



STATES OF JERSEY ORDER PAPER

Tuesday 8th September 2015

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

EU Legislation (Sanctions – North Korea) (Jersey) Order 2015. <i>Minister for External Relations.</i>	R&O.76/2015.
Alternative Investment Funds (Amendment of Regulations No. 2) (Jersey) Order 2015. <i>Assistant Chief Minister, for and on behalf of Chief Minister.</i>	R&O.77/2015.
Income Support (General Provisions) (Amendment No. 17) (Jersey) Order 2015. <i>Minister for Social Security.</i>	R&O.85/2015.
Sea Fisheries (Spider Crabs – Restrictions on Fishing) (Jersey) Order 2015. <i>Minister for Economic Development.</i>	R&O.86/2015.
Financial Services Ombudsman (Exempt Business) (Amendment) (Jersey) Order 2015. <i>Minister for Economic Development.</i>	R&O.87/2015.
Road Racing (Festival of Speed) (Jersey) Order 2015. <i>Minister for Transport and Technical Services.</i>	R&O.88/2015.
Entertainments on Public Roads (Jersey Seaside Festival) (Jersey) Order 2015. <i>Minister for Transport and Technical Services.</i>	R&O.89/2015.
Battle of Flowers (Jersey) Order 2015. <i>Minister for Transport and Technical Services.</i>	R&O.90/2015.
Gorey Fête (Jersey) Order 2015. <i>Minister for Transport and Technical Services.</i>	R&O.91/2015.
Social Security (Miscellaneous Provisions No. 5) (Jersey) Order 2015. <i>Minister for Social Security.</i>	R&O.92/2015.
EU Legislation (Sanctions – Iran) (Amendment) (Jersey) Order 2015. <i>Chief Minister, for and on behalf of the Minister for External Relations.</i>	R&O.93/2015.
EU Legislation (Sanctions – Libya) (Amendment No. 3) (Jersey) Order 2015. <i>Chief Minister, for and on behalf of the Minister for External Relations.</i>	R&O.94/2015.
Water Pollution (Code of Good Agricultural Practice) (Jersey) Order 2015. <i>Minister for Planning and Environment.</i>	R&O.95/2015.
Shops (Regulation of Opening) (Special Occasions) (Jersey) Order 2015. <i>Minister for Economic Development.</i>	R&O.96/2015.
Jersey International Air Display (Jersey) Order 2015. <i>Minister for Transport and Technical Services.</i>	R&O.97/2015.



Education (Discretionary Grants – Amounts) (Amendment No. 7) (Jersey) Order 2015. R&O.98/2015.

Minister for Education, Sport and Culture.

Education (Discretionary Grants – General) (Amendment No. 4) (Jersey) Order 2015. R&O.99/2015.

Minister for Education, Sport and Culture.

Road Traffic (St. Mary) (Amendment) (Jersey) Order 2015. R&O.100/2015.

Minister for Transport and Technical Services.

C. DOCUMENTS PRESENTED OR LAID

Medium Term Financial Plan 2016 – 2019 (P.72/2015) – draft annex. P.72/2015.
Presented: 24th July 2015. Add.(2)

Council of Ministers.

La Collette Low Rise: protection of open space – petition (P.78/2015) – P.78/2015.
comments. Com.

Presented: 18th August 2015.

Minister for Planning and Environment.

Ex Gratia payment to Mr. Roy Boschat (P.82/2015): addendum. P.82/2015.
Presented: 30th July 2015. Add.

Deputy T.A. McDonald of St. Saviour.

Tourism Development Fund: Report for 2014. R.83/2015.

Presented: 17th July 2015.

Minister for Economic Development.

Jersey Bank Depositors Compensation Board: Annual Report and Audited Financial Statements for the year ended 31st January 2015. R.84/2015.

Presented: 20th July 2015.

Chief Minister.

Dormant Bank Accounts Law: Consultation Paper. R.85/2015.

Presented: 23rd July 2015.

Chief Minister.

External Relations: Common Policy. R.86/2015.

Presented: 27th July 2015.

Council of Ministers.

Rental sector in Jersey: proposed policy direction. R.87/2015.

Presented: 29th July 2015.

Minister for Housing.



Land Transactions under Standing Order 168(3) – (a) S08 Workshop and Store, South Pier, St. Helier – lease; (b) V12Q Vivier, Victoria Pier, St. Helier – lease; (c) A25 Office, Albert Pier, St. Helier – lease; (d) V06, V32A and V13A Viviers, Victoria Pier, St. Helier – lease; (e) Havre des Pas Kiosk and Restaurant – new lease. Presented: 29th July 2015. <i>Minister for Treasury and Resources.</i>	R.88/2015.
Access to Justice Review: Second Interim Report. Presented: 29th July 2015. <i>Chief Minister.</i>	R.89/2015.
States of Jersey Law 2005: delegation of functions – Social Security – Long-Term Care Scheme. Presented: 30th July 2015. <i>Minister for Social Security.</i>	R.90/2015.
Dental Health Services and Benefits: Review – June 2015. Presented: 4th August 2015. <i>Minister for Social Security.</i>	R.91/2015.
States of Jersey Law 2005: delegation of functions – Chief Minister – Assistant Ministers and Officers. Presented: 5th August 2015. <i>Chief Minister.</i>	R.92/2015.
States of Jersey Law 2005: delegation of functions – Health and Social Services – revised delegations July 2015. Presented: 7th August 2015. <i>Minister for Health and Social Services.</i>	R.93/2015.
Independent Custody Visitor Scheme: transfer of administration from the Home Affairs Department to the Jersey Police Authority. Presented: 24th August 2015. <i>Minister for Home Affairs.</i>	R.94/2015.
Internal Audit: Follow-up. Presented: 27th August 2015. <i>Comptroller and Auditor General.</i>	R.95/2015.
Procurement: Follow-up. Presented: 27th August 2015. <i>Comptroller and Auditor General.</i>	R.96/2015.
Use of Management Information in HSSD – Operating Theatres: Follow-up. Presented: 27th August 2015. <i>Comptroller and Auditor General.</i>	R.97/2015.



