



STATES OF JERSEY ORDER PAPER

Tuesday 8th March 2016

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Tourism (General Provisions) (Amendment No. 20) (Jersey) Order 2016. R&O.25/2016.
Minister for Economic Development, Tourism, Sport and Culture.

Fire and Rescue Service (Charges) (Amendment No. 3) (Jersey) Order 2016. R&O.26/2016.
Minister for Home Affairs.

C. DOCUMENTS PRESENTED OR LAID

Planning Applications Committee Decisions: report for 2015. R.18/2016.
Presented: 25th February 2016.
Planning Applications Committee.

Review of Financial Management – Part 2. R.19/2016.
Presented: 25th February 2016.
Comptroller and Auditor General.

States of Jersey Law 2005: delegation of functions – Housing – Residential Tenancy (Jersey) Law 2011. R.20/2016.
Presented: 2nd March 2016.
Minister for Housing.

Jersey Child Care Trust: re-appointment of Chairman. R.21/2016.
Presented: 2nd March 2016.
Minister for Education.

Draft Budget 2016 (S.R.10/2015): response of the Minister for Treasury and Resources. S.R.10/2015.
Presented: 2nd March 2016. Res.
Minister for Treasury and Resources.

D. NOTIFICATION OF LODGED PROPOSITIONS

Draft Education (Provided Schools – Amendment of Law) (Jersey) Regulations 201-. P.14/2016.
Lodged: 29th February 2016.
Minister for Education.

Draft Education (Amendment No. 3) (Jersey) Law 201-. P.15/2016.
Lodged: 29th February 2016.
Minister for Education.

Draft Pet Travel Scheme (Amendment No. 2) (Jersey) Regulations 201-. P.16/2016.
Lodged: 29th February 2016.
Minister for the Environment.



Draft Animal Health (Jersey) Law 201-. P.17/2016.
Lodged: 29th February 2016.
Minister for the Environment.

Draft EU Legislation (Aquatic Animal Health) (Jersey) Regulations 201-. P.18/2016.
Lodged: 29th February 2016.
Minister for the Environment.

Draft Telecommunications (Amendment No. 3) and Crime (Miscellaneous P.19/2016.
Provisions) (Jersey) Law 201-.
Lodged: 1st March 2016.
Chief Minister.

Draft Intellectual Property (Plant Varieties) (Jersey) Law 201-. P.20/2016.
Lodged: 2nd March 2016.
Chief Minister.

Jersey Police Complaints Authority: re-appointment of members. P.21/2016.
Lodged: 2nd March 2016.
Minister for Home Affairs.

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 the Connétable of Grouville regarding duty free hydrocarbon oil.
2. The Chief Minister will table an answer to a question asked by Deputy S.M. Wickenden of St. Helier regarding the eGovernment Design Authority tender.
3. The Chief Minister will table an answer to a question asked by Deputy S.M. Wickenden of St. Helier regarding assistance being provided by Digital Jersey in the delivery of eGovernment.
4. The Minister for Health and Social Services will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the costs of the future hospital consultation.
5. The Minister for Treasury and Resources will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding car parking at the International Finance Centre.
6. The Minister for Treasury and Resources will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the staff cost savings set out in the Medium Term Financial Plan.



7. The Minister for Home Affairs will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the introduction of a new criminal offence for inciting racial or religious hatred.
8. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. Ouen regarding the amount of Income Tax to be collected following the assessment of the Social Security pension entitlement for 2015.
9. The Chief Minister will table an answer to a question asked by the Deputy of St. John regarding the engagement of consultants by departments.
10. The Minister for Social Security will table an answer to the following question asked by Deputy M. Tadier of St. Brelade regarding the accommodation components of Income Support.
11. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. John regarding a possible review of the States of Jersey finance function.
12. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding rental support available to low-income families.
13. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the rental component of Income Support.
14. The Minister for Infrastructure will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the outsourcing of cleaning and gardening services.
15. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact of staffing reductions upon the Career Average Revalued Earnings pension scheme.
16. The Chief Minister will table an answer to a question asked by Deputy S.M. Wickenden of St. Helier regarding the skills required by Jersey's digital industry.
17. The Chief Minister will table an answer to question asked by Deputy S.M. Wickenden of St. Helier regarding the support provided to Jersey's digital industry in accordance with the objectives of the Strategic Plan.
18. The Chief Minister will table an answer to a question asked by the Deputy of St. John regarding the cost of consultants and advisors.

(b) – Oral Questions

(120 minutes)

1. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Infrastructure –

“Would the Minister advise how many Parks and Gardens staff and cleaners are at risk of redundancy as a result of the outsourcing proposals?”
2. The Deputy of Grouville will ask the following question of the Minister for Infrastructure –

“Has a comparative in-depth analysis been carried out on the cost of the redundancies being made in the Department together with the possible rise in Income Support costs, against the cost to the States of buying-in the services required from the private sector and, if so, will he provide this information to the Assembly, and also advise how many civil service staff, including managers, will be impacted by the changes?”



