

STATES OF JERSEY ORDER PAPER

Tuesday 8th September 2009

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Financial Services (Financial Service Business) (Jersey) Order 2009. R&O.74/2009.
Minister for Economic Development.

Non-Profit Organizations (Amendment No. 2) (Jersey) Order 2009. R&O.75/2009.
Minister for Economic Development.

Financial Services (Trust Company Business (Exemptions Amendment)) R&O.76/2009.
(Jersey) Order 2009.
Minister for Economic Development.

Road Racing (Festival of Speed) (Jersey) Order 2009. R&O.77/2009.
Minister for Transport and Technical Services.

Court of Appeal (Criminal Reference of Points of Law) Rules 2009. R&O.78/2009.
Court of Appeal.

Court of Appeal (Criminal) (Reference for Review of Sentence) Rules 2009. R&O.79/2009.
Court of Appeal.

Court of Appeal (Criminal) (Confiscation Order Appeals) Rules 2009. R&O.80/2009.
Court of Appeal.

Court of Appeal (Civil) (Amendment No. 3) Rules 2009. R&O.81/2009.
Court of Appeal.

Court of Appeal (Civil) (Judicial Review) (Amendment) Rules 2009. R&O.82/2009.
Court of Appeal.

Court of Appeal (Criminal) (Amendment) Rules 2009. R&O.83/2009.
Court of Appeal and the Superior Number of the Royal Court (sitting together).

Diseases of Animals (Avian Influenza) (Amendment No. 2) (Jersey) Order R&O.84/2009.
2009.
Minister for Planning and Environment.

Social Security (Mariners) (Amendment No. 3) (Jersey) Order 2009. R&O.85/2009.
Minister for Social Security.

Road Racing (Motor Vehicle Rally) (Jersey) Order 2009. R&O.86/2009.
Minister for Transport and Technical Services.

Education (Discretionary Grants – Amounts) (Amendment) (Jersey) Order R&O.87/2009.
2009.
Minister for Education, Sport and Culture.

Jersey International Air Display (Jersey) Order 2009. R&O.88/2009.
Minister for Transport and Technical Services.

C. DOCUMENTS PRESENTED OR LAID

Electricity Tariffs: Regulations under Article 22 of the Electricity (Jersey) Law 1937 (P.41/2009) – comments. P.41/2009.
Presented: 4th September 2009. Com.(2)
Minister for Treasury and Resources.

Rôle of the unelected members of the States: review – appointment of chairman and members (P.118/2009) – comments. P.118/2009.
Presented: 4th September 2009. Com.
Council of Ministers.

States Investment Strategies. R.76/2009.
Presented: 17th July 2009.
Minister for Treasury and Resources.

Jersey Overseas Aid Commission: annual report for 2008. R.77/2009.
Presented: 17th July 2009.
Jersey Overseas Aid Commission.

States of Jersey Complaints Board: findings – Complaint against a decision of the Minister for Planning and Environment regarding No. 3 Teighmore Park, Grouville. R.78/2009.
Presented: 20th July 2009.
Privileges and Procedures Committee.

Parliamentary Privilege in Jersey. R.79/2009.
Presented: 21st July 2009.
Privileges and Procedures Committee.

Land Transactions under Standing Order 168(3) – Old Blacksmith’s Shop, Corbière, St. Brelade– lease. R.80/2009.
Presented: 22nd July 2009.
Minister for Treasury and Resources.

Jersey Safety Council: Report and Financial Statements for the year ended 31st December 2008. R.81/2009.
Presented: 24th July 2009.
Minister for Social Security.

States of Jersey Law 2005: delegation of functions – Planning and Environment – July 2009 revised delegations. R.82/2009.
Presented: 24th July 2009.
Minister for Planning and Environment.

States of Jersey Law 2005: delegation of functions – Housing – July 2009 revised delegations. R.83/2009.
Presented: 28th July 2009.
Minister for Housing.

Land Transactions under Standing Order 168(3) – R.84/2009.
(a) N19, N19A, LC11, E52 and A57, St. Helier– leases;

<p>(b) No. 2, Howard Davis Farm, La Route de la Trinité, Trinity– lease. Presented: 28th July 2009. <i>Minister for Treasury and Resources.</i></p>	
<p>Criminal Injuries Compensation Board: Report and Accounts for 2008. Presented: 29th July 2009. <i>Minister for Home Affairs.</i></p>	R.85/2009.
<p>States of Jersey Utility Companies: Financial Reports and Accounts – 2008. Presented: 3rd August 2009. <i>Minister for Treasury and Resources.</i></p>	R.86/2009.
<p>Land Transactions under Standing Order 168(3) – Sea Wall, Pontac to La Rocque, St. Clement– proposed transfer of land. Presented: 7th August 2009. <i>Minister for Treasury and Resources.</i></p>	R.87/2009.
<p>Public Employees Contributory Retirement Scheme: Actuarial Valuation at 31st December 2007. Presented: 11th August 2009. <i>Chief Minister.</i></p>	R.88/2009.
<p>Land Transactions under Standing Order 168(3) – (a) V06 Victoria Pier, St. Helier– lease; (b) La Rue de la Poterie, Grouville – exchange and counter-exchange of land with Jersey Pottery Limited. Presented: 11th August 2009. <i>Minister for Treasury and Resources.</i></p>	R.89/2009.
<p>States of Jersey Law 2005: delegation of functions – Education, Sport and Culture. Presented: 13th August 2009. <i>Minister for Education, Sport and Culture.</i></p>	R.90/2009.
<p>Land Transactions under Standing Order 168 – The Fire House, Western Fire Station, La Route des Quennevais, St. Brelade– Lease. Presented: 14th August 2009. <i>Minister for Treasury and Resources.</i></p>	R.91/2009.
	R.92/2009.

