



STATES OF JERSEY ORDER PAPER

Tuesday 9th October 2012
CONSOLIDATED

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Economic Development (2013 Fees) (Jersey) Order 2012. R&O.111/2012.
Minister for Economic Development.

Shipping (Miscellaneous Provisions No. 2) (Jersey) Order 2012. R&O.112/2012.
Minister for Economic Development.

Income Support (General Provisions) (Amendment No. 9) (Jersey) Order 2012. R&O.113/2012.
Minister for Social Security.

Shops (Regulation of Opening) (Special Occasions) (Jersey) Order 2012. R&O.114/2012.
Minister for Economic Development.

* Community Provisions (Restrictive Measures – Syria) (Amendment No. 7) R&O.115/2012.
(Jersey) Order 2012.
Deputy Chief Minister for and on behalf of Chief Minister.

C. DOCUMENTS PRESENTED OR LAID

* Incorporation of Ports of Jersey (P.70/2012): comments. P.70/2012.
Presented: 9th October 2012. Com.
Economic Affairs Scrutiny Panel.

* Historic Abuse Redress Scheme: approval by the States Assembly (P.80/2012) – P.80/2012.
comments. Com.
Presented: 8th October 2012.
Council of Ministers.

States of Jersey Law 2005: delegation of functions – Planning and Environment – R.116/2012.
September 2012 revised delegations.
Presented: 27th September 2012.
Minister for Planning and Environment.

States Investment Strategies. R.117/2012.
Presented: 1st October 2012.
Minister for Treasury and Resources.

Jersey Overseas Aid Commission: Annual Report for 2011. R.118/2012.
Presented: 1st October 2012.
Jersey Overseas Aid Commission.

International Labour Organisation Reports by the States of Jersey, July 2012. R.119/2012.
Presented: 1st October 2012.
Chief Minister.



- * States of Jersey Law 2005: delegation of functions – Economic Development – sea fisheries legislation. R.120/2012.
Presented: 9th October 2012.
Minister for Economic Development.
- * Land Transactions under Standing Order 168(3) – R.121/2012.
(a) Lease extension to Les Amis Incorporated;
(b) Flat 2, Hazelgrove, 73 Rouge Bouillon, St. Helier – lease.
Presented: 9th October 2012.
Minister for Treasury and Resources.

D. NOTIFICATION OF LODGED PROPOSITIONS

- * Health and Social Services: A New Way Forward (P.82/2012) – amendment. P.82/2012.
Lodged: 9th October 2012. Amd.
Health, Social Security and Housing Scrutiny Panel.
- Plémont Holiday Village – acquisition by the public and sale to the National Trust P.90/2012.
for Jersey.
Lodged: 27th September 2012.
Chief Minister.
- Draft Debt Relief (Developing Countries) Jersey Law 201-. P.91/2012.
Lodged: 1st October 2012.
Chief Minister.
- Police Station Relocation: review of decision. P.92/2012.
Lodged: 2nd October 2012.
Deputy J.A. Martin of St. Helier.
- Draft Royal Court (Amendment No. 13) (Jersey) Law 201-. P.93/2012.
Lodged: 3rd October 2012.
Chief Minister.
- * Draft Incorporated Limited Partnerships (Annual Additional Charge) (Jersey) P.94/2012.
Regulations 201-.
Lodged: 8th October 2012.
Minister for Economic Development.
- * Draft Separate Limited Partnerships (Annual Additional Charge) (Jersey) P.95/2012.
Regulations 201-.
Lodged: 8th October 2012.
Minister for Economic Development.
- * Draft Limited Partnerships (Annual Additional Charge) (Jersey) Regulations 201-. P.96/2012.
Lodged: 8th October 2012.
Minister for Economic Development.
- * Old Age Pension: increase for 2012. P.97/2012.
Lodged: 9th October 2012.
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

I. QUESTIONS

(a) – Written Questions

(attached)