Land Transactions under Standing Order 168(3) – R.98/2015.
(a) La Pouclée Lodge, La Pouquelaye, St. Helier – sale;
(b) Acquisition of land at Hameau de la Mer, St. Clement;
(c) Grainville Tennis Club, Grainville Sports Ground, St. Saviour’s Hill,
St. Saviour – lease;
(d) Apartment No. 3, Block E, Les Quennevais Park – transfer of the Public’s
flying-freehold ownership and cancellation of existing 99 year lease.
Presented: 4th September 2015.
Minister for Treasury and Resources.

Respite Care for Adults. S.R.4/2015.
Presented: 28th July 2015.
Health and Social Security Scrutiny Panel.

Financial Directions. P.A.C.2/2015.
Presented: 6th August 2015.
Public Accounts Committee.

Andium Homes – Repairs and Maintenance – Following up the Report of the P.A.C.1/2015.
Comptroller and Auditor General (P.A.C.1/2015) – response of Chief Officers. Res.
Presented: 17th July 2015.
Public Accounts Committee.

D. NOTIFICATION OF LODGED PROPOSITIONS

La Collette Low Rise: protection of open space – petition. P.78/2015.
Lodged: 17th July 2015.
Deputy R. Labey of St. Helier.

Draft Public Employees (Contributory Retirement Scheme) (Miscellaneous P.79/2015.
Amendments) (Jersey) Regulations 201-.
Lodged: 20th July 2015.
States Employment Board.

Draft Air and Sea Ports Incorporation (Transfer) (Jersey) Regulations 201-. P.80/2015.
Lodged: 24th July 2015.
Council of Ministers.

Draft Air and Sea Ports (Incorporation) (Jersey) Law 201- (Appointed Day) P.81/2015.
Act 201-.
Lodged: 24th July 2015.
Council of Ministers.

Ex Gratia payment to Mr. Roy Boschat. P.82/2015.
Lodged: 24th July 2015.
Deputy T.A. McDonald of St. Saviour.

Draft Veterinary Surgeons (Amendment No. 2) (Jersey) Law 201-. P.83/2015.
Lodged: 27th July 2015.
Minister for Planning and Environment.

Draft Residential Tenancy (Deposit Scheme) (Amendment) (Jersey) Regulations P.84/2015.
201-. (re-issue).
Lodged: 28th July 2015.
Chief Minister.



Jersey Overseas Aid Commission: appointment of non-States Commissioner. Lodged: 3rd August 2015. <i>Deputy of Grouville.</i>	P.85/2015.
Draft International Criminal Court (Amendment) (Jersey) Law 201-. Lodged: 3rd August 2015. <i>Chief Minister.</i>	P.86/2015.
Draft Criminal Justice (Miscellaneous Provisions) (Jersey) Law 201-. Lodged: 4th August 2015. <i>Chief Minister.</i>	P.87/2015.
Jersey Employment and Discrimination Tribunal: appointment of lay members. Lodged: 4th August 2015. <i>Minister for Social Security.</i>	P.88/2015.
Draft Dentistry (Jersey) Law 201-. Lodged: 10th August 2015. <i>Minister for Health and Social Services.</i>	P.89/2015.
Ratification of the Agreement between the Government of Jersey and the Republic of Rwanda for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income. Lodged: 11th August 2015. <i>Minister for External Relations.</i>	P.90/2015.
Draft Taxation (Double Taxation) (Amendment No. 3) (Jersey) Regulations 201-. Lodged: 11th August 2015. <i>Minister for External Relations.</i>	P.91/2015.
Draft Financial Services Ombudsman (Jersey) Law 2014 (Appointed Day) (No. 3) Act 201-. Lodged: 11th August 2015. <i>Minister for Economic Development.</i>	P.92/2015.
Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Korea on the exchange of information relating to tax matters. Lodged: 11th August 2015. <i>Minister for External Relations.</i>	P.93/2015.
Draft Licensing (Licence Fees) (Jersey) Regulations 201-. Lodged: 11th August 2015. <i>Minister for Economic Development.</i>	P.94/2015.
Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Seychelles for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income. Lodged: 12th August 2015. <i>Minister for External Relations.</i>	P.95/2015.
Draft Public Employees (Pension Scheme) (Administration) (Jersey) Regulations 201-. Lodged: 17th August 2015. <i>States Employment Board.</i>	P.96/2015.



