



# STATES OF JERSEY ORDER PAPER

Tuesday 15th January 2013

at 10.15 a.m.

CONSOLIDATED

## A. COMMUNICATIONS BY THE PRESIDING OFFICER

## B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

Community Provisions (Restrictive Measures – Syria) (Amendment No. 9) (Jersey) Order 2012. R&O.145/2012.  
*Deputy Chief Minister for and on behalf of Chief Minister.*

Public Finances (Accounting Standards) (No. 2) (Jersey) Order 2012. R&O.146/2012.  
*Minister for Treasury and Resources.*

Intellectual Property (Unregistered Rights) (Miscellaneous Provisions) (Jersey) Order 2012. R&O.149/2012.  
*Minister for Economic Development.*

Intellectual Property (Unregistered Rights) (Fees) (Jersey) Order 2012. R&O.150/2012.  
*Minister for Economic Development.*

Intellectual Property (Unregistered Rights) (Proceedings Before Licensing Authority) (Jersey) Order 2012. R&O.151/2012.  
*Minister for Economic Development.*

Intellectual Property (Unregistered Rights) (Works of Foreign Provenance) Order 2012. R&O.152/2012.  
*Minister for Economic Development.*

Companies (Designated Body) (Jersey) Order 2012. R&O.153/2012.  
*Minister for Economic Development.*

Bankruptcy (Désastre) (Amendment) (Jersey) Order 2012. R&O.154/2012.  
*Minister for Economic Development.*

Sand Racing (No. 2) (Jersey) Order 2012. R&O.159/2012.  
*Minister for Transport and Technical Services.*

Road Racing (Hill Climbs and Sprints) (No. 2) (Jersey) Order 2012. R&O.160/2012.  
*Minister for Transport and Technical Services.*

Social Security (Contributions) (Amendment No. 13) (Jersey) Order 2012. R&O.161/2012.  
*Minister for Social Security.*

Social Security (Miscellaneous Provisions No. 2) (Jersey) Order 2012. R&O.162/2012.  
*Minister for Social Security.*

Social Security (Home Carer's Allowance) (Jersey) Order 2012. R&O.163/2012.  
*Minister for Social Security.*



Planning and Environment (2013 Fees) (Jersey) Order 2012. <i>Minister for Planning and Environment.</i>	R&O.164/2012.
Health Care (Registration) (Prescribed Qualifications) (Amendment No. 5) (Jersey) Order 2012. <i>Minister for Health and Social Services.</i>	R&O.165/2012.
Health and Social Services (2013 Fees) (Jersey) Order 2012. <i>Minister for Health and Social Services.</i>	R&O.166/2012.
Planning and Building (General Development) (Amendment) (Jersey) Order 2012. <i>Minister for Planning and Environment.</i>	R&O.167/2012.
Artificial Insemination of Domestic Animals (Bovine Semen) (Amendment) (Jersey) Order 2012. <i>Minister for Planning and Environment.</i>	R&O.168/2012.
Fire and Rescue Service (Charges) (Amendment) (Jersey) Order 2012. <i>Minister for Home Affairs.</i>	R&O.169/2012.
Fire Precautions (Fees) (Amendment No. 2) (Jersey) Order 2012. <i>Minister for Home Affairs.</i>	R&O.170/2012.
Fire Precautions (Prescribed Forms) (Jersey) Order 2012. <i>Minister for Home Affairs.</i>	R&O.171/2012.

### **C. DOCUMENTS PRESENTED OR LAID**

* Connétables and other parish officials: explanatory document and new legislation (P.119/2012) – comments. Presented: 15th January 2013. <i>Council of Ministers.</i>	P.119/2012. Com.(2)
States Members' remuneration: proposed increase for 2013 (P.127/2012) – comments. Presented: 21st December 2012. <i>Privileges and Procedures Committee.</i>	P.127/2012. Com.
* States Members' remuneration: proposed increase for 2013 (P.127/2012) – additional comments. Presented: 14th January 2013. <i>Privileges and Procedures Committee.</i>	P.127/2012. Com.(2)
Sea Transport Policy: direction to the Harbour Master concerning ferry services. Presented: 19th December 2012. <i>Minister for Economic Development.</i>	R.144/2012.
Land Transactions under Standing Order 168(3) – acquisition of 'Life-Long' Homes on Fields 516, 517 and 518, La Rue de Patier, St. Saviour. Presented: 20th December 2012. <i>Minister for Treasury and Resources.</i>	R.145/2012.
Budget Management Report for the period ended 30th June 2012. Presented: 20th December 2012. <i>Minister for Treasury and Resources.</i>	R.146/2012.