1. The Minister for Home Affairs will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the return of property confiscated by the States of Jersey Police during investigations.
2. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the fibre optic roll-out by Jersey Telecom.
3. The Minister for Treasury and Resources will table an answer to a question asked by Deputy S. Pitman of St. Helier regarding the decision to refund GST on visitors' purchases worth over £300.
4. The Minister for Treasury and Resources will table an answer to a question asked by Senator S.C. Ferguson regarding the redemption of the 9% preference shares of Jersey Telecoms.
5. The Minister for Education, Sport and Culture will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the teaching of modern foreign languages from 2002 to 2012.
6. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the possibility of further discretionary fiscal stimulus projects within the Medium Term Financial Plan.
7. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the capping of the population at around 100,000.
8. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding a detailed breakdown of the reductions in expenditure outlined in the draft Medium Term Financial Plan.
9. The Chief Minister will table an answer to a question asked by Deputy J.A.N. Le Fondré of St. Lawrence regarding the participants in the recent recruitment process for the post of Chief Executive.
10. The Minister for Economic Development will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the number of gambling licences granted since the enactment of the Gambling (Jersey) Law 2012.
11. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding problems at the Energy from Waste Plant.
12. The Minister for Planning and Environment will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding responses to questions outstanding since January 2012 relating to enforcement matters.



13. The Chief Minister will table an answer to a question asked by Deputy J.A.N. Le Fondré of St. Lawrence regarding the various groups which inform/influence the workings of a Department, and/or the development of Ministerial proposals, decisions or policies.

(b) – Oral Questions

(120 minutes)

- * The following oral question shown on the main Order Paper has been deferred until the meeting of 23rd October 2012 and consequently Deputy Power's second question moves up the listing from number 17 to number 9 –

Deputy S.S.P.A. Power of St. Brelade will ask the following question of H.M. Attorney General –

“Does H.M. Attorney General consider that sanction by the Privy Council of the Draft Control of Housing and Work (Jersey) Law 201- could be delayed owing to the complex provisions contained therein and, if so, what action, if any, can be taken?”

1. Deputy T.M. Pitman of St. Helier will ask the following question of the Chief Minister –

“What consideration, if any, was given to mirroring the key priorities of the United Kingdom's Justice Ministry to ‘uphold people's civil liberties’ and ‘increase confidence in the justice system’ when the Ministerial system of government was adopted and what action, if any, is now being taken to protect local people against abuse of the law through the existing system?”

2. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Chairman of Privileges and Procedures Committee –

“Could the Chairman state when the Electoral Commission and the Privileges and Procedures Committee (PPC) Sub Panel on the Machinery of Government are scheduled to present their reports and what steps, if any, have been taken by PPC to ensure that the proposals relate to each other?”

3. The Connétable of St. John will ask the following question of the Minister for Health and Social Services –

“Further to the power cut on 25th/26th September 2012, would the Minister advise what back-up, if any, was in place over the four hour period to maintain communications at the hospital and how long did it take to get all the equipment back on stream?”

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

“Further to the written answer he provided on 25th September 2012, would the Chief Minister arrange for the release of the correspondence between the Minister for Treasury and Resources and the ex-Interim Treasurer from June 2012, in order to allay any suspicion that the latter's letter criticising the Comptroller and Auditor General may have been solicited by the Minister for Treasury and Resources and, if not, why not?”

5. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Health and Social Services –

“Will the Minister inform members what investigations or treatments, if any, can no longer be performed on Island but now take place in Guernsey and is the Minister confident that the measures that are in place to ensure that patients who need such off-Island treatment can meet the travel costs involved?”



6. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Social Security –

“Will the Minister outline what proposals he has for a new Maternity and Paternity leave scheme and advise when these will be lodged for consideration by the Assembly?”
7. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Could the Minister advise whether the Managed Print Service tender process was compromised by one of the competing parties to the tender receiving copies of another participant’s tender documents?”
8. The Deputy of St. Mary will ask the following question of the Minister for Planning and Environment –

“Given that the Fiscal Policy Panel report last week emphasised the importance of bringing forward capital projects, what action, if any, is the Minister taking to ensure that much needed social and private housing will be given priority for development?”
9. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Transport and Technical Services –

“Can the Minister advise whether a study was carried out some years ago into the prospect of purchasing a 30 metre 200 m³ hopper barge, for shared use with the Harbours Department, in order to remove sea-lettuce from St. Aubin’s Bay?”
10. Deputy M. Tadier of St. Brelade will ask the following question of the Chief Minister–

“Following claims by a UK MP that four individuals have obtained an injunction under the Data Protection (Jersey) Law 2005, to prevent allegations being made about them on a blog, is the Chief Minister aware of super injunctions being used in Jersey and, if so, has taxpayers’ money been used to deal with cases under the Data Protection Law which might otherwise be pursued as civil libel and defamation cases?”
11. Deputy J.M. Maçon of St. Saviour will ask the following question of the Minister for Treasury and Resources –

“Would the Minister confirm that the Education, Sport and Culture Department was notified that profits from the summer lottery would be used to fund the Jersey Heritage Trust and, if so, as the lottery did not generate the amounts anticipated, from where will the Treasury Department meet the funding commitments to the Trust in 2012 and onwards?”
12. Deputy J.H. Young of St. Brelade will ask the following question of the Minister for Planning and Environment –

“Further to the adoption of an amendment to the Island Plan 2011, will the Minister inform the Assembly whether the supplementary planning guidance on the operation of Policy H3: affordable housing, will soon be lodged for debate by this Assembly and, if not, will he take urgent action to bring forward a policy to ensure affordable homes are available for first time buyers?”



13. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Treasury and Resources –

“Following concerns raised by some constituents, will the Minister, as the shareholder representative, explain whether any targets exist for the delivery of residential post by a certain time of the day and, if not, why not and, if so, how is the success of meeting these targets measured?”

14. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Treasury and Resources –

“In the light of the advice given in the latest Fiscal Policy Panel report what changes, if any, to the Medium Term Financial Plan does the Minister have under consideration and when will he reveal any such changes to the States?”

15. Deputy T.M. Pitman will ask the following question of the Minister for Economic Development –

“As the idea was discounted in December 2004, is the proposal to establish a university in Jersey now considered to be more economically viable and, if so, why?”

16. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Education, Sport and Culture –

“Have the schools been given copies of the Managed Print Service Contract with Danwood negotiated by the States Procurement Team and, if so, when did they receive them and what feedback, if any, has the Minister received as to whether schools are achieving greater savings and getting a better, comparable or worse service than under their previous contracts?”

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

“Is there a requirement that Crown and public servants accused of criminal offences must first face criminal trial and what impact does this have on possible disciplinary proceedings?”

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

1st question period – Minister for Social Security

2nd question period – Chief Minister

*** (d) – Urgent Oral questions**

The following urgent oral question has been approved by the Bailiff and will be asked at the present meeting after (c) Questions to Ministers without notice –

Deputy G.P. Southern of St. Helier will ask the following urgent oral question of the Minister for Transport and Technical Services –

“What steps has the Minister taken and what further action does he propose to ensure that CT Plus withdraws its deadline of 12th October 2012 for agreement to markedly changed terms and conditions for the Island’s bus drivers in order that further industrial action can be prevented?”



J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Incorporation of Ports of Jersey. P.70/2012.
Lodged: 27th July 2012.
Minister for Economic Development.

* Incorporation of Ports of Jersey (P.70/2012): comments. P.70/2012.
Presented: 9th October 2012. Com.
Economic Affairs Scrutiny Panel.

Historic Abuse Redress Scheme: approval by the States Assembly. P.80/2012.
Lodged: 3rd September 2012.
Deputy M.R. Higgins of St. Helier.

* Historic Abuse Redress Scheme: approval by the States Assembly (P.80/2012) – P.80/2012.
comments. Com.
Presented: 8th October 2012.
Council of Ministers.

Draft Social Security (Amendment No. 20) (Jersey) Law 2012 (Appointed Day) Act P.81/2012.
201-.
Lodged: 10th September 2012.
Minister for Social Security.