- Draft Public Employees (Pension Scheme) (Funding and Valuation) (Jersey) Regulations 201-. P.97/2015.
Lodged: 18th August 2015.
States Employment Board.
- Draft Public Employees (Pension Scheme) (Membership and Benefits) (Jersey) Regulations 201-. P.98/2015.
Lodged: 18th August 2015.
States Employment Board.
- Draft Public Employees (Pension Scheme) (Transitional Provisions, Savings and Consequential Amendments) (Jersey) Regulations 201-. P.99/2015.
Lodged: 18th August 2015.
States Employment Board.
- Draft Public Employees (Pensions) (Jersey) Law 2014 (Appointed Day) Act 201-. P.100/2015.
Lodged: 18th August 2015.
States Employment Board.
- Greffier of the States: consent to appointment. P.101/2015.
Lodged: 25th August 2015.
Privileges and Procedures Committee.
- Draft Christmas Bonus (Repeal) (Jersey) Law 201-. P.102/2015.
Lodged: 25th August 2015.
Minister for Social Security.
- Draft Income Support (Miscellaneous Provisions No. 2) (Jersey) Regulations 201-. P.103/2015.
Lodged: 25th August 2015.
Minister for Social Security.
- Draft Social Security (Television Licence Benefit) (Jersey) Regulations 201-. P.104/2015.
Lodged: 25th August 2015.
Minister for Social Security.
- Draft Social Security (Amendment of Law No. 9) (Jersey) Regulations 201-. P.105/2015.
Lodged: 25th August 2015.
Minister for Social Security.
- Draft Act annulling the Income Support (General Provisions) (Amendment No. 17) (Jersey) Order 2015. P.106/2015.
Lodged: 28th August 2015.
Deputy G.P. Southern of St. Helier.

E. WITHDRAWAL OF LODGED PROPOSITIONS

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE



H. PETITIONS

Deputy R. Labey of St. Helier will present a petition on behalf of the residents of La Collette Low Rise, Green Street and Havre des Pas.

I. QUESTIONS

(a) – Written Questions (attached)

1. The Minister for Home Affairs will table an answer to a question asked by Deputy P.D. McLinton of St. Saviour regarding persons registered with Social Security who are found guilty of committing a criminal offence.
2. The Minister for Housing will table an answer to a question asked by Deputy J.A. Martin of St. Helier regarding tenants on the Affordable Housing Gateway.
3. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy J.A. Martin of St. Helier regarding standards applicable to the operation of fuel farms.
4. The Minister for Home Affairs will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding refugees claiming asylum.
5. The Minister for Social Security will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the accommodation component of Income Support.
6. The Minister for Treasury and Resources will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding voluntary redundancies in the public sector.
7. The Chief Minister will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding meetings held with union representatives and other organisations.
8. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding changes in the voluntary sector arising from savings outlined in the Medium Term Financial Plan.
9. The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding changes to grants and subsidies detailed in the Annex to the Medium Term Financial Plan.
10. The Minister for Education, Sport and Culture will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding grants and subsidies detailed in the Annex to the Medium Term Financial Plan.
11. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the projected growth in tax funded benefits detailed in the Annex to the Medium Term Financial Plan.
12. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding staffing changes in the department.
13. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the role of an Amicus Curiae in court proceedings.



(b) – Oral Questions

(120 minutes)

1. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Education, Sport and Culture –

“Would the Minister provide an annual breakdown for the last 5 years of how many advertised teaching vacancies remained unfilled each September and detail how many teaching posts were filled by subject specialist graduates and how many were not, and advise what measures, if any, are being taken to fill vacant posts given the shortage of trainee teachers nationally?”

2. Deputy M.R. Higgins of St. Helier will ask the following question of the Chief Minister –

“Will the Chief Minister explain why two officers, appointed to liaise with the Committee of Inquiry for document provision, are present at the majority of hearings and explain how their normal duties are being covered, at what cost, and where the budget has been allocated from, and whether he is aware of any concerns regarding the potential impact of their attendance at hearings?”

3. Deputy S.Y. Mézec of St. Helier will ask the following question of the Chief Minister –

“Following the announcements made by some public sector unions that they believe strike action is inevitable as a result of the government’s failure to engage with them seriously, what plans, if any, does the Chief Minister have to hold face to face meetings with the heads of these unions to avert any potential strike action?”

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

“How many children aged under 5 years, 5 to 11 years and over 11 years are currently on the ‘At Risk’ register and, of those children, how many are known to reside with carers who are known to the department to have a drug and/or alcohol problem?”

5. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Home Affairs –

“Could the Minister please inform members how many arrests have been made in relation to Operation Whistle and state whether any allegations have been made against former Prime Minister Sir Edward Heath which relate to his time in the Island and whether any investigations are taking place in this regard?”

6. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for Education, Sport and Culture –

“Given that the States Assembly unanimously approved two amendments to the Strategic Plan 2015 which encouraged creativity and innovation in education, can the Minister explain why the word ‘creative’ only appears twice in the Education Business Plan and only relates to ICT and the Youth Service, and advise how he intends to ensure that fostering creative, innovative thinking in young people becomes a priority in line with the agreed Plan?”

7. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –

“Will the Chief Minister inform members why there does not appear to be any consideration given in the Medium Term Financial Plan to raising additional revenues from the wealthy?”



8. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Social Security –

“Will the Minister inform members how much pensioners will lose on average from their weekly payment as a result of proposed cuts to income support and other benefits, and can the Minister also provide the maximum and minimum loss?”

9. Deputy M.R. Higgins of St. Helier will ask the following question of H.M. Attorney General –

“Will H.M. Attorney General explain to members the process by which restricted court reports containing personal information can be obtained, by whom, and the penalty, if any, for persons who do not follow the procedure set out in his answer?”

