



# STATES OF JERSEY ORDER PAPER

11th OCTOBER 2016

## 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 Infrastructure
  - Chief Minister
- Statements (if any)*
- The Minister for Social Security will make a statement regarding the launch of consultation for the Social Security Review.
- The Chief Minister will make a statement regarding the Medium Term Financial Plan 2017-2019.
- Approx. 12.30 p.m. **Higher Education Funding** (R.51/2016) (Consideration '*in Committee*').
- Draft Income Support (Special Payments) (Christmas Bonus) (Jersey) Regulations 201-** (P.84/2016)
- Draft Social Security (Christmas Bonus) (Jersey) Regulations 201-** (P.85/2016)
- Draft Food Costs Bonus (Jersey) Regulations 201-** (P.83/2016)
- Draft Price Indicators (Amendment No. 2) (Jersey) Regulations 201-** (P.81/2016)
- Public Elections: introduction of STV and AV** (P.88/2016)
- Public Elections: introduction of STV and AV (P.88/2016) – amendment** (P.88/2016 Amd.)
- Draft Prison (Amendment No. 7) (Jersey) Law 201-** (P.89/2016)
- Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Chile for the Exchange of Information on Tax Matters** (P.90/2016)
- Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Cyprus for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to taxes on income** (P.91/2016)



**States of Jersey Development Company Limited: appointment of  
Non-Executive Directors (P.93/2016(re-issue))**

Arrangement of public business at subsequent sittings

*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 12th and Thursday 13th October 2016 if necessary.*



# STATES OF JERSEY ORDER PAPER

11th OCTOBER 2016

## CONSOLIDATED

### A. COMMUNICATIONS BY THE PRESIDING OFFICER

### B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

Road Racing (Motor Vehicle Rally) (No. 2) (Jersey) Order 2016. R&O.103/2016.  
*Minister for Infrastructure*

\* Economic Development, Tourism, Sport and Culture (2017 Fees) (Jersey) Order 2016. R&O.104/2016.  
*Minister for Economic Development, Tourism, Sport and Culture*

\* EU Legislation (Sanctions – ISIL (Da'esh) and Al-Qaida) (Amendment) (Jersey) Order 2016. R&O.105/2016.  
*Minister for External Relations*

### C. DOCUMENTS PRESENTED

Minimum wage rates for April 2017: Employment Forum's recommendation and Minister's response. R.102/2016.  
Presented: 4th October 2016, *Minister for Social Security*.

\* Land Transactions under Standing Order 168(3) – R.103/2016.  
(a) La Crete Quarry Shed and Yard, La Crete Point, La Route de la Côte, St. Martin – proposed 9-year lease;  
(b) Le Belon, 2 Le Clos Vallois, Le Passage, St. Lawrence – sale assisted house purchase.  
Presented: 5th October 2016, *Minister for Infrastructure*.

\* Social Security Department: Minister's Report 2015. R.104/2016.  
Presented: 11th October 2016, *Minister for Social Security*.

\* Living Longer: Thinking Ahead – Part 1. Social Security and Income in Retirement. R.105/2016.  
Presented: 11th October 2016, *Minister for Social Security*.

### D. NOTIFICATION OF LODGED PROPOSITIONS

Public Elections: introduction of STV and AV (P.88/2016) – amendment. P.88/2016.  
Lodged: 4th October 2016, *Privileges and Procedures Committee*. Amd.

Draft Sea Fisheries (Inshore Waters) (Amendment No. 2) (Jersey) Regulations 201-. P.102/2016.  
Lodged: 4th October 2016, *Minister for the Environment*.

Draft Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment No. 3) Jersey) Regulations 201-. P.103/2016.  
Lodged: 4th October 2016, *Minister for the Environment*.



Jersey Police Complaints Authority: appointment of Chairman. P.104/2016.  
Lodged: 5th October 2016, *Minister for Home Affairs*.

Draft Employment of States of Jersey Employees (Amendment No. 8) (Jersey) P.105/2016.  
Regulations 201-.  
Lodged: 5th October 2016, *States Employment Board*.

## **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 –

- \* Draft Health Insurance Fund (Miscellaneous Provisions) (Amendment No. 2) P.82/2016.  
(Jersey) Law 201-.  
Lodged: 16th August 2016, *Minister for Social Security*.

## **F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS**

- \* Nomination of Senator S.C. Ferguson as a member of the Corporate Services Scrutiny Panel.  
Nomination of Senator S.C. Ferguson as a member of the Health and Social Security Scrutiny Panel.

