



STATES OF JERSEY ORDER PAPER

23rd OCTOBER 2018

SUMMARY

- 9.30 a.m. Communications by the Presiding Officer and other announcements
- Appointments, matters of privilege, petitions
- Nomination of Senator Kristina Louise Moore as a member of the Economic Affairs Scrutiny Panel
 - Resignation of Deputy Jessica Harriet Perchard of St. Saviour from the Education and Home Affairs Scrutiny Panel
- 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 External Relations
 - Minister for Social Security
- Statements (if any)*
- Approx. 11.45 a.m. **Ratification of the Agreement between Jersey and the Principality of Liechtenstein for the Elimination of Double Taxation with Respect to Taxes on Income and on Capital and the Prevention of Tax Evasion and Avoidance (P.102/2018)**
- Arrangement of public business at subsequent meetings

Lunch adjournment likely around 12.45 p.m., until 2.15 p.m.

If business is not completed by around 5.30 p.m. the Assembly usually adjourns for the evening and will resume its meeting at 9.30 a.m. on Wednesday 24th and Thursday 25th October 2018 if necessary.



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CONSOLIDATED

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Health Insurance (Medical Prescribing Practitioners) (Jersey) Order 2018. R&O.103/2018.
Minister for Social Security.

Taxation (Double Taxation) (Amendment of Regulations) (Jersey) Order 2018. R&O.104/2018.
Minister for External Relations.

* Economic Development, Tourism, Sport and Culture (2019 Fees) (Jersey) Order 2018. R&O.105/2018.
Minister for Economic Development, Tourism, Sport and Culture.

C. DOCUMENTS PRESENTED

Minimum wage rates for 2019: Employment Forum's recommendation and Minister's response. R.131/2018.
Presented: 11th October 2018, *Minister for Social Security.*

Transfers between heads of expenditure under the Public Finances (Jersey) Law 2005: Article 18(1)(c) and (1A) – 5th October 2018. R.132/2018.
Presented: 12th October 2018, *Minister for Treasury and Resources.*

Data Protection Authority: appointment of Non-Executive Directors. R.133/2018.
Presented: 12th October 2018, *Chief Minister.*

Jersey Financial Services Commission: appointment of Commissioner. R.134/2018.
Presented: 15th October 2018, *Chief Minister.*

Jersey Financial Services Commission: appointment of Commissioner. R.135/2018.
Presented: 15th October 2018, *Chief Minister.* (re-issue)

Long-Term Care Fund: Actuarial review as at 31 December 2017. R.136/2018.
Presented: 17th October 2018, *Minister for Social Security.*

States Assembly Annual Report 2017. R.137/2018.
Presented: 18th October 2018, *Privileges and Procedures Committee.*

* Public Records (Jersey) Law 2002: Annual Report 2017 on the work of Jersey Heritage and the Archivist. R.138/2018.
Presented: 22nd October 2018, *Minister for Economic Development, Tourism, Sport and Culture.*

* Commissioner for Standards: Annual Report 2017–2018. R.139/2018.
Presented: 22nd October 2018, *Privileges and Procedures Committee.*



- * Land Transactions under Standing Order 168(3) – R.140/2018.
(a) La Collette Sites LC08, LC09, LC22A and F24 – proposed lease to Ports of Jersey Ltd.;
(b) land upon which the Jersey Spartan Athletic Clubhouse has been constructed at F.B. Fields, La Grande Route de St. Clement, St. Clement – lease;
(c) acquisition of land at Rocque Bay Apartments, La Grande Route de la Côte, St. Clement.
Presented: 22nd October 2018, *Minister for Infrastructure*.

D. NOTIFICATION OF LODGED PROPOSITIONS

- Comptroller and Auditor General Board of Governance: appointment of member. P.115/2018.
Lodged: 12th October 2018, *Chief Minister*.
- Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Mauritius for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income. P.116/2018.
Lodged: 19th October 2018, *Minister for External Relations*.
- * Parish of St. Martin: provision of a loan for the former St. Martin's Primary School redevelopment. P.117/2018.
Lodged: 22nd October 2018, *Minister for Treasury and Resources*.
- * Draft Financial Services Ombudsman (Case-Fee, Levy and Budget – Amendments) (Jersey) Regulations 201-. P.118/2018.
Lodged: 22nd October 2018, *Minister for Economic Development, Tourism, Sport and Culture*.
- * Draft Sanctions and Asset-Freezing (Jersey) Law 201-. P.119/2018.
Lodged: 23rd October 2018, *Minister for External Relations*.
- * Draft EU Legislation (Customs Union, Import and Export Control) (Jersey) Regulations 201-. P.120/2018.
Lodged: 23rd October 2018, *Minister for External Relations*.
- * Draft Taxation (Companies – Economic Substance) (Jersey) Law 201-. P.121/2018.
Lodged: 23rd October 2018, *Minister for External Relations*.
- * Draft Revenue Administration (Jersey) Law 201-. P.122/2018.
Lodged: 23rd October 2018, *Minister for Treasury and Resources*.
- * Draft Taxation (Agreements with European Union Member States) (Revocation) (Jersey) Regulations 201-. P.123/2018.
Lodged: 23rd October 2018, *Minister for External Relations*.
- * Compensation for Mesothelioma sufferers. P.124/2018.
Lodged: 23rd October 2018, *Deputy C.S. Alves of St. Helier*.