10. Deputy S.Y. Mézec of St. Helier will ask the following question of the Chief Minister –

“What conversations, if any, has the Chief Minister had with his counterpart in Guernsey and the relevant U.K. authorities on the potential impact on Jersey of the refugee crisis in Calais?”

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

“Can the Minister advise what the current waiting time is for the dermatology department and detail what efforts, if any, are being made to recruit a new consultant in the department given that the current consultant has given one year’s notice and is due to retire in March 2016?”

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

1st question period – Minister for Health and Social Services

2nd question period – Chief Minister

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

La Collette Low Rise: protection of open space – petition. P.78/2015.
Lodged: 17th July 2015.

Deputy R. Labey of St. Helier.

La Collette Low Rise: protection of open space – petition (P.78/2015) – comments. P.78/2015.
Presented: 18th August 2015. Com.

Minister for Planning and Environment.

Immigration, Asylum and Nationality Act 2006 and Immigration Act 2014: P.64/2015.
extension of certain sections to Jersey.

Lodged: 10th June 2015.

Chief Minister.

Greville Bathe Fund: appointment of Jurat. P.66/2015.
Lodged: 16th June 2015.

Minister for Treasury and Resources.



- Draft Intellectual Property (Registered Rights) (Miscellaneous Provisions) (Jersey) Law 201-. P.69/2015.
Lodged: 3rd July 2015.
Minister for Economic Development.
- States of Jersey Complaints Panel: renewal of membership. P.71/2015.
Lodged: 9th July 2015.
Privileges and Procedures Committee.
- Draft Public Employees (Contributory Retirement Scheme) (Miscellaneous Amendments) (Jersey) Regulations 201-. P.79/2015.
Lodged: 20th July 2015.
States Employment Board.
- Draft Air and Sea Ports (Incorporation) (Jersey) Law 201- (Appointed Day) Act 201-. P.81/2015.
Lodged: 24th July 2015.
Council of Ministers.
- Draft Air and Sea Ports Incorporation (Transfer) (Jersey) Regulations 201-. P.80/2015.
Lodged: 24th July 2015.
Council of Ministers.
- Ports of Jersey Limited: Approval of First Board and Terms of Office. P.68/2015
Lodged: 30th June 2015. (re-issue).
Minister for Treasury and Resources.
- Draft Veterinary Surgeons (Amendment No. 2) (Jersey) Law 201-. P.83/2015.
Lodged: 27th July 2015.
Minister for Planning and Environment.
- Draft Residential Tenancy (Deposit Scheme) (Amendment) (Jersey) Regulations 201-. P.84/2015.
Lodged: 28th July 2015. (re-issue).
Chief Minister.
- Jersey Overseas Aid Commission: appointment of non-States Commissioner. P.85/2015.
Lodged: 3rd August 2015.
Deputy of Grouville.
- Jersey Employment and Discrimination Tribunal: appointment of lay members. P.88/2015.
Lodged: 4th August 2015.
Minister for Social Security.
- Draft Financial Services Ombudsman (Jersey) Law 2014 (Appointed Day) (No. 3) Act 201-. P.92/2015.
Lodged: 11th August 2015.
Minister for Economic Development.

M. ARRANGEMENT OF PUBLIC BUSINESS

22nd September 2015

- Draft Public Finances (Amendment of Law No. 3) (Jersey) Regulations 201-. P.57/2015.
Lodged: 22nd May 2015.
Minister for Treasury and Resources.



- Chief Officer of the States of Jersey Police Force: re-appointment. P.70/2015.
Lodged: 8th July 2015.
Minister for Home Affairs.
- Red Houses Car Park: lease. P.73/2015.
Lodged: 14th July 2015.
Deputy M. Tadier of St. Brelade.
- Same-sex marriage, divorce and dissolution. P.77/2015.
Lodged: 14th July 2015.
Chief Minister.
- Draft International Criminal Court (Amendment) (Jersey) Law 201-. P.86/2015.
Lodged: 3rd August 2015.
Chief Minister.
- Draft Criminal Justice (Miscellaneous Provisions) (Jersey) Law 201-. P.87/2015.
Lodged: 4th August 2015.
Chief Minister.
- Draft Dentistry (Jersey) Law 201-. P.89/2015.
Lodged: 10th August 2015.
Minister for Health and Social Services.
- Ratification of the Agreement between the Government of Jersey and the Republic P.90/2015.
of Rwanda for the avoidance of double taxation and the prevention of fiscal evasion
with respect to taxes on income.
Lodged: 11th August 2015.
Minister for External Relations.
- Draft Taxation (Double Taxation) (Amendment No. 3) (Jersey) Regulations 201-. P.91/2015.
Lodged: 11th August 2015.
Minister for External Relations.
- Ratification of the Agreement between the Government of Jersey and the P.93/2015.
Government of the Republic of Korea on the exchange of information relating to
tax matters.
Lodged: 11th August 2015.
Minister for External Relations.
- Draft Licensing (Licence Fees) (Jersey) Regulations 201-. P.94/2015.
Lodged: 11th August 2015.
Minister for Economic Development.
- Greffier of the States: consent to appointment. P.101/2015.
Lodged: 25th August 2015.
Privileges and Procedures Committee.
- Draft Act annulling the Income Support (General Provisions) (Amendment No. 17) P.106/2015.
(Jersey) Order 2015.
Lodged: 28th August 2015.
Deputy G.P. Southern of St. Helier.