	Land Transactions under Standing Order 168(3) – (a) V12S Victoria Pier, V36 Victoria Pier, B003G Jersey Airport – lease; (b) V26A Victoria Pier, A20, A21, A25 and A24 Albert Pier – lease; (c) Wellington Hill, St. Saviour – new bus lay-by. Presented: 9th January 2013. <i>Minister for Treasury and Resources.</i>	R.1/2013. (re-issue)
*	Electoral Commission Final Report January 2013. Presented: 14th January 2013. <i>Privileges and Procedures Committee.</i>	R.2/2013.
	Ash Disposal. Presented: 17th December 2012. <i>Environment Scrutiny Panel.</i>	S.R.20/2012.
*	Tourism Shadow Board. Presented: 14th January 2013. <i>Economic Affairs Scrutiny Panel.</i>	S.R.1/2013.
<b>D. NOTIFICATION OF LODGED PROPOSITIONS</b>		
*	Minister for Justice and Department of Justice: report (P.120/2012) – amendment. Lodged: 15th January 2013. <i>Senator L.J. Farnham.</i>	P.120/2012. Amd.
	Statistics User Group: appointment of Chairman. Lodged: 27th December 2012. <i>Chief Minister.</i>	P.137/2012.
	Comptroller and Auditor General: appointment. Lodged: 28th December 2012. <i>Chief Minister.</i>	P.138/2012.
	St. Helier Harbour: creation of cycle track. Lodged: 7th January 2013. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.1/2013.
	Draft Control of Housing and Work (Residential and Employment Status) (Jersey) Regulations 201-. Lodged: 11th January 2013. <i>Chief Minister.</i>	P.2/2013.
	Draft Control of Housing and Work (Transitional and Consequential) (Jersey) Regulations 201-. Lodged: 11th January 2013. <i>Chief Minister.</i>	P.3/2013.
*	Code of Conduct for Elected Members: Commissioner for Standards. Lodged: 14th January 2013. <i>Privileges and Procedures Committee.</i>	P.4/2013.
*	Draft Referendum (Reform of States Assembly) (Jersey) Act 201-. Lodged: 15th January 2013. <i>Privileges and Procedures Committee.</i>	P.5/2013.



## **E. WITHDRAWAL OF LODGED PROPOSITIONS**

In accordance with Standing Order 34(1), the proposer of the following proposition lodged 'au Greffe' has informed the Greffier of the States that it is to be withdrawn –

St. Helier Harbour: creation of cycle track.

P.1/2013.

Lodged: 7th January 2013.

*Deputy G.C.L. Baudains of St. Clement.*

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

Resignation of the Connétable of St. Brelade from the Education and Home Affairs scrutiny panel.

Nomination of Deputy M. Tadier of St. Brelade as a member of the Education and Home Affairs scrutiny panel.

## **G. MATTERS OF PRIVILEGE**

## **H. PETITIONS**

## **I. QUESTIONS**

### **(a) – Written Questions**

*(attached)*

Question 1 was deferred from the meeting of 11th December 2012 at the request of the Minister for Social Security and therefore appears in addition to Deputy M.R Higgins of St. Helier's five other written questions.

1. The Minister for Social Security will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding Health Insurance Fund payments to doctors.
2. The Minister for Economic Development will table an answer to a question asked by the Connétable of St. John regarding the economic benefit to the Island of the Hangar8 project.
3. The Chief Minister will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the number of 'J' category permits converted to allow permanent residence in the past 5 years.
4. The Minister for Treasury and Resources will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the 'Gigabit Jersey' project.
5. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the recent sewer repairs along St. Clement's Coast Road.
6. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the average daily usage and the cost of administering the Island's cycle path network.
7. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding waiting times for hospital appointments with consultants.



8. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the funding of nurses' pay awards.
9. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the screening of the Energy from Waste plant.
10. The Minister for Transport and Technical Services will table an answer to a question asked by the Deputy of St. Martin regarding the roads resurfacing schedule for 2013.
11. The Minister for Housing will table an answer to a question asked by Deputy R.J. Rondel of St. Helier regarding the delivery of affordable housing.
12. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding company tax returns.
13. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact that the continued payment of funds to the Treasury will have on the ability to fund the Housing Transformation Project.
14. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the recovery of Income Support overpayments.
15. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the negotiation of a Foreign Account Tax Compliance Act agreement with the UK authorities.
16. The Minister for Planning and Environment will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the procedures followed after receiving the Planning Inspector's report in relation to Plémont.
17. The Minister for Planning and Environment will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the planning obligation agreement associated with the development of the Plémont Bay Holiday Village site.
18. H.M. Attorney General will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the legal impact of a the planning obligation agreement associated with the development of the Plémont Bay Holiday Village site.
19. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the final total cost of the Low Value Consignment Relief Court case.
20. The Minister for Treasury and Resources will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the final cost of failing to hedge the Euro for the Energy for Waste Plant.
21. The Minister for Economic Development will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the final contribution from the fulfilment industry towards the costs of the Low Value Consignment Relief Court case.
22. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding patients treated at Orchard House over the past 5 years.
23. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the operation of the Energy from Waste Plant.