Jersey Police Complaints Authority: appointment of Chairman and members. P.83/2012.
Lodged: 11th September 2012.
Minister for Home Affairs.

M. ARRANGEMENT OF PUBLIC BUSINESS

23rd October 2012

Health and Social Services: A New Way Forward. P.82/2012.
Lodged: 11th September 2012.
Council of Ministers.

* Health and Social Services: A New Way Forward (P.82/2012) – amendment. P.82/2012.
Lodged: 9th October 2012. Amd.
Health, Social Security and Housing Scrutiny Panel.

Draft Health Care Registration (No. 4) (Jersey) Regulations 201-. P.84/2012.
Lodged: 11th September 2012.
Minister for Health and Social Services.

Public Employees Contributory Retirement Scheme: Committee of Management – P.87/2012.
appointment of members.
Lodged: 24th September 2012.
Chief Minister.



6th November 2012

- Medium Term Financial Plan 2013 – 2015. P.69/2012.
Lodged: 23rd July 2012.
Council of Ministers.
- Ratification of the Agreement for the exchange of information relating to Tax Matters between the Government of Jersey and the Government of the Republic of Austria. P.85/2012.
Lodged: 17th September 2012.
Chief Minister.
- Draft Taxation (Exchange of Information with Third Countries) (Amendment No. 5) (Jersey) Regulations 201-. P.86/2012.
Lodged: 24th September 2012.
Chief Minister.
- Draft Health Insurance Fund (Miscellaneous Provisions) (Amendment) (Jersey) Law 201-. P.88/2012.
Lodged: 25th September 2012.
Minister for Social Security.
- Draft Social Security (Amendment of Law No. 3) (Jersey) Regulations 201-. P.89/2012.
Lodged: 25th September 2012.
Minister for Social Security.
- Police Station Relocation: review of decision. P.92/2012.
Lodged: 2nd October 2012.
Deputy J.A. Martin of St. Helier.
- * Old Age Pension: increase for 2012. P.97/2012.
Lodged: 9th October 2012.
Deputy G.P. Southern of St. Helier.

20th November 2012

- Plémont Holiday Village – acquisition by the public and sale to the National Trust for Jersey. P.90/2012.
Lodged: 27th September 2012.
Chief Minister.
- Draft Debt Relief (Developing Countries) Jersey Law 201-. P.91/2012.
Lodged: 1st October 2012.
Chief Minister.
- Draft Royal Court (Amendment No. 13) (Jersey) Law 201-. P.93/2012.
Lodged: 3rd October 2012.
Chief Minister.
- * Draft Incorporated Limited Partnerships (Annual Additional Charge) (Jersey) Regulations 201-. P.94/2012.
Lodged: 8th October 2012.
Minister for Economic Development.
- * Draft Separate Limited Partnerships (Annual Additional Charge) (Jersey) Regulations 201-. P.95/2012.
Lodged: 8th October 2012.
Minister for Economic Development.



- * Draft Limited Partnerships (Annual Additional Charge) (Jersey) Regulations 201-. P.96/2012.
Lodged: 8th October 2012.
Minister for Economic Development.

M.N. DE LA HAYE
Greffier of the States

8th October 2012

Note –

An asterix * in the left-hand margin denotes either a new item added to this Order Paper since the principal Order Paper was published on 4th October 2012, or an item which has been moved.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.115/2012.

This Order amends the Community Provisions (Restrictive Measures – Syria) (Jersey) Order 2012, which gives effect to Council Regulation (EU) No. 36/2012 concerning restrictive measures in view of the situation in Syria. The amendment gives effect to Council Regulation (EU) No. 867/2012, which amends the first mentioned Council Regulation.

The amendments made by Council Regulation (EU) No. 867/2012 require a person exporting goods to Syria pursuant to an authorisation to produce the authorisation; widen the existing prohibition on the supply of equipment, technology or assistance for use in the construction of power plants in Syria; and introduce further circumstances in which the competent authority for Jersey may authorise the transfer of funds or economic resources to or in connection with Syria.

The Order was made on 5th October 2012 and came into force on 6th October 2012.