6th October 2015

- Medium Term Financial Plan 2016 – 2019. P.72/2015.
Lodged: 14th July 2015.
Council of Ministers.



Medium Term Financial Plan 2016 – 2019 (P.72/2015) – addendum. Presented: 15th July 2015. <i>Council of Ministers.</i>	P.72/2015. Add.
Medium Term Financial Plan 2016 – 2019 (P.72/2015) – draft annex. Presented: 24th July 2015. <i>Council of Ministers.</i>	P.72/2015. Add.(2)
Strategic Reserve Fund: funding for Independent Jersey Care Inquiry and transfers from and to the Consolidated Fund. Lodged: 14th July 2015. <i>Minister for Treasury and Resources.</i>	P.76/2015.
Independent Jersey Care Inquiry: amendment to Medium Term Financial Plan 2013 – 2015. Lodged: 14th July 2015. <i>Council of Ministers.</i>	P.75/2015.
Draft Christmas Bonus (Repeal) (Jersey) Law 201-. Lodged: 25th August 2015. <i>Minister for Social Security.</i>	P.102/2015.
Draft Income Support (Miscellaneous Provisions No. 2) (Jersey) Regulations 201-. Lodged: 25th August 2015. <i>Minister for Social Security.</i>	P.103/2015.
Draft Social Security (Television Licence Benefit) (Jersey) Regulations 201-. Lodged: 25th August 2015. <i>Minister for Social Security.</i>	P.104/2015.
Draft Social Security (Amendment of Law No. 9) (Jersey) Regulations 201-. Lodged: 25th August 2015. <i>Minister for Social Security.</i>	P.105/2015.
Draft States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 201-. Lodged: 6th May 2015. <i>Chief Minister.</i>	P.46/2015. (re-issue)
Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Seychelles for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income. Lodged: 12th August 2015. <i>Minister for External Relations.</i>	P.95/2015.
<u>20th October 2015</u>	
<i>Ex Gratia</i> payment to Mr. Roy Boschat. Lodged: 24th July 2015. <i>Deputy T.A. McDonald of St. Saviour.</i>	P.82/2015.
<i>Ex Gratia</i> payment to Mr. Roy Boschat (P.82/2015): addendum. Presented: 30th July 2015. <i>Deputy T.A. McDonald of St. Saviour.</i>	P.82/2015. Add.



3rd November 2015

- Draft Public Employees (Pension Scheme) (Administration) (Jersey) Regulations 201-. P.96/2015.
Lodged: 17th August 2015.
States Employment Board.
- Draft Public Employees (Pension Scheme) (Funding and Valuation) (Jersey) Regulations 201-. P.97/2015.
Lodged: 18th August 2015.
States Employment Board.
- Draft Public Employees (Pension Scheme) (Membership and Benefits) (Jersey) Regulations 201-. P.98/2015.
Lodged: 18th August 2015.
States Employment Board.
- Draft Public Employees (Pension Scheme) (Transitional Provisions, Savings and Consequential Amendments) (Jersey) Regulations 201-. P.99/2015.
Lodged: 18th August 2015.
States Employment Board.
- Draft Public Employees (Pensions) (Jersey) Law 2014 (Appointed Day) Act 201-. P.100/2015.
Lodged: 18th August 2015.
States Employment Board.

M.N. DE LA HAYE, O.B.E.
Greffier of the States

Thursday 3rd September 2015

Note –

In accordance with the meeting dates fixed for 2015 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 9th and Thursday 10th September 2015.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.76/2015.

This Order revokes an earlier Order but gives continued effect in Jersey to Council Regulation (EC) No 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea. Effect is given to Regulation (EC) No 329/2007 as amended up to the date of making this Order. In particular, that gives effect to the amendments to Regulation (EC) No 329/2007 by Commission Implementing Regulation (EU) 2015/1062 of 2 July 2015 (OJ L 174, 3.7.2015, p. 16), which added one entity and 6 persons to the list of those whose funds and economic resources are frozen.

Effect is now also given to any future changes to the lists of the lists of goods, technology, persons and websites in the Annexes to Regulation (EC) No 329/2007. All the general provisions in the EU Legislation (Sanctions) (General Provisions) (Jersey) Order 2014 form part of this Order.

The Order was made on 13th July 2015 and came into force on 14th July 2015.

R&O.77/2015.

This Order amends the definition "AIF" in the Alternative Investment Funds (Jersey) Regulations 2012 (the "Regulations").

Article 1 amends the definition "AIF" in Regulation 3 of the Regulations to bring within that definition a limited partnership that is registered in England or Scotland under the Limited Partnerships Act 1907 (c.24) of the United Kingdom, meets the criteria for an AIF in Regulation 3(1) of the Regulations (apart from being registered in Jersey), satisfies certain conditions and has elected to be an AIF and the Commission has approved that election. The conditions to be satisfied are as follows –

- (a) the limited partnership has a governing body which is registered in Jersey;
- (b) if the governing body is –
 - (i) a limited partnership, an incorporated limited partnership or a separate limited partnership, the governing body has a general partner that is a Jersey company (a company within the meaning of Article 1 of the Companies (Jersey) Law 1991); or
 - (ii) a limited liability partnership, at least one of the partners of that governing body is a Jersey company;
- (c) the limited partnership's governing body, the governing body's general partner (if the governing body is a limited partnership, an incorporated limited partnership or a separate limited partnership), or the governing body's partner (if the governing body is a limited liability partnership), has its registered office or head office in Jersey;
- (d) the limited partnership does not have a registered office, head office or principal place of business outside Jersey; and
- (e) the limited partnership's register of limited partners or a duplicate copy is held at the registered office or head office of the limited partnership's governing body or the governing body's general partner or partner, as the case may be.