E. WITHDRAWAL OF LODGED PROPOSITIONS



F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

Nomination of Senator Kristina Louise Moore as a member of the Economic Affairs Scrutiny Panel.

Resignation of Deputy Jessica Harriet Perchard of St. Saviour from the Education and Home Affairs Scrutiny Panel.

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

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

- WQ.199/2018 1. The Minister for Health and Social Services will table an answer to a question asked by Deputy S.M. Ahier of St. Helier regarding possible medical negligence at the Hospital.
- WQ.200/2018 2. The Chief Minister will table an answer to a question asked by the Connétable of St. Brelade regarding the involvement of Ministers in the appointment of senior staff.
- WQ.201/2018 3. The Chairman of the States Employment Board will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding vacancies within the public sector.
- WQ.202/2018 4. The Chairman of the States Employment Board will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the report of The HR Lounge on bullying and harassment in the States.
- WQ.203/2018 5. The Minister for Home Affairs will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the sale of products containing tetrahydrocannabinol.
- WQ.204/2018 6. H.M. Attorney General will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding visitors to Jersey who are prescribed tetrahydrocannabinol-based medication.
- WQ.205/2018 7. The Minister for Social Security will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding legislation to prevent discrimination by landlords against tenants with children.
- WQ.206/2018 8. The Minister for Education will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding absences amongst the teaching workforce in the Island's schools.
- WQ.207/2018 9. The Chairman of the States Employment Board will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding actions taken in relation to States employees named in the report of the Independent Jersey Care Inquiry.
- WQ.208/2018 10. The Chairman of the States Employment Board will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the employment of States employees named in the report of the Independent Jersey Care Inquiry.



- WQ.209/2018 11. The Minister for Children and Housing will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding payments arising from the Historic Abuse Redress Scheme.
- WQ.210/2018 12. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the use of Westaway Court.
- WQ.211/2018 13. The Minister for Treasury and Resources will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Criminal Offences Confiscation Fund.
- WQ.212/2018 14. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding vacancies within the Health and Community Services department.
- WQ.213/2018 15. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding expenditure on communications.
- WQ.214/2018 16. The Minister for Education will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the differences in expenditure between fee-paying and non-fee-paying secondary schools.
- WQ.215/2018 17. The Minister for Infrastructure will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the future development of the St. Saviour's Hospital and Warwick Farm sites.
- WQ.216/2018 18. The Chief Minister will table an answer to a question asked by the Connétable of St. Helier regarding the employment of communications staff.
- WQ.217/2018 19. The Minister for the Environment will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the recent report from the Intergovernmental Panel on Climate Change.
- WQ.218/2018 * 20. The Chairman of the States Employment Board will table an answer to a question asked by Deputy M.R. Le Hegarat of St. Helier regarding financial and remuneration packages offered to people leaving their employment with the States of Jersey.
- WQ.219/2018 21. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Le Hegarat of St. Helier regarding officers who have left the States of Jersey Police.
- WQ.220/2018 22. The Minister for the Environment will table an answer to a question asked by the Connétable of St. Helier regarding the Minister's response to the report of the Intergovernmental Panel on Climate Change.
- WQ.221/2018 23. The Chairman of the States Employment Board will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the number of teachers leaving the profession in the last 5 years.
- WQ.222/2018 24. The Minister for Infrastructure will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding lease agreements on the Waterfront.
- WQ.223/2018 25. The Minister for Treasury and Resources will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the phasing-out of mortgage relief allowance.
- WQ.224/2018 26. The Chairman of the States Employment Board will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding policy in respect of the use of zero-hour contracts in the public sector.



- WQ.225/2018 27. The Minister for Health and Social Services will table an answer to a question asked by the Connétable of St. Helier regarding waiting times for community dental services.
- WQ.226/2018 28. The Minister for Infrastructure will table an answer to a question asked by the Connétable of St. Helier regarding strategies to facilitate walking and cycling.
- WQ.227/2018 29. The Minister for External Relations will table an answer to a question asked by Deputy L.M.C. Doublet of St. Saviour regarding the extension of the Convention on the Elimination of all Forms of Discrimination Against Women to Jersey.