<p>Land Transactions under Standing Order 168(3) –</p> <p>(a) A29 Albert Pier, E43 Elizabeth Terminal, N20 New North Quay and S08 South Pier, St. Helier– leases;</p> <p>(b) The Supplement Store, Fort Regent – lease;</p> <p>(c) Le Belon, 2 Le Clos Vallois, Le Passage, St. Lawrence– Assisted House Purchase property;</p> <p>(d) The Fire House, Western Fire Station, La Route des Quennevais, St. Brelade– lease.</p> <p>Presented: 25th August 2009.</p> <p><i>Minister for Treasury and Resources.</i></p>	
<p>States of Jersey Complaints Board: findings – Complaint against a decision of the Minister for Planning and Environment regarding the development of Field 268, Les Croix, La Rue du Tas de Geon, Trinity.</p> <p>Presented: 28th August 2009.</p> <p><i>Privileges and Procedures Committee.</i></p>	R.93/2009.
<p>Land Transactions under Standing Order 168(3) – Springfield Sports Stadium Café premises – lease.</p> <p>Presented: 28th August 2009.</p> <p><i>Minister for Treasury and Resources.</i></p>	R.94/2009.
<p>States of Jersey Law 2005: delegation of functions – Assistant Minister for Transport and Technical Services.</p> <p>Presented: 2nd September 2009.</p> <p><i>Minister for Transport and Technical Services.</i></p>	R.95/2009.
<p>States of Jersey Complaints Board: findings – Complaint against a decision of the Minister for Planning and Environment regarding the refusal for permission to change a dormer window into a bi-folding door and balcony.</p> <p>Presented: 3rd September 2009.</p> <p><i>Privileges and Procedures Committee.</i></p>	R.96/2009.
<p>Privileges and Procedures Committee: report concerning the Royal Court cases against Deputy G.P. Southern and Deputy S. Pitman.</p> <p>Presented: 3rd September 2009.</p> <p><i>Privileges and Procedures Committee.</i></p>	R.97/2009.
<p>Land Transaction – Grève de Lecq Rockface and Headland on North-West Coast, St. Ouen – cession to the Public.</p> <p>Presented 3rd September 2009.</p> <p><i>Minister for Treasury and Resources.</i></p>	R.98/2009.
<p>Population Policy (S.R.3/2009): response of the Chief Minister.</p> <p>Presented: 27th July 2009.</p> <p><i>Chief Minister.</i></p>	S.R.3/2009. Res.
<p>Economic Stimulus Plan (P.55/2009) (S.R.4/2009): response of the Minister for Treasury and Resources.</p> <p>Presented: 29th July 2009.</p> <p><i>Minister for Treasury and Resources.</i></p>	S.R.4/2009. Res.
<p>Co-ordination of Services for Vulnerable Children: Sub-Panel Review.</p> <p>Presented: 27th July 2009.</p> <p><i>Health, Social Security and Housing Scrutiny Panel.</i></p>	S.R.6/2009.

Prison Board of Visitors. Presented: 18th August 2009. <i>Education and Home Affairs Scrutiny Panel.</i>	
Air Quality Review: report of the Environment Scrutiny Panel (S.R.8/2008) – response of the Minister for Planning and Environment. Presented: 28th July 2009. <i>Minister for Planning and Environment.</i>	S.R.8/2008. Res.
Air Quality Review: report of the Environment Scrutiny Panel (S.R.8/2008) – response of the Minister for Health and Social Services. Presented: 20th August 2009. <i>Minister for Health and Social Services.</i>	S.R.8/2008. Res.(2)
Long term care of the elderly (S.R.12/2008): response of the Minister for Social Security. Presented: 21st July 2009. <i>Minister for Social Security.</i>	S.R.12/2008. Res.(3)
Urban Regeneration Review (S.R.15/2008): response of the Minister for Planning and Environment. Presented: 28th July 2009. <i>Minister for Planning and Environment.</i>	S.R.15/2008. Res.
Public Accounts Committee: Review of the report of the Comptroller and Auditor General entitled: “Energy from waste plant: management of foreign currency exchange risks”. Presented: 10th August 2009. <i>Public Accounts Committee.</i>	P.A.C.1/2009.

D. NOTIFICATION OF LODGED PROPOSITIONS

Composition and election of the States: revised structure (P.72/2009) – second amendment. Lodged: 28th July 2009. <i>Connétable of St. Clement.</i>	P.72/2009. Amd.(2) (re-issue)
Composition and election of the States: revised structure (P.72/2009) – second amendment (P.72/2009 Amd.(2))– amendment. Lodged: 18th August 2009. <i>Deputy T.M. Pitman of St. Helier.</i>	P.72/2009. Amd.(2) Amd.
Composition and election of the States: revised structure (P.72/2009) – third amendment. Lodged: 18th August 2009. <i>Deputy T.M. Pitman of St. Helier.</i>	P.72/2009. Amd.(3)
Composition and election of the States: revised structure (P.72/2009) – fourth amendment. Lodged: 4th September 2009. <i>Deputy of St. Mary.</i>	P.72/2009. Amd.(4)
States of Jersey Complaints Panel: appointment of members. Lodged: 21st July 2009. <i>Privileges and Procedures Committee.</i>	P.116/2009.

Draft Annual Business Plan 2010. Lodged: 21st July 2009. <i>Chief Minister.</i>	P.117/2009.
Draft Annual Business Plan 2010 (P.117/2009): amendment. Lodged: 24th August 2009. <i>Deputy G.P. Southern of St. Helier.</i>	P.117/2009. Amd.
Rôle of the unelected members of the States: review – appointment of chairman and members. Lodged: 23rd July 2009. <i>Deputy of St. Martin.</i>	P.118/2009.
Wheel clamping: introduction of legislation. Lodged: 28th July 2009. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.119/2009.
Draft Gambling (2010 Fees) (Jersey) Regulations 200-. Lodged: 28th July 2009. <i>Minister for Economic Development.</i>	P.120/2009.
Police Act 1997: extension of Part V to Jersey by Order in Council. Lodged: 29th July 2009. <i>Chief Minister.</i>	P.121/2009.
Custody Visitor Scheme. Lodged: 3rd August 2009. <i>Deputy of St. Martin.</i>	P.122/2009.
Custody Visitor Scheme (P.122/2009): amendment. Lodged: 25th August 2009. <i>Minister for Home Affairs.</i>	P.122/2009. Amd.
Draft Marriage and Civil Status (Amendment No. 3) (Jersey) Law 200. Lodged: 5th August 2009. <i>Minister for Home Affairs.</i>	P.123/2009.
Law Society Disciplinary Panel: appointment of lay member. Lodged: 7th August 2009. <i>Chief Minister.</i>	P.124/2009.
Public Employees Contributory Retirement Scheme Committee of Management: membership. Lodged: 11th August 2009. <i>Chief Minister.</i>	P.125/2009.
Draft Public Employees (Contributory Retirement Scheme) (General) (Amendment No. 10) (Jersey) Regulations 200. Lodged: 11th August 2009. <i>Chief Minister.</i>	P.126/2009.
Jersey Law Commission: re-appointment of Chairman and Commissioner. Lodged: 13th August 2009. <i>Chief Minister.</i>	P.127/2009.

Draft Road Traffic (No. 59) (Jersey) Regulations 200-. Lodged: 18th August 2009. <i>Minister for Home Affairs.</i>	P.128/2009.
Jersey Police Complaints Authority: appointment of Chairman and members. Lodged: 18th August 2009. <i>Minister for Home Affairs.</i>	P.129/2009.
Rental Deposit Scheme to protect tenants' deposits. Lodged: 18th August 2009. <i>Deputy G.P. Southern of St. Helier.</i>	P.130/2009.
Verita Investigation: extension to cover exclusion of Consultant Obstetrician and Gynaecologist. Lodged: 18th August 2009. <i>Deputy of St. Martin.</i>	P.131/2009.
Draft Sex Offenders (Jersey) Law 200-. Lodged: 19th August 2009. <i>Minister for Home Affairs.</i>	P.132/2009.
Draft Amendment (No. 12) of the Standing Orders of the States of Jersey. Lodged: 19th August 2009. <i>Privileges and Procedures Committee.</i>	P.133/2009.
Draft Protection of Children (Cigarette Lighter Refill) (Jersey) Regulations 200-. Lodged: 24th August 2009. <i>Minister for Economic Development.</i>	P.134/2009.
Millennium Town Park: funding from the Stabilisation Fund. Lodged: 24th August 2009. <i>Deputy G.P. Southern of St. Helier.</i>	P.135/2009.
Civil Partnerships. Lodged: 4th September 2009. <i>Chief Minister.</i>	P.136/2009.
Draft Companies (Amendment No. 4) (Jersey) Regulations 200-. Lodged: 4th September 2009. <i>Minister for Economic Development.</i>	P.137/2009.