Under Regulation 8 of the Regulations, a person who is or is to be an AIF entity (as defined in Regulation 2 of the Regulations) has the discretion to apply to the Commission for the grant of a certificate which is required to carry on the business of an AIF. The certificate may be granted under Regulation 9 of the Regulations by the Jersey Financial Services Commission either unconditionally or subject to conditions that the Commission considers appropriate. These provisions of the Regulations will now apply in respect of a limited partnership that is registered in England or Scotland that is an AIF by virtue of amendments made by *Article 1*.

Article 2 provides for the citation of the Order and provides for it to come into force on the day it is made.



The Order was made on 14th July 2015 and came into force on the same date.

R&O.85/2015.

This Order amends the Income Support (General Provisions) (Jersey) Order 2008 (the “principal Order”).

Article 1 is the interpretation provision.

Article 2 amends Article 5 of the principal Order. The amendment widens the category of persons who are to be treated as a member of a household, so as to include a person aged 19 or more but under 25, who is actively seeking work.

Article 3 substitutes Article 6(3) of the principal Order so as to make it clear that a claim for income support is not treated as made until the claimant has made a claim using the form approved by the Minister for Social Security (the “Minister”) and provided all of the information set out in Part 1 of Schedule 1 to the principal Order.

Article 4 amends Article 7 of the principal Order. Currently, where an assessment by a healthcare professional is required to support a claim, the assessment is arranged by a determining officer. The amendment has the effect that the determining officer may, alternatively, require the claimant to arrange for the assessment and its submission to the determining officer.

Article 5 amends the existing requirement, in Article 8(1) of the principal Order, for an adult member of a household that is receiving income support to notify the Minister of changes of circumstances that may affect the household’s entitlement to income support. Currently, the obligation is to notify the Minister as soon as possible. As amended, the obligation will be to notify the Minister within 14 days of the change of circumstances.

Article 6 amends Article 9 of the principal Order. Article 9 allows the Minister to appoint a person to act on behalf of a claimant who is incapacitated but does not have a guardian, curator or *tuteur*. The amendment extends the power of appointment to any member of a household who is incapacitated, but does not have a guardian, curator or *tuteur*, and who is required to provide information or evidence in support of a claim.

Article 7 substitutes Article 11 of the principal Order. Article 11 applies certain provisions of the principal Order to claims for special payments. One of the provisions already applied is Article 6 of the principal Order, which specifies how a claim is to be made. The amendment introduces modifications that apply only to a claim for the child personal care special payment (“child personal care”). A claim that is made after 1st January 2015 but before 1st July 2015 is effectively backdated to 1st January 2015. The information to be provided in support of a claim is such information as the Minister requires in order to be satisfied that the criteria for payment of child personal care have been met.

Article 8 amends the functions of determining officers, in Article 12 of the principal Order. It adds the function of deciding whether a claimant who, under Part 2 of the Income Support (Jersey) Regulations 2007, is in breach of a warning for a third or subsequent time has proved that he or she has been actively seeking work for 42 days.

The effect of adding the function is to enable a dissatisfied claimant to require that the matter is redetermined by a second determining officer.

Article 9 amends Article 13 of the principal Order. Article 13 confers the right for a claimant to request a redetermination of a decision made in his or her case. The amendment extends the right to a redetermination to an adult who is, by virtue of Article 5(2), treated as a member of a claimant’s household, where the determination relates to his or her status as a person required to be actively seeking work.

Article 10 inserts a new Part 6A in the principal Order. Part 6A contains rules as to the date from which income support is paid. Generally, income support is paid from the day the claim is made. However, if a claim is made in advance of all of the conditions for entitlement being satisfied, the income support would be paid from the day on which the last of the conditions for entitlement is satisfied. If, following a change in circumstances, a household either ceases to be entitled to income support or is entitled to a decreased payment, the cessation or reduction in payments takes effect from the date of the change in circumstances. However, if a household becomes entitled to an increased amount of income support, the increase will only be backdated to the date of the change in circumstances if the household provides all of



the information regarding the change that is required under the principal Order within the time required under the Order.

Article 11 extends the right to appeal to the Social Security Tribunal to an adult who is given the right to a redetermination by virtue of the amendment made by *Article 9*.

Article 12 clarifies that, where a claim includes the child care component, and the care is provided by an accredited nanny (as opposed to by a registered day carer or in day care accommodation), the name and address of the nanny must be included in the claim.

Article 13 provides for the citation and commencement of the Order.

The Order was made on 17th July 2015 and came into force on 20th July 2015.

R&O.86/2015.

This Order, taken together with Regulations 5 and 5A of the Sea Fisheries (Miscellaneous Provisions) (Jersey) Regulations 1998 –

- (a) prohibits the fishing, taking or storing of soft-shelled spider crabs during the period Tuesday 1st September 2015 to Thursday 15th October 2015 inclusive; and
- (b) prohibits, during that period, the use of passive gear within the area of the sea that is specified in the Schedule to the Order.

The Order was made on 21st July 2015 and came into force on 28th July 2015.

R&O.87/2015.