(b) – Oral Questions

(120 minutes)

- OQ.164/2018 1. Deputy M.R. Higgins of St. Helier will ask the following question of the Chief Minister –
- “Will the Chief Minister explain what role, if any, Ministers play in States pay negotiations and, in particular, whether they have agreed the strategy and approach adopted by the States Employment Board to negotiations; and is it his assessment that the policy of offering pay awards at, or below, the level of inflation has had any effect on confidence levels and on retention and recruitment in the public sector?”
- OQ.158/2018 2. Senator S.C. Ferguson will ask the following question of the Minister for Children and Housing –
- “Given there is a shortage of social rented housing, will the Minister explain why the residents decanted from Convent Court are not being returned to the refurbished flats?”
- OQ.163/2018 3. Deputy S.M. Ahier of St. Helier will ask the following question of the Chairman of the Privileges and Procedures Committee –
- “Will the Chairman advise the Assembly whether any progress has been made in developing plans to implement electoral reform; and will he further assure members that his Committee will lodge a proposition on this matter before the end of this four-year term?”
- OQ.162/2018 4. Deputy J.M. Maçon of St. Saviour will ask the following question of the Minister for Home Affairs –
- “Prior to agreeing the States of Jersey Police’s next annual policing plan, will the Minister canvass States members in order to help determine the priority that traffic safety and enforcement should be given?”
- OQ.157/2018 5. Deputy R.J. Ward of St. Helier will ask the following question of the Chairman of the States Employment Board –
- “Does the States Employment Board support the imposition of pay awards which have been rejected by union members, given that the unions have indicated that public sector strikes could be triggered?”
- OQ.160/2018 6. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Health and Social Services –
- “Will the Minister explain to members the decision to spend £1.2 million which had been allocated to the refurbishment of Sandybrook Care Home elsewhere, as indicated in R.132/2018?”



OQ.155/2018 7. Deputy K.F. Morel of St. Lawrence will ask the following question of the Minister for Infrastructure –

“Will the Minister advise the Assembly whether any assessment has been undertaken of the total cost to the Island of running a free bus service and, if so, will he state what the estimated cost is?”

OQ.165/2018 8. Deputy M.R. Higgins of St. Helier will ask the following question of the Chairman of the States Employment Board –

“What assessment has the Chairman made of whether the States of Jersey is a good employer that follows best practice in all that it does, particularly in respect of whistleblowing and disciplinary matters; and if she considers that there is room for improvement, what plans does she have to make those improvements?”

OQ.156/2018 9. Deputy K.F. Morel of St. Lawrence will ask the following question of the Minister for Health and Social Services –

“Further to the presentation of R.132/2018, will the Minister advise the Assembly as to the findings of the review into service provision that led to the suspension of the £1.25 million project to build three care homes for children with autism at the Greenfield site?”

OQ.161/2018 10. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –

“Will the Chief Minister inform members what cuts in funding, if any, he has under consideration for departmental budgets (apart from savings to be made from Workforce Modernisation measures) in the light of the projected £30 to £40 million shortfall in revenues?”

OQ.159/2018 11. Senator S.C. Ferguson will ask the following question of the Minister for Health and Social Services –

“Why was the refurbishment of Sandybrook Care Home not undertaken at the time the budget was allocated in 2014 for the work, as reported in R.132/2018?”

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

1st question period – Minister for External Relations

2nd question period – Minister for Social Security

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Ratification of the Agreement between Jersey and the Principality of Liechtenstein for the Elimination of Double Taxation with Respect to Taxes on Income and on Capital and the Prevention of Tax Evasion and Avoidance. P.102/2018.
Lodged: 30th August 2018, *Minister for External Relations.*



M. ARRANGEMENT OF PUBLIC BUSINESS

6th November 2018

Importation of Waste for treatment in the Jersey Energy from Waste plant. P.104/2018.
Lodged: 20th September 2018, *Minister for Infrastructure.*

Immigration (Biometric Information) (Jersey) Order 2018: extension to Jersey by Order in Council. P.105/2018.
Lodged: 24th September 2018, *Chief Minister.*

Draft Sexual Offences (Consequential Amendments) (Jersey) Regulations 201-. P.106/2018.
Lodged: 24th September 2018, *Minister for Home Affairs.*

Draft Marriage and Civil Status (Sexual Offences Amendment) (Jersey) Regulations 201-. P.107/2018.
Lodged: 24th September 2018, *Minister for Home Affairs.*

Draft Sexual Offences (Jersey) Law 2018 (Appointed Day) Act 201-. P.108/2018.
Lodged: 24th September 2018, *Minister for Home Affairs.*

Medicinal Cannabis: right to prescribe by medical professionals. P.113/2018.
Lodged: 9th October 2018, *Deputy M. Tadier of St. Brelade.*

20th November 2018

Public impact of Propositions: proposed amendment to Standing Orders. P.96/2018.
Lodged: 3rd August 2018, *Deputy G.C.U. Guida of St. Lawrence.*

Public impact of Propositions: proposed amendment to Standing Orders (P.96/2018) – comments. P.96/2018.
Presented: 23rd August 2018, *Privileges and Procedures Committee.* Com.