E. WITHDRAWAL OF LODGED PROPOSITIONS

In accordance with Standing Order 34(1), the proposers of the following propositions lodged 'au Greffe' have informed the Greffier of the States that they are to be withdrawn –

Ann Court Site, St. Helier: use for sheltered social housing for the over55s. Lodged: 27th March 2009. <i>Deputy J.A. Martin of St. Helier.</i>	P.43/2009.
Draft Gambling (2010 Fees) (Jersey) Regulations 200-. Lodged: 28th July 2009. <i>Minister for Economic Development.</i>	P.120/2009.

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions

(attached)

1. The Minister for Economic Development will table an answer to a question asked by the Deputy of St. John regarding the re-fit of the fisheries vessel the Norman Le Brocq.
2. The Minister for Transport and Technical Services will table an answer to a question asked by the Deputy of St. John regarding the completion dates of works undertaken at Les Charrières de Bonne Nuit.
3. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. John regarding the funding of the Energy from Waste Plant and the pre-purchase of Euros.
4. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. John regarding the settlement of accounts by Harcourt.
5. The Minister for Economic Development will table an answer to a question asked by the Deputy of St. Mary regarding the compensation payments to Alternate Insurance Services Limited investors.
6. The Chairman of the Comité des Connétables will table an answer to a question asked by the Deputy of St. Mary regarding the rôle of parish assemblies in the democratic life of the Island.
7. The Minister for Planning and Environment will table an answer to a question asked by the Deputy of St. Mary regarding conditions imposed on developers and contractors when granting planning permission for the Castle Quays development.
8. The Minister for Health and Social Services will table an answer to a question asked by Deputy A.E. Jeune of St. Brelade regarding nurses and midwives employed by Health and Social Services.
9. The Minister for Education, Sport and Culture will table an answer to a question asked by Senator B.E. Shenton regarding the detailed breakdown of grades at 'A' level by Hautlieu students.
10. The Minister for Education, Sport and Culture will table an answer to a question asked by Senator B.E. Shenton regarding the detailed breakdown of G.C.S.E grades by students in the non fee paying sector.
11. The Minister for Transport and Technical Services will table an answer to a question asked by the Deputy of St. Mary regarding the tipping of inert waste at La Collette.
12. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. Mary regarding the overspend on the incinerator to date.
13. The Minister for Home Affairs will table an answer to a question asked by Deputy R.G. Le

Hérissier of St. Saviour regarding the annual cost of imprisoning an inmate at H.M.P. La Moye and the cost of security for an overnight hospital stay for an inmate.

14. 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 savings measures proposed before the summer recess.
15. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. Martin regarding the Verita investigation and issues relating to the Locum Consultant Gynaecologist.
16. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. Martin regarding the Verita investigation and issues relating to a Senior Consultant Gynaecologist.

(b) – Oral Questions

(120 minutes)

1. Deputy J.A. Hilton of St. Helier will ask the following question of the Minister for Health and Social Services –

“Would the Minister explain the criteria used when applying for a Secure Accommodation Order for young people in the care of the Children’s Service and state how many Orders have been applied for during the past two years and how many have been refused by the Court when dealing with the matter?”
2. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Economic Development –

“Can the Minister confirm if the administration of Woolworths Jersey is yet completed, whether there is likely to be any cost to the Jersey taxpayer arising from this, if the entire residue of local assets has or will be returned to the UK for distribution to creditors and whether he is satisfied that Jersey creditors are not receiving any unfair advantage over those in the UK?”
3. Deputy T.A. Vallois of St. Saviour will ask the following question of the Minister for Housing –

“Could the Minister justify the rise of housing rentals by 2.5% as of October 2009 and explain whether this will have a positive economic effect?”
4. Deputy A.K.F. Green of St. Helier will ask the following question of the Chief Minister –

“Will the Chief Minister advise the Assembly how he proposes to reduce the Customer Service Department from a budget of £447,300 to £277,400 and yet increase the FTE from 11.7 to 12.3 as shown on page 17 of the annex to the draft Annual Business Plan 2010?”
5. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Home Affairs –

“As many countries now have a zero tolerance approach to drink driving, does the Minister consider this policy should be introduced in Jersey, and, if not, why not?”
6. The Deputy of St. John will ask the following question of the Chief Minister –

“Given that Hospitals and emergency services work 24/7 and that the States is totally reliant on its computer systems, would the Chief Minister advise why support staff from the Computer

Services department are not on duty 24/7 to provide technological support in the event of a system breakdown?”

7. Deputy A.E. Jeune of St. Brelade will ask the following question of the Minister for Education, Sport and Culture –

“Could the Minister please advise the Assembly of the number of Jersey students known to have attended university to study for a nursing diploma or degree, giving the number by year of entry over the past 5 years; the number who plan to commence such study this coming academic year; and the number who have returned to Jersey following qualification in the past 5 years?”

8. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Minister for Economic Development –

“Does the Minister regard the new Jersey Post scheme (Ship2Me) as compatible with the ‘Think Twice Buy Local’ policy of his Department?”

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

“Given that on 30th June 2009 the Minister stated “that accommodation for Verita will no longer be available on Health and Social Services Department premises and interviews will also take place away from HSSD”, will the Minister assure Members that no interviews have taken place on HSSD premises and Verita personnel have not held meetings with any of the Department's Senior Management Team either on or off HSSD premises since?”

10. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Education, Sport and Culture –

“As the Swedish Island of Gotland is planning to build a competition size swimming pool to challenge Jersey for the 2015 Island Games, is the Minister satisfied that the pool facilities in Jersey will be adequate?”

11. The Deputy of Grouville will ask the following question of the Minister for Transport and Technical Services –

“Would the Minister confirm whether Connex is offering unscheduled services that would otherwise be undertaken by private coach companies and, if so, would he state whether this is appropriate for a company that is subsidised by the taxpayer?”

12. Deputy J.A. Martin of St. Helier will ask the following question of the Chairman of the Comité des Connétables –

“What laws, if any, need to be changed and in what timescale, in order to train the honorary police to be able to support the States of Jersey Police in any parish in which an additional police presence could be required on certain nights?”

13. The Deputy of Grouville will ask the following question of the Minister for Economic Development –

“Would the Minister inform members whether he intends to bring forward proposals to introduce the UK National Lottery to Jersey in the near future and, if so, state when this will be done so that additional funds are available to the cultural and heritage organisations in the Island that are currently suffering from a funding crisis?”

14. Deputy R.G. Le Hérisser of St. Saviour will ask the following question of the Chief Minister –

“What role, if any, does the Minister see for backbenchers in formulating policy with respect to external affairs?”