This Order amends Article 3(2)(a) of the Financial Services Ombudsman (Exempt Business) (Jersey) Order 2014, which relates to exemption of occupational pension business when carried on by an employer as incidental to the employer's principal business. The effect of the amendment is that such business is not exempt where the employer carries on any other relevant pension business.

The Order was made on 21st July 2015 and came into force on 4th August 2015.

R&O.88/2015.

This Order allows the Classic and Vintage Motor Racing Club of Jersey Limited to close roads in order to hold sprint races on the Five Mile Road on Friday 28th August 2015 and hill climbs at Grève de Lecq on Saturday 29th and Sunday 30th August 2015. The Order is subject to the Road Racing (General Provisions) (Jersey) Order 1959.

The Order was made on 27th July 2015 and came into force on being made.

R&O.89/2015.

This Order provides for road closures and other traffic restrictions in and around Havre des Pas to enable the holding of the Jersey Seaside Festival on Sunday 9th August 2015.

The Order was made on 27th July 2015 and came into force on being made.

R&O.90/2015.

This Order enables the Jersey Battle of Flowers Association to use public roads for the purpose of holding the Battle of Flowers on Thursday 13th August 2015 and the Moonlight Parade on Friday 14th August 2015, if the Association gives public notice of the closures and restrictions and takes out public liability insurance. It may also close the roads so used and restrict parking and traffic movements in those



roads and roads in the surrounding area. Details of the times and dates of the various closures and restrictions are set out in the Order.

The Order was made on 27th July 2015 and came into force on being made.

R&O.91/2015.

This Order provides for road closures, the closing of other public places and other traffic restrictions in and around Gorey Pier and Gorey Coast Road to enable the holding of Gorey Fête on Thursday 20th August 2015.

The Order was made on 27th July 2015 and came into force on being made.

R&O.92/2015.

This Order amends 2 Orders made under the Social Security (Jersey) Law 1974 (the “1974 Law”).

Article 1 amends the Social Security (Contributions) (Jersey) Order 1975. The amendment alters the rule that exempts an insured person who has the full-time care of a child from liability to pay contributions under the 1974 Law and gives the person, whilst exempted, a credit for the contributions that would otherwise have been paid. Currently, the rule applies if the person has full-time care of a child of the family who is under the age of 5. The amendment has the effect that the rule will apply if the child is below compulsory school age, as defined in the Education (Jersey) Law 1999.

Article 2 amends the Social Security (General Benefit) (Jersey) Order 1975. Under Article 27(1) of the 1974 Law, certain benefits are paid at an increased rate when a person is caring for a person of a prescribed category, in prescribed circumstances. Article 5 of the 1975 Order prescribes categories of persons and circumstances for the purposes of Article 27(1) of the Law. Currently, one of the prescribed categories of person is a child of the family who is under the age of 5. This category is amended to become a child of the family who is below compulsory school age, defined as described above.

The Order was made on 31st July 2015 and came into force on 1st September 2015.

R&O.93/2015.

This Order amends the EU Legislation (Sanctions – Iran) (Jersey) Order 2015 so as to implement in Jersey amendments to Council Regulation (EU) No 267/2012 concerning restrictive measures against Iran made by Council Regulations (EU) 2015/1327 and 1328. These 2 recent Regulations respectively introduce 2 new minor exceptions to the prohibitions introduced by Council Regulation (EU) No 267/2012 and extend the applicable date of a current exception.

The Order was made on 7th August 2015 and came into force on 8th August 2015.

R&O.94/2015.

This Order amends the EU Legislation (Sanctions – Libya) (Jersey) Order 2014 to give effect, in Jersey, to Council Regulation (EU) 2015/1324 of 31 July 2015 (OJ L 206, 1.8.2015, p.10) amending Regulation (EU) No 2014/2011 concerning restrictive measures in view of the situation in Libya. The Regulation has the effect of relaxing certain prohibitions on technical assistance, financing or financial assistance, and relaxing certain requirements relating to prohibitions concerning freezing of funds and economic resources.

The Order was made on 7th August 2015 and came into force on 8th August 2015.



R&O.95/2015.

In making this Order, the Minister for Planning and Environment approves a code of good agricultural practice. The code now approved was formerly approved under the Water Pollution (Code of Good Agricultural Practice) (Jersey) Order 2009, which expired on the 28th June 2015.

The Order was made on 7th August 2015 and came into force on 14th August 2015.

R&O.96/2015.

This Order designates 6 Sundays in November and December of each year as special occasions.

Under Regulation 15 of the Shops (Regulation of Opening) (Jersey) Regulations 2011, the Connétable of a Parish may grant a blanket permit for the opening of shops in the Parish on a day that is a special occasion. The Connétable may limit the permit to specified kinds of shops and impose conditions on their opening.

The Order was made on 7th August 2015 and came into force on 14th August 2015.

R&O.97/2015.

This Order allows Jersey International Air Display a.r.l. to control access to certain roads and beaches on 9th, 10th and 11th September 2015 for the viewing of the Jersey International Air Display on Thursday 10th September 2015.

The Order was made on 10th August 2015 and came into force on being made.

R&O.98/2015.

This Order amends the Education (Discretionary Grants – Amounts) (Jersey) Order 2008. The effect is to cap the amount of course fees considered for a grant at £9,000, from the academic year starting in September 2015. The cap does not apply to course fees for clinical years of medical and related courses. However, at an institution where the course fees for non-clinical years of such a course are above £9,000 (and so are subject to this cap), the Minister may also limit the amount taken into account (above £9,000) for the clinical years of that course, if the result would otherwise be disproportionate in relation to any other course.