**(b) – Oral Questions**

(120 minutes)

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

“Does the Chief Minister plan to propose the creation of a Minister for External Relations and, if so, has he considered how this would impact on the so-called ‘Troy’ rule in the eventuality of the number of States Members being reduced as proposed by the Electoral Commission?”

2. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Minister for Social Security –

“What steps, if any, are in place to prevent overprescribing by GP’s and how many such cases have been identified by the Department in the last 5 years?”

3. The Connétable of St John will ask the following question of the Minister for Economic Development –

“As members have been given a cost profile for the new Police Station and other major projects, will the Minister identify a projected cost range for the Hanger8 project to fully inform States Members and, if not, why not?”

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

“Will the Minister provide an estimate of the cost incurred by Department in respect of the surveillance, arrest, security and conviction of Curtis Warren and associates and the cost to date of the investigation and subsequent disciplinary action being pursued against three of the officers involved in the said case?”

5. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Planning and Environment –

“With regard to the recent fish monitoring exercise in Portelet Bay, would the Minister advise how many staff were involved, the total cost and what this achieved?”

6. Deputy R.J. Rondel of St. Helier will ask the following question of the Minister for Home Affairs –

“Given the United Kingdom’s ‘unprecedented baby boom’, would the Minister advise the Assembly whether the same situation is being experienced in Jersey and also advise the Assembly of the total births in Jersey in 2012 against deaths?”

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

“Will the Minister inform members when he will bring the Housing Transformation Plan (HTP) to the Assembly for debate and what provision, if any, will he make to ensure that members can examine in detail the figures which underpin the business case for the Plan?”

8. The Deputy of St. Martin will ask the following question of the Minister for Transport and Technical Services –

“Is the Minister satisfied with the current condition of the Island’s roads?”



9. Deputy R.J. Rondel of St. Helier will ask the following question of the Minister for Transport and Technical Services –

“Would the Minister advise the Assembly why the new bus timetables were not printed in the Island?”

10. Deputy M. Tadier of St. Brelade will ask the following question of H.M. Attorney General –

“Will H.M. Attorney General provide an estimate of the prosecution costs in respect of the conviction of Curtis Warren and associates, including the appeal case, and advise what steps, if any, have been taken to recover the court and case costs?”

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

“Will the Chief Minister outline for members the schedule for negotiating Foreign Account Tax Compliance Act (FATCA) agreements with the United Kingdom (UK) and United States and advise what implications, if any, the Isle of Man’s agreement to a FATCA with the UK has for Jersey?”

12. The Connétable of St. John will ask the following question of the Minister for Treasury and Resources –

“Would the Minister, as the shareholder representative, investigate the above the cost of living charges made by the Jersey Electricity Company and ascertain why profits were used to provide some home owners with thermal insulation grants when these funds could have benefited all households by lowering electricity bills?”

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

“Will the Minister clarify how much taxpayers’ money has thus far been spent in support of the four individuals bringing actions under the Data Protection (Jersey) Law 2005, relating to the internet?”

14. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Transport and Technical Services –

“With regard to the abandoned harbour cycle track project, would the Minister advise what consultation took place, with whom and when, the cost of the project to date (including Planning fees) and when the application was withdrawn?”