15. The Deputy of St. Martin will ask the following question of the Chief Minister –

“Will the Chief Minister assure Members that the Panel to review the continuing need for suspensions is operating in line with P.98/2009 approved by the States on 1st July 2009 and advise what steps, if any, have been taken to ensure that suspended States employees are informed that they are now able to seek a review for the continuation of their suspensions?”

16. Deputy M. Tadier of St. Brelade will ask the following question of the President of the Chairmen’s Committee –

“Will the Chairman inform members of the rationale behind requiring members of the so-called ‘unaccredited media’ to give three days notice if they wish to film a Scrutiny hearing, when this same notice period does not apply to members of the established media?”

17. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Home Affairs –

“Would the Minister consider introducing a low cost formal identity card, issued following the production of a valid passport, which would obviate the present need for young people to carry their £72 passports as proof of age when entering licences premises?”

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

1st question period – Minister for Education, Sport and Culture

2nd question period – Minister for Health and Social Services

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

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

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

Electricity Tariffs: Regulations under Article 22 of the Electricity (Jersey) Law 1937 (P.41/2009) – comments. P.41/2009.
Presented: 4th September 2009. Com.(2)
Minister for Treasury and Resources.

Electricity tariffs: Regulations under Article 22 of the Electricity (Jersey) Law P.41/2009.

1937 (P.41/2009) – amendment. Lodged: 26th May 2009. <i>Senator A. Breckon.</i>	Amd.
Composition and election of the States: revised structure. Lodged: 19th May 2009. <i>Privileges and Procedures Committee.</i>	P.72/2009.
Composition and election of the States: revised structure (P.72/2009) – comments. Presented: 18th June 2009. <i>Minister for Treasury and Resources.</i>	P.72/2009. Com.
Composition and election of the States: revised structure (P.72/2009) – amendment. Lodged: 25th June 2009. <i>Deputy of St. Martin.</i>	P.72/2009. Amd.
Composition and election of the States: revised structure (P.72/2009) – second amendment. Lodged: 28th July 2009. <i>Connétable of St. Clement.</i>	P.72/2009. Amd.(2) (re-issue)
Composition and election of the States: revised structure (P.72/2009) – second amendment (P.72/2009 Amd.(2))– amendment. Lodged: 18th August 2009. <i>Deputy T.M. Pitman of St. Helier.</i>	P.72/2009. Amd.(2) Amd.
Composition and election of the States: revised structure (P.72/2009) – third amendment. Lodged: 18th August 2009. <i>Deputy T.M. Pitman of St. Helier.</i>	P.72/2009. Amd.(3)
Composition and election of the States: revised structure (P.72/2009) – fourth amendment. Lodged: 4th September 2009. <i>Deputy of St. Mary.</i>	P.72/2009. Amd.(4)
Ann Court housing site, St. Helier: temporary use. Lodged: 30th June 2009. <i>Connétable of St. Helier.</i>	P.108/2009.
Ann Court housing site, St. Helier: temporary use (P.108/2009)– comments. Presented: 8th July 2009. <i>Minister for Housing.</i>	P.108/2009. Com.
Composition and election of the States: single election day each year. Lodged: 30th June 2009. <i>Deputy J.A.N. Le Fondré of St. Lawrence.</i>	P.109/2009.
Composition and election of the States: single election day each year (P.109/2009) – comments. Presented: 14th July 2009. <i>Privileges and Procedures Committee.</i>	P.109/2009. Com.
Criminal Injuries Compensation Scheme: revised Scheme.	P.113/2009.

Lodged: 8th July 2009.
Minister for Home Affairs.

NOTE: The Greffier has been advised by the proposers of the following propositions that, in accordance with Standing Order 32, which requires at least two clear working days' notice to be given before the meeting date for a proposition not previously agreed to be debated, they wish for their propositions to be considered by the States at this meeting. This matter will be considered at the start of this meeting –

States of Jersey Complaints Panel: appointment of members. P.116/2009.
Lodged: 21st July 2009.
Privileges and Procedures Committee.

Rôle of the unelected members of the States: review – appointment of chairman and members. P.118/2009.
Lodged: 23rd July 2009.
Deputy of St. Martin.

Rôle of the unelected members of the States: review – appointment of chairman and members (P.118/2009) – comments. P.118/2009.
Presented: 4th September 2009. Com.
Council of Ministers.

Police Act 1997: extension of Part V to Jersey by Order in Council. P.121/2009.
Lodged: 29th July 2009.
Chief Minister.
(Cannot be debated until 9th September 2009)

Custody Visitor Scheme. P.122/2009.
Lodged: 3rd August 2009.
Deputy of St. Martin.

Custody Visitor Scheme (P.122/2009): amendment. P.122/2009.
Lodged: 25th August 2009. Amd.
Minister for Home Affairs.

Law Society Disciplinary Panel: appointment of lay member. P.124/2009.
Lodged: 7th August 2009.
Chief Minister.

Public Employees Contributory Retirement Scheme Committee of Management: membership. P.125/2009.
Lodged: 11th August 2009.
Chief Minister.

Jersey Law Commission: re-appointment of Chairman and Commissioner. P.127/2009.
Lodged: 13th August 2009.
Chief Minister.

Verita Investigation: extension to cover exclusion of Consultant Obstetrician and Gynaecologist. P.131/2009.
Lodged: 18th August 2009.
Deputy of St. Martin.

M. ARRANGEMENT OF PUBLIC BUSINESS

22nd September 2009

- Draft Annual Business Plan 2010. P.117/2009.
Lodged: 21st July 2009.
Chief Minister.
- Draft Annual Business Plan 2010 (P.117/2009): amendment. P.117/2009.
Lodged: 24th August 2009. Amd.
Deputy G.P. Southern of St. Helier.
- Child abuse compensation claims: freedom of expression for survivors. P.49/2009.
Lodged: 6th April 2009.
Senator S. Syvret.
- Child abuse compensation claims: freedom of expression for survivors P.49/2009.
(P.49/2009) – comments. Com.
Presented: 11th May 2009.
Council of Ministers.
- Child abuse compensation claims: freedom of expression for survivors P.49/2009.
(P.49/2009) – amendment. Amd.
Lodged: 29th April 2009.
Council of Ministers.

6th October 2009

- Property and Infrastructure Regeneration: the States of Jersey Development P.79/2009.
Company Limited.
Lodged: 2nd June 2009.
Council of Ministers.
- Property and Infrastructure Regeneration: the States of Jersey Development P.79/2009.
Company Limited (P.79/2009) – amendment. Amd.
Lodged: 8th June 2009.
Connétable of St. Helier.
- Draft Honorary Police (Repeals) (Jersey) Law 200-. P.114/2009.
Lodged: 13th July 2009.
Comité des Connétables.
- Draft Honorary Police (Amendment) (Jersey) Regulations 200-. P.115/2009.
Lodged: 13th July 2009.
Comité des Connétables.
- Wheel clamping: introduction of legislation. P.119/2009.
Lodged: 28th July 2009.
Deputy P.V.F. Le Claire of St. Helier.
- Draft Marriage and Civil Status (Amendment No. 3) (Jersey) Law 200. P.123/2009.
Lodged: 5th August 2009.
Minister for Home Affairs.
- Draft Public Employees (Contributory Retirement Scheme) (General) P.126/2009.