## **G. MATTERS OF PRIVILEGE**

## **H. PETITIONS**

## **I. QUESTIONS**

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

- 9635 1. The Chief Minister will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding media training.
- 9636 2. 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 funding of home care services provided by Family Nursing and Home Care.
- 9637 3. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding revenue-raising measures to replace the Health Charge.
- 9638 4. The Minister for Education will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding non-gender-specific uniforms in schools.
- 9639 5. The Minister for Education will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding funding of the Jersey Music Service.
- 9640 6. The Minister for Education will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the play park at Les Quennevais playing fields.
- 9641 7. The Minister for Education will table an answer to a question asked by Deputy G.P.Southern of St. Helier regarding salary levels for Newly Qualified Teachers in comparison with those in the United Kingdom.



- 9642 8. The Minister for Social Security will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the level of Jersey's minimum wage.
- 9643 9. The Minister for Education will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding proposals for teachers' pay scales.
- 9644 10. The Minister for Treasury and Resources will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding reports in respect of taxes commissioned since 2004.
- 9645 11. The Minister for Treasury and Resources will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding tax income from mining companies and hedge funds.
- 9646 12. The Minister for Infrastructure will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Energy from Waste Plant.
- 9647 13. The Minister for Treasury and Resources will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding tax revenue under the 'zero-ten' tax regime.
- 9648 14. The Minister for Education will table an answer to a question asked by the Deputy of St. John regarding the work of the Jersey Curriculum Council.
- 9649 15. The Minister for Education will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the 14+ transfer to Hautlieu School.
- 9650 16. The Minister for Treasury and Resources will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding organisations in receipt of States grants.
- 9651 17. The Minister for Infrastructure will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the outsourcing of services following the restructuring of the Department.

**(b) – Oral Questions**

(120 minutes)

- 9659 1. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Education –
- “What evidence, if any, does the Minister have that the challenges to secondary school teacher recruitment in the United Kingdom in many specialist areas have eased and, if none, what incentives are there in place to attract such teachers to come and work in Jersey?”
- \* 2. Deputy J.M. Maçon will ask the following question of the Minister for Health and Social Services –
- 9627 “Will the Minister put on record his appreciation of the work of the Sexual Health Service and does he support the proactive work officers of the Sexual Health Service have undertaken to raise the profile of the service at public events recently such as Jersey Live and Jersey Pride.”
- 9652 3. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Health and Social Services –
- “How many looked-after children are currently in the care of the States (including those in foster care and in homes) and is responsibility for Children's Services delegated to either of the Assistant Ministers?”



- 9653 4. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Health and Social Services –
- “What measures have been, or are being, taken to ensure that any changes to service level agreements between the Department and Family Nursing and Home Care will not see an increase in costs or the reduction or removal of services for people requiring home care services, and will the Minister explain when any such changes were communicated to clients and, if not, why not?”
- 9654 5. Deputy R. Labey of St. Helier will ask the following question of the Minister for Social Security –
- “Following the Minister’s advice to the Assembly earlier this year that self-employed contributions were to be one of the first areas examined as part of the Social Security Review, and given the continuing difficult economic climate, will the Minister advise whether the requirement for self-employed people to pay both employer and employee contributions will be stopped?”
- 9662 6. Deputy M.R. Higgins of St. Helier will ask the following question of H.M. Attorney General –
- “What test, if any, is used by the Law Officers’ Department when deciding whether to defend States Departments and officers from legal proceedings brought against them?”
- 9658 7. Deputy A.D. Lewis of St. Helier will ask the following question of the Minister for Health and Social Services –
- “Further to the response given to my written question on 26th September 2016, can the Minister advise whether the percentage of Jersey patients (6%) who are prescribed thrombolysis (brain-clot-busting drugs) when admitted for strokes compares favourably with the use of this drug in the UK?”
- 9657 8. Deputy S.Y. Mézec of St. Helier will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –
- “Given that just under £6,000 has been spent by the Department since August 2012 on travel and accommodation expenses for civil servants to watch rugby matches, will the Minister advise what the justification was for such expenditure?”
- 9661 9. Deputy J.A.N. Le Fondré of St. Lawrence will ask the following question of the Chief Minister –
- “What steps, if any, does the Chief Minister propose to take in order to address the financial impact of the Assembly’s rejection of the Health Charge?”
- 9660 10. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Health and Social Services –
- “What progress has been made to ensure that any delays in assessing applicants for the Long-Term Care Scheme are kept to a minimum, and what is the average delay that applicants currently face?”
- 9655 11. Deputy R. Labey of St. Helier will ask the following question of the Minister for Health and Social Services –
- “Is it current policy to invest in community health services in order to relieve pressure on the General Hospital and, if so, how does the decision to reduce funding for Family Nursing and Home Care fit within that policy, will that reduction generate so called ‘bed blockers’ at the Hospital which can hamper clinical operations and, if so, will the Minister reconsider his decision?”



