier –

"The Minister has previously expressed his support for the concept of cycle rickshaws. Would the Ministe explain what, if any, progress has been made towards the introduction of this form of transport?"

The Minister for Economic Development will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

"With reference to the northern route ferry service, would the Minister inform members –

- (a) whether a printed timetable is required to be produced by the operator in accordance with the terms of the Service Level Agreement (SLA) and whether such timetables have been available locally up to 6th April this year? and,
- (b) whether the SLA requires fare structures to be reciprocal and, if so, will this requirement be monitored to ensure that advertised price promotions are available to Jersey and U.K. residents alike?"

The Minister for Home Affairs will table answers to the following questions asked by Deputy G.C.L. Baudains of

St. Clement -

- "1. With reference to the recent e-mail exchanges between the Jersey Evening Post (JEP) and States of Jersey Police regarding firearms, would the Minister answer the following questions relating to the points made by the Deputy Chief Officer, as they appear in those e-mails
 - (a) "....every week there are hundreds of movements of firearms and ammunition between these ranges mostly in private vehicles". Why did the Deputy Chief Officer offer this information when it had not been asked for, and what purpose did its dissemination serve?
 - (b) "...but it includes high velocity and high calibre weapons which are illegal in the U.K.". Will the Minister identify those weapons?"
 - (c) "one weapon for which certificates have been granted can kill at a range of several miles". Would the Minister inform members whether any other licensed full-bore rifles are capable of killing 'at several miles'?
 - (d) "there are no suitable ranges in Jersey". Assuming this refers to the single shot .5cal rifle, would the Minister confirm whether an assessment of the suitability of the rifle range at Crabbé, St. Mary has been carried out and, if so, whether it was found to be favourable?
 - (e) "some of the weapons are so powerful that the police would need military support to challenge any criminal use." Would the Minister state how many weapons fall into this category and, given their weight and cumbersomeness, explain why they should present more of a problem than any other full-bore rifle?
 - (f) "...four parishes are not complying with the Law and are withholding all documentation on firearms certification". Would the Minister confirm that this relates to all firearms documentation?
 - (g) ".50 single shot armour piercing Browning machine gun." Would the Minister explain what is meant by a single-shot machine gun and whether it is the type of ammunition that can be used in such a firearm which is armour piercing rather than the gun?
- 2. In light of the exchange between the States of Jersey Police Deputy Chief Officer and the JEP, what steps, if any, has the Minister taken to ensure that in future, she is involved in any press communications relating to potentially controversial issues and, if so, what procedures are there to validate information given? In addition, what steps has the Minister taken to verify the accuracy of the information provided to the JEP by the Deputy Chief Officer?

The Minister for Health and Social Services will table an answer to the following question asked by Deputy R.G. Le Hérissier of St. Saviour –

"Would the Minister inform members –

- (a) of the costs to date of implementing the Nurses Job Families Agreement?
- (b) what has been achieved through this Agreement?
- (c) what remains to be achieved through this Agreement, at what cost and within what deadlines?

The Minister for Economic Development will table an answer to the following question asked by Deputy R.G. Le Hérissier of St. Saviour –

"Would the Minister inform members whether he intends to reduce the number of bollards at the Airport?"

The Minister for Education, Sport and Culture will table an answer to the following question asked by Deputy R.G. Le Hérissier of St. Saviour –

"Would the Minister inform members how he is apprised of the training and development needs of the finance and allied industries, and what mechanisms exist, if any, to ensure that, where appropriate, action is taken in respect of current and emerging needs?"

The Chairman of the Privileges and Procedures Committee will table an answer to the following question asked by Deputy R.G. Le Hérissier of St. Saviour –

"Would the Chairman inform members –

- (a) whether the proposals the Committee is bringing forward on the Composition of the States will address the issue of the size of the membership of the States?
- (b) what preliminary conclusions, if any, have been reached in this regard to date?"

ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE ROTA

(See Item I(c))

irst 15 minute period Second 15 minute period

ducation Sport and Culture Chief Minister

ocial Security Planning and Environment

lousing Chief Minister

Iome Affairs Treasury and Resources

conomic Development Chief Minister

lealth and Social Services Technical and Transport Services

ducation Sport and Culture Chief Minister

lanning and Environment Social Security

lousing Chief Minister

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