(Amendment No. 10) (Jersey) Regulations 200. Lodged: 11th August 2009. <i>Chief Minister.</i>	
Draft Road Traffic (No. 59) (Jersey) Regulations 200. Lodged: 18th August 2009. <i>Minister for Home Affairs.</i>	P.128/2009.
Jersey Police Complaints Authority: appointment of Chairman and members. Lodged: 18th August 2009. <i>Minister for Home Affairs.</i>	P.129/2009.
Rental Deposit Scheme to protect tenants' deposits. Lodged: 18th August 2009. <i>Deputy G.P. Southern of St. Helier.</i>	P.130/2009.
Draft Sex Offenders (Jersey) Law 200-. Lodged: 19th August 2009. <i>Minister for Home Affairs.</i>	P.132/2009.
Draft Amendment (No. 12) of the Standing Orders of the States of Jersey. Lodged: 19th August 2009. <i>Privileges and Procedures Committee.</i>	P.133/2009.
Draft Protection of Children (Cigarette Lighter Refill) (Jersey) Regulations 200- . Lodged: 24th August 2009. <i>Minister for Economic Development.</i>	P.134/2009.
Millennium Town Park: funding from the Stabilisation Fund. Lodged: 24th August 2009. <i>Deputy G.P. Southern of St. Helier.</i>	P.135/2009.
 <u>20th October 2009</u>	
Draft Banking Business (Depositors Compensation) (Jersey) Regulations 200- second reading. Lodged: 2nd June 2009. <i>Minister for Economic Development.</i> <i>(principles approved 15th July 2009)</i>	P.86/2009.
Draft Banking (Depositors Compensation) (Jersey) Regulations 200. Lodged: 2nd June 2009. <i>Minister for Economic Development.</i>	P.87/2009.
Strategic Reserve Fund: use for Bank Depositors' Compensation Scheme. Lodged: 2nd June 2009. <i>Minister for Treasury and Resources.</i>	P.84/2009.
Draft Public Finances (Depositors Compensation) (Jersey) Regulations 200-. Lodged: 2nd June 2009. <i>Minister for Treasury and Resources.</i>	P.85/2009.
Draft Income Tax (Amendment No. 32) (Jersey) Law 200. Lodged: 2nd June 2009.	P.81/2009.

Minister for Treasury and Resources.

Committee of Inquiry: confidential files held by States of Jersey Police on States Members and others. P.104/2009.
Lodged: 23rd June 2009.
Deputy M.R. Higgins of St. Helier.

Draft Shops (Regulation of Opening and Deliveries) (Jersey) Law 200. P.111/2009.
Lodged: 1st July 2009.
Minister for Economic Development.

Code of Practice for Scrutiny Panels and the Public Accounts Committee: amendments. P.112/2009.
Lodged: 6th July 2009.
Chairmen's Committee.

Civil Partnerships. P.136/2009.
Lodged: 4th September 2009.
Chief Minister.

Draft Companies (Amendment No. 4) (Jersey) Regulations 200. P.137/2009.
Lodged: 4th September 2009.
Minister for Economic Development.

3rd November 2009

Pension Schemes: dealing with the past service liability. P.110/2009.
Lodged: 1st July 2009.
Senator B.E. Shenton.

M.N. DE LA HAYE
Greffier of the States

3rd September 2009

Note –

In accordance with the meeting dates fixed for 2009 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 9th, Thursday 10th (a.m. only) and Friday 11th September 2009.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.74/2009.

This Order consolidates various Orders that prescribe classes of financial service business in respect of which application may be made under the Financial Services (Jersey) Law 1998. It also takes account of the enactment of the Foundations (Jersey) Law 2009. The Order was made on 16th July 2009 and came into force on 17th July 2009.

R&O.75/2009.

This Order adds 2 more exemptions to those persons registered under the Financial Service (Jersey) Law 1998 who are not required to register under the Non-Profit Organizations (Jersey) Law 2008. They are persons associated with foundations.

The Order was made on 16th July 2009 and came into force on 17th July 2009.

R&O.76/2009.

This Order adds various exemptions to the trust company business exemptions as a result of the Foundations (Jersey) Law 2009 coming into force.

The Order was made on 17th July 2009 and came into force on the day it was made.

R&O.77/2009.

This Order allows the Classic and Vintage Motor Racing Club of Jersey Limited to close roads to hold sprint races on the Five Mile Road on 28th August 2009 and hill climbs at Grève de Lecq on 29th and 30th August 2009.

The Order was made on 17th July 2009 and came into force forthwith.

R&O.78/2009.

These Rules of Court repeal and re-enact the Court of Appeal (Criminal) (Reference of Points of Law) Rules 1990. Those Rules were made in pursuance of Article 46 of the Court of Appeal (Jersey) Law 1961 (“the Law”). However, the Court of Appeal (Amendment No. 8) (Jersey) Law 2008 has amended the 1961 Law in a number of respects, including the replacement of Article 46 with Rule making powers under Article 40 of the Law, but extended by the new *Article 46D(g)* to include power to make Rules of Court governing practice and procedure in relation to any application, reference or appeal by the Attorney General under Part 4 of the Law. Part 4 has been re-written so as to provide for the following references and appeals by the Attorney General –

- Article 45– Reference to Court of Appeal of point of law following acquittal
- *Article 45A– Reference to Court of Appeal for review of sentence*
- *Article 45D– Appeal by Attorney General in respect of confiscation order.*

References by the Attorney General to the Court of Appeal of a point of law have been possible since the Law was amended in 1989 to provide for such references. References by the Attorney General to the Court of Appeal for review of unduly lenient sentences and appeals by Attorney General in respect of confiscation orders are only now made possible by the amendments to the Law contained in the Court of Appeal (Amendment No. 8) (Jersey) Law 2008.

These Rules of Court – relating to references to the Court of Appeal of a point of law following acquittal – consist of 9 Rules and 1 Schedule.

Rule 1 defines certain terms *e.g.* a “reference” means a reference in pursuance of Article 45 of the Law and “respondent” means the acquitted person in whose case the point of law arose.

Rule 2 makes various requirements as to the form and content of a reference.

Rule 3 provides for the giving of notice of a reference (by lodging copies with the Judicial Greffier).

Rule 4 imposes certain requirements upon the Judicial Greffier to send a copy of the reference (together with a form of respondent’s notice) to the respondent and to advise the respondent of certain matters, including the availability of legal aid.

Rule 5 makes provision as regards the respondent’s notice and the applications contained in it; and as regards the lodging of arguments and authorities to be put or cited to the Court.

Rule 6 enables the Attorney General to withdraw or amend an application or reference before the hearing, or, after the hearing has begun, to do so with leave.

Under Rule 7 the Court must not allow anyone to identify the respondent during proceedings on a reference unless the respondent gives permission.