9656 12. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Education –  
“How will the Minister incorporate a reduction in pay rates for New Qualified Teachers into the overall pay structure for teachers?”

9663 13. Deputy M.R. Higgins of St. Helier will ask the following question of H.M. Attorney General –  
“What recourse, if any, does an individual have in circumstances when a States Department has delayed the provision of information to that individual to the extent that any legal claim by the individual against the Department is ‘time-barred’?”

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

1st question period – Minister for Infrastructure

2nd question period – Chief Minister

**J. PERSONAL STATEMENTS**

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

\* The Minister for Social Security will make a statement regarding the launch of consultation for the Social Security Review.

\* The Chief Minister will make a statement regarding the Medium Term Financial Plan 2017-2019.

**L. PUBLIC BUSINESS**

Deputy A.D. Lewis of St. Helier has given notice that he wishes for the following matter to be considered by the Assembly ‘in Committee’ at this meeting –

**Higher Education Funding.** R.51/2016.  
Presented: 10th May 2016, *Minister for Education*. (Consideration ‘in Committee’.)

**Draft Income Support (Special Payments) (Christmas Bonus) (Jersey) Regulations 201-.** P.84/2016.  
Lodged: 16th August 2016, *Minister for Social Security*.

**Draft Social Security (Christmas Bonus) (Jersey) Regulations 201-.** P.85/2016.  
Lodged: 16th August 2016, *Minister for Social Security*.

**Draft Food Costs Bonus (Jersey) Regulations 201-.** P.83/2016.  
Lodged: 16th August 2016, *Minister for Social Security*.

**Draft Price Indicators (Amendment No. 2) (Jersey) Regulations 201-.** P.81/2016.  
Lodged: 8th August 2016, *Minister for Economic Development, Tourism, Sport and Culture*.

**Public Elections: introduction of STV and AV.** P.88/2016.  
Lodged: 24th August 2016, *Deputy M. Tadier of St. Brelade*.

**Public Elections: introduction of STV and AV (P.88/2016) – amendment.** P.88/2016.  
Lodged: 4th October 2016, *Privileges and Procedures Committee*. Amd.

**Draft Prison (Amendment No. 7) (Jersey) Law 201-.** P.89/2016.  
Lodged: 30th August 2016, *Minister for Home Affairs*.



**Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Chile for the Exchange of Information on Tax Matters.** P.90/2016.

Lodged: 30th August 2016, *Minister for External Relations*.

**Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Cyprus for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to taxes on income.** P.91/2016.

Lodged: 30th August 2016, *Minister for External Relations*.

**States of Jersey Development Company Limited: appointment of Non-Executive Directors.** P.93/2016.  
(re-issue)

Lodged: 7th September 2016, *Minister for Treasury and Resources*.

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

### **1st November 2016**

**Bailiff of Jersey: cessation of dual role and the appointment of an elected Speaker of the States.** P.54/2016.

Lodged: 24th May 2016, *Deputy M. Tadier of St. Brelade*.

Bailiff of Jersey: cessation of dual role and the appointment of an elected Speaker of the States (P.54/2016) – comments. P.54/2016.  
Com.

Presented: 22nd June 2016, *Privileges and Procedures Committee*.

Bailiff of Jersey: cessation of dual role and the appointment of an elected Speaker of the States (P.54/2016) – comments. P.54/2016.  
Com.(2)

Presented: 27th June 2016, *H.M. Attorney General*.

**Draft Commissioner for Standards (Jersey) Law 201-** P.87/2016.

Lodged: 23rd August 2016, *Privileges and Procedures Committee*.

**Ministerial Government: referendum.** P.94/2016.

Lodged: 16th September 2016, *Deputy J.A. Martin of St. Helier*.

**Draft Limited Liability Partnerships (Jersey) Law 201-** P.95/2016.

Lodged: 19th September 2016, *Chief Minister*.

**Antarctic Act 2013: extension of sections 14, 15 and 16 to Jersey by Order in Council.** P.96/2016.

Lodged: 20th September 2016, *Chief Minister*.

**Public Elections: polling cards and accessibility of polling stations.** P.97/2016.

Lodged: 22nd September 2016, *Deputy S.Y. Mézec of St. Helier*.

**Jersey Police Complaints Authority: appointment of Chairman.** P.104/2016.

Lodged: 5th October 2016, *Minister for Home Affairs*.

### **15th November 2016**

**Draft Jersey Appointments Commission (Miscellaneous Amendments) (Jersey) Law 201-** P.50/2016.

Lodged: 19th May 2016, *States Employment Board*.

**Zero-hours contracts.** P.92/2016.

Lodged: 1st September 2016, *Deputy S.Y. Mézec of St. Helier*.