Public impact of Propositions: proposed amendment to Standing Orders (P.96/2018) – comments. P.96/2018.
Presented: 10th September 2018, *Chief Minister.* Com.(2).

Public impact of Propositions: proposed amendment to Standing Orders (P.96/2018) – amendment. P.96/2018.
Lodged: 20th August 2018, *Deputy S.M. Wickenden of St. Helier.* Amd.

Public impact of Propositions: proposed amendment to Standing Orders (P.96/2018) – second amendment. P.96/2018.
Lodged: 22nd August 2018, *Senator S.C. Ferguson.* Amd.(2)

Draft Road Traffic and Vehicles (Vienna Convention – Miscellaneous Amendments) (Jersey) Regulations 201-. P.109/2018.
Lodged: 26th September 2018, *Minister for Infrastructure.*

Draft Education (Provided Schools – Amendment of Law No. 2) (Jersey) Regulations 201-. P.111/2018.
Lodged: 3rd October 2018, *Minister for Education.*

Draft Motor Vehicles (Removal from Private Land) (Jersey) Law 201-. P.112/2018.
Lodged: 5th October 2018, *Minister for Home Affairs.*



- Comptroller and Auditor General Board of Governance: appointment of member.** P.115/2018.
Lodged: 12th October 2018, *Chief Minister*.
- * **Compensation for Mesothelioma sufferers.** P.124/2018.
Lodged: 23rd October 2018, *Deputy C.S. Alves of St. Helier*.
- 4th December 2018**
- Rejection of Planning Application relating to Retreat Farm, La Rue de La Frontière, St. Mary and Rue des Varvots, St. Lawrence: rescindment of Ministerial Decision.** P.100/2018.
Lodged: 20th August 2018, *Deputy S.M. Wickenden of St. Helier*.
- Proposed Common Strategic Policy 2018–22.** P.110/2018.
Lodged: 3rd October 2018, *Council of Ministers*.
- Draft Budget Statement 2019.** P.114/2018.
Lodged: 9th October 2018, *Minister for Treasury and Resources*.
- Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Mauritius for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income.** P.116/2018.
Lodged: 19th October 2018, *Minister for External Relations*.
- * **Parish of St. Martin: provision of a loan for the former St. Martin’s Primary School redevelopment.** P.117/2018.
Lodged: 22nd October 2018, *Minister for Treasury and Resources*.
- * **Draft Financial Services Ombudsman (Case-Fee, Levy and Budget – Amendments) (Jersey) Regulations 201-.** P.118/2018.
Lodged: 22nd October 2018, *Minister for Economic Development, Tourism, Sport and Culture*.
- * **Draft Sanctions and Asset-Freezing (Jersey) Law 201-.** P.119/2018.
Lodged: 23rd October 2018, *Minister for External Relations*.
- * **Draft EU Legislation (Customs Union, Import and Export Control) (Jersey) Regulations 201-.** P.120/2018.
Lodged: 23rd October 2018, *Minister for External Relations*.
- * **Draft Taxation (Companies – Economic Substance) (Jersey) Law 201-.** P.121/2018.
Lodged: 23rd October 2018, *Minister for External Relations*.
- * **Draft Revenue Administration (Jersey) Law 201-.** P.122/2018.
Lodged: 23rd October 2018, *Minister for Treasury and Resources*.
- * **Draft Taxation (Agreements with European Union Member States) (Revocation) (Jersey) Regulations 201-.** P.123/2018.
Lodged: 23rd October 2018, *Minister for External Relations*.



15th January 2019

Draft Amendment (No. 37) of the Standing Orders of the States of Jersey.
Lodged: 18th September 2018, *Privileges and Procedures Committee*.

P.103/2018.

DR. M. EGAN
Greffier of the States

22nd October 2018

Note –

In accordance with the meeting dates fixed for 2018 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 24th and Thursday 25th October 2018.

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 18th October 2018, or an item which has been altered or moved.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.105/2018.

Economic Development, Tourism, Sport and Culture (2019 Fees) (Jersey) Order 2018.

This Order increases the fees charged under 3 regimes administered by the Minister for Economic Development, Tourism, Sport and Culture by approximately 2.5%.

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 2018.

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 21st December 2017.

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 of the Weights and Measures (Jersey) Law 1967. Those fees were last increased with effect from 1st January 2018.

Article 4 gives the title 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 2019.

The Order was made on 19th October 2018 and comes into force in accordance with Article 4.