Rule 8 revokes the Court of Appeal (Criminal) (Reference of Points of Law) Rules 1990.

Rule 9 is the citation and commencement provision, commencement being linked to the coming into force of the Court of Appeal (Amendment No. 8) (Jersey) Law 2008.

The Schedule contains the form of respondent’s notice (sent by the Judicial Greffier under Rule 4).

The Rules were made by the Court of Appeal on 20th July 2009 and came into force on 3rd August 2009.

R&O.79/2009.

The Court of Appeal (Amendment No. 8) (Jersey) Law 2008 amended the Court of Appeal (Jersey) Law 1961 in a number of respects, both in relation to civil and criminal matters. Amongst the reforms in criminal matters is a new Article 45A enabling the Attorney General to refer to the Court of Appeal (with that Court’s leave) any sentence imposed by the Royal Court that he considers to have been unduly lenient.

These Rules of Court regulate practice and procedure in connexion with an application by the Attorney General for leave to make a reference under Article 45A. They consist of 8 Rules and 1 Schedule.

Rule 1 defines certain terms *e.g.* an “application” means an application by the Attorney General for leave to refer an unduly lenient sentence; and a “reference” means the actual reference under Article 45A (if leave is given).

Rule 2 requires an application to be in writing and to specify the basic details regarding the offender and the date of conviction/sentence, *etc.* The application must state why it appears to the Attorney General that the sentencing of the offender was unduly lenient and go on to summarize the arguments in support and identify any relevant authorities.

Rule 3 provides that notice of the application is given by lodging 5 copies of it with the Judicial Greffier.

Rule 4 requires the Judicial Greffier within 2 working days –

- to send a copy of the application to the offender by recorded delivery together with a respondent’s notice form (as set out in the *Schedule*); and
- to advise the offender, amongst other things –
 - that the outcome of the reference may mean an increase in the offender’s sentence,
 - that the offender may serve a respondent’s notice, and
 - of the availability of legal aid.

Rule 5 provides that the offender may serve a respondent’s notice – and must do so if he or she wants to make representations to the Court, or if the Court so directs. Any such notice must be sent to the Judicial Greffier, and copied to the Attorney General, within 14 days; and must include any application for an extension of time and/or permission to attend a hearing (if permission is needed).

A respondent who has lodged a notice then has 28 days to lodge with the Judicial Greffier 5 copies of a summary of the arguments he or she intends to put to the Court, and the authorities he or she intends to cite.

Rule 6 empowers the Court of Appeal, if it gives the Attorney General leave to make a reference, to treat the application for leave as the actual reference. If the Court does not treat the application for leave as the reference, it must give directions with regard to the hearing of the reference.

Rule 7 enables the Attorney General to withdraw or amend an application or reference before the hearing. But once the hearing has begun, this can only be done with the leave of the Court.

Rule 8 is the citation and commencement provision, commencement being linked to the coming into force of the Court of Appeal (Amendment No. 8) (Jersey) Law 2008.

The *Schedule* contains the standard form of respondent's notice (sent by the Judicial Greffier to the offender under *Rule 4*).

The Rules were made by the Court of Appeal on 20th July 2009 and came into force on 3rd August 2009.

R&O.80/2009.

These Rules of Court regulate practice and procedure in connexion with applications by the Attorney General for leave to appeal under Article 45D of the Court of Appeal (Jersey) Law 1961^[1] in respect of confiscation orders.

They consist of 8 *Rules* and 1 *Schedule*.

Rule 1 defines certain terms including –

- “application” which means an application for leave to appeal under *Article 45D*,
- “appeal” which means the actual appeal under *Article 45D* (if leave is given);
- “defendant” which is defined as per Article 1(1) of the Proceeds of Crime (Jersey) Law 1999 *i.e.* a person against whom proceedings have been instituted for an offence specified in Schedule 1 of the Law (whether or not that person has been convicted).

Rule 2 requires an application to be in writing and to specify the basic details regarding the defendant and the date of the Royal Court ruling, *etc.* The application must state the grounds of appeal and the question of fact or law involved and also summarize the arguments in support and identify any relevant authorities.

Rule 3 provides that notice of the application is given by lodging 5 copies of it with the Judicial Greffier.

Rule 4 requires the Judicial Greffier within 2 working days –

- to send a copy of the application to the defendant by recorded delivery together with a respondent's notice form (as set out in the *Schedule*); and
- to advise the defendant, among other things –
that an appeal could result in the Court increasing a confiscation order already imposed on the defendant, making a confiscation order itself or directing the Royal Court to hold another confiscation hearing,
that the defendant may serve a respondent's notice, and
of the availability of legal aid.

Rule 5 provides that the defendant may serve a respondent's notice – and must do so if he or she wants to oppose the application, or if the Court so directs. Any such notice must be sent to the Judicial Greffier, and copied to the Attorney General, within 14 days; and must include any application for an extension of time and/or permission to attend a hearing.

A respondent who has lodged a notice then has 28 days to lodge with the Judicial Greffier 5 copies of a summary of the arguments he or she intends to put to the Court, and the authorities he or she intends to cite.

Rule 6 empowers the Court of Appeal, if it gives the Attorney General leave to appeal, to treat the application for leave as the actual appeal. If the Court does not treat the application for leave as the appeal, it must give directions with regard to the hearing of the appeal.

Rule 7 enables the Attorney General to withdraw or amend an application or appeal before the hearing. But once the hearing has begun, this can only be done with the leave of the Court.

Rule 8 is the citation and commencement provision, commencement of the Rules being linked to the coming into force of the Court of Appeal (Amendment No. 8) (Jersey) Law 2008.

The *Schedule* contains the prescribed form of respondent's notice (sent by the Judicial Greffier to the defendant under *Rule 4*).

The Rules were made by the Court of Appeal on 20th July 2009 and came into force on 3rd August 2009.

R&O.81/2009.

These Rules of Court – consisting of 7 Rules – amend the Court of Appeal (Civil) Rules 1964 (“the principal Rules”). The amendments stem from several recommendations originally made by Sir Godfray Le Quesne.

Rule 1 defines ‘the principal Rules’.

Rule 2 substitutes *Rule 3* of the principal Rules to make it clear that an application for leave to appeal must be made within 1 month from the date on which the judgment or order of the court below was pronounced.

Rule 3 amends *Rule 7* of the principal Rules to make it clear that a copy of the transcript must be supplied to

every party to the appeal (and not just the appellant) and that copies of the transcript are to be furnished upon payment of charges fixed by Rules of Court.

Rule 4 amends Rule 8(1) and Rule 10 of the principal Rules so as to require that the appellant's case be lodged within 1 month of the appellant having received the transcript of the Royal Court proceedings from the Judicial Greffier (instead of within 4 months at present).

Rule 5 inserts a new Rule 10A in the principal Rules providing for voluntary abandonment of a civil appeal by written notice to the Judicial Greffier (subject to the Court's discretion as to costs).

Rule 6 amends Rule 16 of the principal Rules (relating to extensions of time). The amendments in part are consequential on other amendments to the principal Rules and in part clarify the power of the Court to abridge time.