**Draft Sea Fisheries (Inshore Waters) (Amendment No. 2) (Jersey) Regulations 201-** P.102/2016.

Lodged: 4th October 2016, *Minister for the Environment*.

**Draft Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment No. 3) Jersey) Regulations 201-** P.103/2016.

Lodged: 4th October 2016, *Minister for the Environment*.

*Note: Because of the requirement for a six-week lodging period the following proposition cannot be debated before Wednesday 16th November 2016. If other business on the Order Paper for the 15th November 2016 is completed before the 16th November, the Chief Minister 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 that meeting.*

**Draft Employment of States of Jersey Employees (Amendment No. 8) (Jersey) Regulations 201-** P.105/2016.

Lodged: 5th October 2016, *States Employment Board*.

#### **29th November 2016**

**Draft International Criminal Court (Immunities and Privileges) (Jersey) Regulations 201-** P.72/2016.

Lodged: 22nd July 2016, *Chief Minister*.

**Draft International Criminal Court (Remand Time) (Jersey) Regulations 201-** P.73/2016.

Lodged: 22nd July 2016, *Chief Minister*.

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

10th October 2016

**Note –**

**In accordance with the meeting dates fixed for 2016 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 12th and Thursday 13th October 2016.**

**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 6th October 2016, or an item which has been altered or moved.**



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

(See Item B)

### **R&O.104/2016.**

Economic Development, Tourism, Sport and Culture (2017 Fees) (Jersey) Order 2016.

This Order increases the fees charged under 3 regimes administered by the Minister for Economic Development, Tourism, Sport and Culture. The fees are increased by 1.5%, in line with the rate of RPI(X) as of June 2016.

*Article 1* amends the Places of Refreshment (Registration) (Fees) (Jersey) Order 2008 so as to increase the fee for an application for registration, or the renewal of registration, of premises as a place of refreshment under Article 4(1) of the Places of Refreshment (Jersey) Law 1967. That fee was last increased with effect from 1st January 2016.

*Article 2* amends the Tourism (General Provisions) (Jersey) Order 1990 so as to increase the fees for registrations or renewals under Article 9(1) of the Tourism (Jersey) Law 1948. Those fees were last increased with effect from 30th December 2015.

*Article 3* amends the Weights and Measures (Testing Fees) (Jersey) Order 2003 so as to increase the fees for testing weighing or measuring equipment under Article 12(3) of the Weight and Measures (Jersey) Law 1967. Those fees were last increased with effect from 1st January 2016.

*Article 4* provides for the citation of this Order and states when the provisions come into force. *Article 2* comes into force 7 days after the making of this Order and the remainder of this Order comes into force on 1st January 2017.

The Order was made on 7th October 2016; therefore Article 2 comes into force on 14th October 2016, and the remainder of the Order comes into force on 1st January 2017.

### **R&O.105/2016.**

EU Legislation (Sanctions – ISIL (Da'esh) and Al-Qaida) (Amendment) (Jersey) Order 2016.

This Order amends the EU Legislation (Sanctions – ISIL (Da'esh) and Al-Qaida) (Jersey) Order 2016 to give effect to Council Regulation (EU) 2016/1686 of 20 September 2016 imposing additional restrictive measures directed against ISIL (Da'esh) and Al-Qaeda and natural and legal persons, entities or bodies associated with them (OJ L 255, 21.9.2016, p. 1). That Regulation supplements Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations (OJ L 139, 29.5.2002, p. 9). The effect of the amendment is accordingly that the EU Legislation (Sanctions – ISIL (Da'esh) and Al-Qaida) (Jersey) Order 2016 implements both those Council Regulations.

The Order was made on 10th October 2016 and came into force on 11th October 2016.



**HIGHER EDUCATION FUNDING (R.51/2016)  
PROCEDURES FOR CONSIDERATION 'IN COMMITTEE'**

(See Item L)

Standing Order 97 of the Standing Orders of the States of Jersey is in the following terms:

**97 States sitting in committee: procedure and rules of discussion**

- (1) While the States are sitting in committee, the chairman shall have the powers and duties of the presiding officer.
- (2) The rules of order, conduct and debate in a meeting shall apply while the States are sitting in committee to discuss any matter save that –
  - (a) a member of the States may speak more than once during the discussion;
  - (b) the chairman may allow any person to be present in the Chamber and invite that person to speak;
  - (c) the matter under discussion shall not be voted upon;
  - (d) the chairman shall decide when sufficient time has been allowed for a discussion on any part or aspect of the matter;
  - (e) the chairman shall decide when the sitting shall end.

In Committee debate is a normal part of States procedures, except that, unlike in usual debates, each member can speak more than once and there is no vote at the conclusion of discussions.