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

1st question period – Minister for Social Security

2nd question period – Chief Minister

**J. PERSONAL STATEMENTS**

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

**L. PUBLIC BUSINESS**



	Connétables and other parish officials: explanatory document and new legislation. Lodged: 6th November 2012. <i>Deputy M.R. Higgins of St. Helier.</i>	P.119/2012.
	Connétables and other parish officials: explanatory document and new legislation (P.119/2012) – comments. Presented: 11th December 2012. <i>Comité des Connétables.</i>	P.119/2012. Com.
*	Connétables and other parish officials: explanatory document and new legislation (P.119/2012) – comments. Presented: 15th January 2013. <i>Council of Ministers.</i>	P.119/2012. Com.(2)
	Greville Bathe Fund: appointment of Jurat. Lodged: 16th November 2012. <i>Minister for Treasury and Resources.</i>	P.123/2012.
	Draft Community Provisions (Goods Infringing Intellectual Property Rights) (Jersey) Regulations 201-. Lodged: 27th November 2012. <i>Minister for Home Affairs.</i>	P.125/2012.
	Draft Public Employees (Contributory Retirement Scheme) (States of Jersey Prison Service – Amendments) (Jersey) Regulations 201-. Lodged: 29th November 2012. <i>States Employment Board.</i>	P.126/2012.
	States Members’ remuneration: proposed increase for 2013. Lodged: 3rd December 2012. <i>Connétable of St. Saviour.</i>	P.127/2012.
	States Members’ remuneration: proposed increase for 2013 (P.127/2012) – comments. Presented: 21st December 2012. <i>Privileges and Procedures Committee.</i>	P.127/2012. Com.
*	States Members’ remuneration: proposed increase for 2013 (P.127/2012) – additional comments. Presented: 14th January 2013. <i>Privileges and Procedures Committee.</i>	P.127/2012. Com.(2)
	Draft Limited Liability Partnerships (Amendment of Law) (Jersey) Regulations 201-. Lodged: 4th December 2012. <i>Minister for Economic Development.</i>	P.132/2012.
	Draft Income Tax (Amendment No. 42) (Jersey) Law 201-. Lodged: 4th December 2012. <i>Minister for Treasury and Resources.</i>	P.133/2012.
	Jersey Appointments Commission: appointment of Commissioner. Lodged: 13th December 2012. <i>Chief Minister.</i>	P.136/2012.





- \* The Chief Minister has given notice that he will ask the States to reduce the lodging period under Standing Order 26(7) and to suspend Standing Order 32 to allow the following proposition to be debated at the present meeting –

Comptroller and Auditor General: appointment. P.138/2012.  
Lodged: 28th December 2012.  
*Chief Minister.*

## M. ARRANGEMENT OF PUBLIC BUSINESS

### 29th January 2013

Minister for Justice and Department of Justice: report. P.120/2012.  
Lodged: 13th November 2012.  
*Senator L.J. Farnham.*

- \* Minister for Justice and Department of Justice: report (P.120/2012) – amendment. P.120/2012.  
Lodged: 15th January 2013. Amd.  
*Senator L.J. Farnham.*

Draft Civil Partnership (Consequential Amendments) (No. 2) (Jersey) Regulations 201-. P.128/2012.  
Lodged: 4th December 2012.  
*Chief Minister.*

Ratification of the Agreement for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income between the Government of Jersey and the Government of the Republic of Singapore. P.129/2012.  
Lodged: 4th December 2012.  
*Chief Minister.*

Draft Taxation (Double Taxation) (Amendment) (Jersey) Regulations 201-. P.130/2012.  
Lodged: 4th December 2012.  
*Chief Minister.*

Higher Education Grants: method of assessment. P.134/2012.  
Lodged: 11th December 2012.  
*Deputy G.C.L. Baudains of St. Clement.*

Draft Motor Traffic (Third Party Insurance) (Cost Recovery) (Jersey) Regulations 201-. P.135/2012.  
Lodged: 13th December 2012.  
*Minister for Health and Social Services.*

Statistics User Group: appointment of Chairman. P.137/2012.  
Lodged: 27th December 2012.  
*Chief Minister.*

### 19th February 2013

Police Station Relocation: review of decision (as amended). P.92/2012.  
Lodged: 2nd October 2012.  
*Deputy J.A. Martin of St. Helier.*

Police Station Relocation: review of decision (P.92/2012) – comments. P.92/2012.  
Presented: 19th November 2012. Com.  
*Council of Ministers.*



- Police Station Relocation: review of decision (P.92/2012) – comments. P.92/2012.  
Presented: 20th November 2012. Com.(2)  
*Minister for Planning and Environment.*
- Committee of Inquiry: Historical Child Abuse. P.118/2012.  
Lodged: 6th November 2012.  
*Council of Ministers.*
- \* Draft Referendum (Reform of States Assembly) (Jersey) Act P.5/2013.  
201-.  
Lodged: 15th January 2013.  
*Privileges and Procedures Committee.*
- 5th March 2013**
- Starter Home Deposit Loan Scheme. P.131/2012.  
Lodged: 4th December 2012.  
*Minister for Treasury and Resources.*
- Draft Control of Housing and Work (Residential and Employment Status) (Jersey) P.2/2013.  
Regulations 201-.  
Lodged: 11th January 2013.  
*Chief Minister.*
- Draft Control of Housing and Work (Transitional and Consequential) (Jersey) P.3/2013.  
Regulations 201-.  
Lodged: 11th January 2013.  
*Chief Minister.*
- \* Code of Conduct for Elected Members: Commissioner for Standards. P.4/2013.  
Lodged: 14th January 2013.  
*Privileges and Procedures Committee.*

**19th March 2013**

- Jersey Innovation Fund: establishment, funding and operation. P.124/2012.  
Lodged: 20th November 2012.  
*Minister for Treasury and Resources.*

**M.N. DE LA HAYE**  
**Greffier of the States**

14th January 2013

**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 10th January 2013, or an item which has been moved.**