Rule 7 is the citation and commencement provision.

The Rules were made by the Court of Appeal on 20th July 2009 and, in common with the Court of Appeal (Amendment No. 8) (Jersey) Law 2008, came into force on 3rd August 2009.

R&O.82/2009.

These Rules of Court amend the Court of Appeal (Civil) (Judicial Review) Rules 2000 consequentially upon alterations to the Court of Appeal (Civil) Rules 1964 made by the Court of Appeal (Civil) (Amendment No. 3)

Rules 2009. ^[2]

The Rules were made by the Court of Appeal on 20th July 2009 and came into force on 3rd August 2009, at the same time as the Court of Appeal (Amendment No. 8) (Jersey) Law 2008.

R&O.83/2009.

These Rules of Court amend the Court of Appeal (Criminal) Rules 1964 ("the principal Rules") consequentially upon changes to the Court of Appeal (Jersey) Law 1961 made by the Court of Appeal (Amendment No. 8) (Jersey) Law 2008 ("the amending Law").

Rule 1 defines 'the principal Rules'.

Rule 2 corrects a small drafting error in Rule 9(1) of the principal Rules.

Rule 3 deletes Rule 10 of the principal Rules relating to the trial judge giving his or her opinion generally or on any point arising on an appeal. The trial judge will not have to furnish a report unless the Court of Appeal so requires.

Rule 4(a) and *(b)(ii)* correct a small drafting error in Rule 11(3) and (5) respectively of the principal Rules.

Rule 4(b)(i) amends Rule 11(5) of the principal Rules to increase from 10 days to 28 days the period in relation to the prosecution of appeals against the imposition of a fine.

Rule 5 amends Rule 12 of the principal Rules, which presently provides for all documents and exhibits to be retained by the Judicial Greffier for 14 days after the Royal Court proceedings have finished. The amending Law increases the time for appealing from 10 days to 28 days. *Rule 5* therefore substitutes for the period of 14 days in Rule 12 a period of 30 days.

Rule 6 substitutes only the heading to Rule 14 of the principal Rules.

Rule 7(a) makes a minor drafting correction in Rule 15(2).

Rule 7(b) deletes Rule 15(3) and (4) of the principal Rules consequentially upon the widening by the amending Law of the right of an appellant (without leave) to be present at the hearing of the appeal.

Rule 8 deletes Rule 17(1) of the principal Rules (which concerned cases of conviction involving sentence of death); and amends Rule 17(2) consequentially.

Rule 9 amends Rule 20 of the principal Rules, regarding leave to be present before the Court, to reflect the fact that leave will now only be needed in relation to proceedings preliminary or incidental to the appeal.

Rule 10 and *Rule 11* amend Rules 23 and 24, respectively, of the principal Rules to reflect the fact that references of cases or points to the Court of Appeal by the Secretary of State will now become references by the Lieutenant-Governor.

Rule 12 amends the Schedule to the principal Rules, which contains the various prescribed Forms. Certain consequential amendments are made to Forms 1, 4, 6, 7 and 8.

Rule 13 is the citation and commencement provision, commencement being linked to the coming into force of the

amending Law.

The Rules were made by the Court of Appeal and the Superior Number of the Royal Court, sitting together, on 22nd July 2009 and came into force on 3rd August 2009.

R&O.84/2009.

This Order amends the Diseases of Animals (Avian Influenza) (Jersey) Order 2005 “principal Order”.

Article 1 is an interpretation provision.

Article 2 allows the Minister to grant a general licence to all persons or a licence to a particular person for the importation into Jersey of live poultry, eggs intended for hatching or poultry carcasses. “Poultry” is defined in the principal Order to mean all birds. A general licence must be published on the internet.

Article 3 requires owners and keepers of more than 10 birds of a type to which the Article applies to keep records of movements of those birds to and from the premises at which such birds are kept. That Article applies to birds reared or kept in captivity for breeding or the production of meat or the production of eggs and applies to domestic fowls, turkeys, geese, ducks, guinea-fowl, pigeons, pheasants, partridges and quail.

Article 4 sets out the title of the Order and provides that it will come into force 7 days after it is made.

The Order was made on 24th July 2009 and came into force on 31st July 2009.

R&O.85/2009.

This Order amends the Social Security (Mariners) (Jersey) Order 1974 to take account of the fact that the Shipping (Jersey) Law 2002 has replaced the UK shipping legislation that previously applied in Jersey.

The Order was made on 7th August 2009 and came into force forthwith.

R&O.86/2009.

This Order allows the Jersey Motor Cycle and Light Car Club to hold motor rallies on 12th September 2009 on 3 courses in the parish of St. Ouen.

The Order was made on 21st August 2009 and came into force forthwith.

R&O.87/2009.

When student grants are calculated, a student contribution and an income-based contribution are deducted from the theoretical maximum.

This Order would increase the student contribution and one of the figures used in calculating the income-based contribution.

The Order was made on 24th August 2009 and came into force on 1st September 2009.

R&O.88/2009.

This Order sets out the requirements for the Jersey International Air Display to be held on 10th September 2009. This Order shall come into force immediately.

The Order was made on 26th August 2009 and came into force on being made.

WRITTEN QUESTIONS

(See Item I(a))

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

“Could members be advised of the exact works carried out in the re-fit of the fisheries vessel the Norman Le Brocq, detailing the costs of each section of works; when the vessel was taken out of service; when it went back into service; whether the work was undertaken by a Jersey shipyard, and if not, explain why this work could not be carried out in the Island given the local expertise available?”

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

“(a) Can the Minister confirm the dates when the following infrastructure works at Bonne Nuit will be completed -

(i) the placing of an Armeco barrier on Les Charrières de Bonne Nuit, a matter that has been outstanding for some 6/7 years;

(ii) the correct operation of the sewerage plant to ensure that it operates at 100% effectiveness with no more pungent smells on the jetty, a matter that has been outstanding for some 5/6 years;

(b) Would the Minister explain whether the failure of the bathing water at Bonne Nuit to reach the highest standard in recent tests is related to the operation of the sewerage plant and will the Department now consider connecting this plant to main drains?”

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

“On 31st March 2009, in response to my written question regarding the hedging of funds in relation to the Energy for Waste Plant hedging of funds, I was advised that as a disciplinary process was underway the Minister was unable to comment at that stage. Given that many months have passed would the Minister now be in a position to advise why the pre-purchase of Euro funds was not put in place at an early stage and why it is still not in place?

Given that Euros come into the Airport/Harbours daily, would the Minister advise whether this money is collected on a daily/weekly basis and used to support the funding of the Energy from Waste Plant or transferred to a bank and charges paid?”

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

“In response to my written question on 28th April 2009, the Minister advised that Harcourt owed a considerable sum of money to Transport and Technical Services and the Waterfront Enterprise Board Limited. Would the Minister inform the Assembly whether these outstanding bills have now been settled and, if not, has the ‘robust credit control procedure’ been applied and, if so, what action has been taken?”