The Order was made on 25th August 2015 and came into force on 1st September 2015.

R&O.99/2015.

This Order amends the Education (Discretionary Grants – General) (Jersey) Order 2008 (the “General Order”).

Article 1 amends the provisions (in Article 3 of the General Order) as to when a person counts as resident in Jersey for the purpose of determining eligibility for a grant. The amendment reduces, from 5 years to one year, the required period of ordinary residence (for dependent students and their families, and for independent students), if the student (or a parent, in the case of a dependent student) has Entitled status under the Control of Housing and Work (Jersey) Law 2012.

Article 2 amends Article 18 of the General Order, which provides for when an award ends (normally after 3 years). The amendment provides for the suspension or deferral of a grant or allowance, when the course is suspended or deferred. The suspension or deferral cannot last more than 2 years. If the student resumes the course within 2 years, the grant or allowance may be reinstated (with the period of suspension or deferral not counted towards the 3 year time limit). If the student does not resume the course within the 2 years, then the grant or allowance may be withdrawn or stopped. The temporary suspension or deferral does not prevent the withdrawal or stopping of the grant or allowance for other reasons before the end of 2 years.



Article 3 names the Order, and brings it into force on 1st September 2015 (the start of the academic year).
The Order was made on 25th August 2015 and came into force on 1st September 2015.

R&O.100/2015.

This Order amends the Road Traffic (St. Mary) (Jersey) Order 2000 so as to create a one-way northbound 90 yard section of La Rue de la Vallée.

The Order was made on 3rd September 2015 and came into force on being made.



WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Home Affairs will table an answer to the following question asked by Deputy P.D. McLinton of St. Saviour –

“Can the Minister provide -

- (a) the number of people found guilty of committing a criminal offence within one year of registering with Social Security from 2010 to date;
 - (b) a breakdown of the above offences into categories such as shoplifting, drug offences, violent conduct and so on;
 - (c) an estimated cost to the Island of dealing with the above offences;
 - (d) a breakdown of how many of those persons listed under (a) above were found to have a criminal record prior to their arrival in the Island?”
2. The Minister for Housing will table an answer to the following question asked by Deputy J.A. Martin of St. Helier –

“Can the Minister provide a breakdown of how many tenants on the Affordable Housing Gateway have been moved so that their home can be refurbished and how many tenants have been moved due to family circumstances, such as under or over occupying of a property, or urgent medical need, for example, since 1st January 2015?”

3. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy J.A. Martin of St. Helier –

“Can the Minister confirm that all safety reports for the future use of La Collette have been based on the latest U.K. standards and international regulations applicable to the operation of fuel farms and the areas adjacent to them, published in June 2015, some 10 years after the explosion at Buncefield Oil Storage Depot?”

4. The Minister for Home Affairs will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –

“Could the Minister outline what procedures, if any, are in place and what action would be taken should a refugee or individual intending to claim asylum reach Jersey?”

5. The Minister for Social Security will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –

“Could the Minister provide a detailed annual breakdown for the past five years outlining -

- (a) the total expenditure for the accommodation component of Income Support
- (b) how much of this was paid directly to Andium Homes/ the Housing department; and,
- (c) how much of this was paid directly to private landlords?”



6. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –

“Could the Minister outline what the most common reason has been for the rejection of applications for voluntary redundancy?”

7. The Chief Minister will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –

“Could the Chief Minister state the number of official face to face meetings he has had with representatives from the following organisations since he was appointed in 2011:

- (i) the Jersey Chamber of Commerce
- (ii) the Jersey Institute of Directors
- (iii) Jersey Finance
- (iv) Unite the Union
- (v) the Jersey branch of the National Union of Teachers
- (vi) the Jersey branch of the National Association of Schoolmasters Union of Women Teachers (NASUWT)
- (v) the Jersey Nurses Association?”

8. The Minister for Health and Social Services will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Will the Minister detail for members the savings planned in the 12 areas listed on page 83 of the Annex to the Medium Term Financial Plan including any changes to grants or service delivery in the voluntary and community sectors over the period 2013 to 2016?”

9. The Minister for Economic Development will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Will the Minister detail for members changes to the grants and subsidies figure given on page 56 of the Annex to the Medium Term Financial Plan including comparison with the years 2013 to 2016?”

10. The Minister for Education, Sport and Culture will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Will the Minister detail for members changes to the grants and subsidies figure given on page 66 of the Annex to the Medium Term Financial Plan including comparison with the years 2013 to 2016?”

11. The Minister for Social Security will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Will the Minister explain to members the assumptions and calculations that underpin the projected growth in tax funded benefits from £82m to £94m over the period 2015 – 2019, as shown on page 97 of the Annex to the Medium Term Financial Plan?”



12. The Minister for Health and Social Services will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Will the Minister give details and justification for the removal of 227.7 FTE from staffing numbers in the department in 2015 (page 85 in the Annex to the Medium Term Financial Plan) and will he further inform members what impact phasing of the delivery of P.82/2012 (‘Health and Social Services: A New Way Forward’) has had on staffing over the intervening period and whether further phasing is planned for 2016?”

13. H.M. Attorney General will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will H.M. Attorney General explain to members in detail the role of an Amicus Curiae in Jersey Court proceedings together with full details of his powers, his duties to the parties concerned and the procedures he must follow to ensure there is an equality of treatment?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

2015

2nd Session 2015

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