5. The Minister for Economic Development will table an answer to the following question asked the Deputy of

St. Mary –

“In his statement to the Assembly on 12th May 2009 about the compensation payments to those who had been given “recklessly misleading advice” by Alternate Insurance Services Limited, the Minister said that one of the “exceptional facts” which influenced his decision was that “normal professional indemnity cover became invalid”.

As we can take it from the Minister’s inclusion of this factor in the list of ‘exceptional facts’ that this would be the normal route of recourse in such a case, just what exactly did the Minister mean by this phrase? Would the Minister explain what exactly happened which made it the case that ‘normal professional indemnity cover became invalid’?”

6. The Chairman of the Comité des Connétables will table an answer to the following question asked by the Deputy of St. Mary –

“Given that the Parish Assembly is the decision-making body of each parish and the role these assemblies play in the democratic life of the Island, would the Chairman please advise the Assembly (with details of each individual parish):

the precise measures taken, in each parish, to publicise the date and time of each Parish Assembly before it takes place, and how long in advance of the meeting it is publicised?

the precise measures taken, in each parish, to publicise the Agenda of each Assembly before it takes place, and how long in advance of the meeting it is publicised?

when and how the date for an Assembly is fixed?

whether any individuals or groups are notified directly by arrangements other than by publication or public display of a notice or notices, and if so, who?

whether there is a fixed schedule of Assemblies or whether they are arranged as required, and in the former case, what steps are taken to publicise this Schedule?

Whether a note is kept of the numbers attending each meeting and if this note is an estimate or an actual count, and if a note is kept, how many attended the last meeting to set the parish rate?”

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

“Could the Minister furnish exact details of all the conditions which were imposed upon the developers and the contractors during the process of negotiating and granting planning permission for the Castle Quays development?”

8. The Minister for Health and Social Services will table an answer to the following question asked by Deputy A.E. Jeune of St. Brelade –

“Would the Minister –

- advise the Assembly of the total number of nurses on the “Jersey register”, and of these
- the number who are employed by the Health and Social Services Department (HSS);
- of the number employed by HSS, identify the proportion that have full time contracts, part-time contracts, or are employed as ‘bank’ nurses, breaking down each category into those who are locally

resident (5 years' residency), those who are essentially employed (J category) and those with less than 5 years residency?

Is the Minister aware of the number of Nursing and Midwifery Council (NMC) registered nurses in the Island who are not on the local register of nurses and who might be available to assist in the event of any chronic shortage due to the anticipated flu pandemic or other emergency situation? And if not, does the Minister have any plans to collate this information in the event of a chronic staff shortage, for example the anticipated flu pandemic or emergency situation?"

9. The Minister for Education, Sport and Culture will table an answer to the following question asked by Senator B.E. Shenton –

“Can the Minister give a detailed breakdown of grades attained at ‘A’ level by the students of Hautlieu School, including details of students that got unclassified grades and those that failed to attend for examinations, together with a short analysis of how the results for Hautlieu School compare with the UK national average?”

10. The Minister for Education, Sport and Culture will table an answer to the following question asked by Senator B.E. Shenton –

“Can the Minister give a detailed breakdown of grades attained at GCSE Level by the students of the non-fee paying schools only) including details of students that got U grades, together with a short analysis of how these results compared with the UK national average?”

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

“Could the Minister advise the Assembly how tipping of inert waste is organised at La Collette? Could the Minister ensure that the answer includes the following

- A general outline of the system in use;
- How the different loads are sorted/allocated/counted/charged;
- How the decision is taken of what goes where and on what basis;
- What safeguards are built in to avoid errors which might lead to contamination of the sea or air, or land; and
- What enforcement measures may be used against contractors delivering to the site?”

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

“Will the Minister advise the Assembly of the exact details of the total overspend on the incinerator to date, where by overspend is meant amounts which lie outside the sum voted in P73/2008, namely £102,810,000 plus the £3.5 million previously voted.

Would the Minister make quite clear to members in his answer the amounts due to

- (a) any additional costs added after propositions P.72/2008 and P.73/2008, other than those due to currency fluctuations, specifying exactly what these were;

- (b) the amount of the offsetting savings arranged by Transport and Technical Services to reduce the impact of the above increases, specifying exactly what these were for;
- (c) the amount due to the fall in the value of the pound before the contract was signed; and
- (d) the amount due to the fall in the value of the pound after the contract was signed, up to and including the most recent actual payment made to the contractor?

For each category above, would the Minister advise:

- (i) when the additional expense (saving) was known about?
- (ii) who sanctioned the additional spend (reduction), and when?
- (iii) the exact source of the extra funding? and
- (iv) the legal authority for the additional spending?"

13. The Minister for Home Affairs will table an answer to the following question asked by Deputy R.G. Le Hérisssier of St. Saviour –

“What is the cost per annum of imprisoning an inmate at HMP La Moye? What is the average cost of providing security for an overnight hospital stay for an inmate?”

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

“Would the Minister explain the precise process that was followed in her Department to formulate the proposed programme of spending cuts which were announced before the summer break setting out clearly the personal involvement that she and her Assistant Ministers had at each stage?”

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

“In light of the fact that Verita’s terms of reference require it to “review the main actions taken by the Health and Social Services in response to the death of Mrs Elizabeth Rourke including its own interim internal investigation. This will include establishing whether or not there are any significant omissions to the investigation and, if so, exploring these” -

- (a) Would the Minister give details of the ‘main actions taken’ and inform members whether they included the instant dismissal of the Locum Consultant Gynaecologist, and if so, for what reasons exactly?
- (b) Would the Minister inform members whether any financial package was agreed, if so, at what cost to the public?”

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

“As Verita’s terms of reference require it to “review the main actions taken by the Health and Social Services in response to the death of Mrs Elizabeth Rourke including its own interim internal investigation. This will include establishing whether or not there are any significant omissions to the investigation and, if so, exploring these” -

- (a) Was one of the ‘main actions taken’ the decision to exclude a Senior Consultant Gynaecologist?

- (b) Would the Minister give the reasons for the exclusion and the reasons why the Consultant Gynaecologist is still excluded?
- (c) Will the Minister give an updated breakdown of the cost incurred by Health and Social Services to cover the salary and incidental costs of the excluded Consultant Gynaecologist together with the cost of the salaries and incidental costs to cover the work not being undertaken by him?
- (d) Has the hospital's own interim internal investigation (also known as the Serious Untoward Incident Investigation) been concluded and when will the report be published?
- (e) Will the Minister explain the purpose and terms of reference of the proposed Hutchinson investigation/review and give the cost of this proposed investigation, including the funds already expended on the related court case?"

ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

2nd Session

	First 15 minute period	Second 15 minute period
	Minister	Minister
22nd September	Home Affairs	Chief Minister
6th October	Social Security	Planning and Environment
20th October	Housing	Chief Minister
3rd November	Transport and Technical Services	Treasury and Resources
17th November	Economic Development	Chief Minister
1st December	Education, Sport and Culture	Health and Social Services
8th December	Home Affairs	Chief Minister

[1] as amended by the Court of Appeal (Amendment No. 8) (Jersey) Law 2008

[2] See separate Explanatory Note for R&O.81/2009