3. The Connétable of St. Helier will ask the following question of the Minister for Infrastructure –
“What conclusions, if any, has the Minister been able to draw from the recent traffic survey reports compiled by Jersey in Transition?”
4. Deputy S.Y. Mézec of St. Helier will ask the following question of the Minister for Infrastructure –
“In the context of outsourcing Infrastructure jobs to the private sector, could the Minister explain what factors are taken into account when deciding what constitutes a ‘responsible employer’?”
5. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Infrastructure –
“Can the Minister advise whether it is the intention for the new outsourced provision of Department for Infrastructure cleaning and gardening services to be in place by September 2016, or if the date has changed, and, if so, what is the new timetable?”
6. Deputy A.D. Lewis of St. Helier will ask the following question of the Minister for Infrastructure –
“Can the Minister advise why States property assets such as Fort Regent swimming pool, Piquet House, La Folie Inn and St. Martin’s School have not been either refurbished, leased, sold, disposed of or put to alternative use, and can he reassure the public that not capitalising on such assets is in the best interest of the public purse and in full compliance with Property Holdings’ remit?”
7. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Infrastructure –
“How many meetings have been held with employees of the Department for Infrastructure and the Unions representing them about the proposed changes to service provision and what agreement, if any, has been reached regarding the principle of outsourcing and the way forward?”
8. Deputy M. Tadier of St. Brelade will ask the following question of the Chief Minister –
“Given that the Chief Minister stated in his election manifesto that he wished to ‘continue to work towards a community where everyone feels valued, welcomed, treated fairly and has a future’, can the Chief Minister, as Chairman of the States Employment Board, advise whether the proposed outsourcing and privatisation of certain jobs at the Department for Infrastructure is in line with these principles?”
9. The Connétable of St. Helier will ask the following question of the Minister for Health and Social Services –
“What is being done to monitor the Island’s air quality and what steps are being taken to improve it in areas where air quality is poor?”
10. Deputy S.Y. Mézec of St. Helier will ask the following question of the Minister for Infrastructure –
“What estimates, if any, has the Minister made of the social and economic impact of plans to outsource Department for Infrastructure jobs and has the likely impact on Income Tax receipts, Social Security receipts, supplementation costs, Income Support payments and short and long-term ill health payments to those who are made redundant been taken into account?”



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

“What account, if any, has the Minister taken of the reports of the European Services Strategy Unit research which found that more than a quarter of local government public-private partnerships over the last 15 years have failed?”

12. Deputy A.D. Lewis of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Can the Minister define a ‘middle earner’ and state at what earnings bracket a tax payer becomes a ‘high earner’?”

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

1st question period – Minister for Social Security

2nd question period – Minister for Home Affairs

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Public Employees Contributory Retirement Scheme Committee of Management: P.8/2016.
membership.
Lodged: 8th February 2016.
Chief Minister.

M. ARRANGEMENT OF PUBLIC BUSINESS

22nd March 2016

Draft Commissioner for Standards (Jersey) Law 201-. P.120/2015.
Lodged: 15th October 2015.
Privileges and Procedures Committee.

La Collette Low Rise Development: direction to Andium Homes Ltd. P.139/2015.
Lodged: 9th November 2015.
Deputy R. Labey of St. Helier.

Draft Children’s Property and Tuteurs (Jersey) Law 201-. P.156/2015.
Lodged: 15th December 2015.
Chief Minister.

Draft EU Legislation (Veterinary Checks – Imports from Third Countries) (Jersey) P.5/2016.
Regulations 201-.
Lodged: 29th January 2016.
Minister for the Environment.

Draft EU Legislation (Veterinary and Zootechnical Checks – Trade with Member P.6/2016.
States) (Jersey) Regulations 201-.
Lodged: 29th January 2016.
Minister for the Environment.



Draft Aircraft (Registration) (Amendment) (Jersey) Law 201-. Lodged: 2nd February 2016. <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	P.7/2016.
Electronic voting. Lodged: 17th February 2016. <i>Deputy G.P. Southern of St. Helier.</i>	P.10/2016.
Social Security Tribunal: appointment of Deputy Chairmen and re-appointment of members. Lodged: 23rd February 2016. <i>Minister for Social Security.</i>	P.11/2016.
Income Support Medical Appeal Tribunal: appointment of Deputy Chairmen. Lodged: 23rd February 2016. <i>Minister for Social Security.</i>	P.12/2016.
Social Security Medical Appeal Tribunal: appointment of Deputy Chairmen. Lodged: 23rd February 2016. <i>Minister for Social Security.</i>	P.13/2016.
<u>12th April 2016</u>	
Draft Pet Travel Scheme (Amendment No. 2) (Jersey) Regulations 201-. Lodged: 29th February 2016. <i>Minister for the Environment.</i>	P.16/2016.
Draft Animal Health (Jersey) Law 201-. Lodged: 29th February 2016. <i>Minister for the Environment.</i>	P.17/2016.
Draft EU Legislation (Aquatic Animal Health) (Jersey) Regulations 201-. Lodged: 29th February 2016. <i>Minister for the Environment.</i>	P.18/2016.
Draft Telecommunications (Amendment No. 3) and Crime (Miscellaneous Provisions) (Jersey) Law 201-. Lodged: 1st March 2016. <i>Chief Minister.</i>	P.19/2016.
Jersey Police Complaints Authority: re-appointment of members. Lodged: 2nd March 2016. <i>Minister for Home Affairs.</i>	P.21/2016.
<u>26th April 2016</u>	
Draft Former La Motte Street School (Validation and Abrogation of Covenants) (Jersey) Law 201-. Lodged: 17th February 2016. <i>Minister for Infrastructure.</i>	P.9/2016.
Draft Education (Provided Schools – Amendment of Law) (Jersey) Regulations 201-. Lodged: 29th February 2016. <i>Minister for Education.</i>	P.14/2016.



Draft Education (Amendment No. 3) (Jersey) Law 201-
Lodged: 29th February 2016.
Minister for Education.

P.15/2016.

Draft Intellectual Property (Plant Varieties) (Jersey) Law 201-
Lodged: 2nd March 2016.
Chief Minister.

P.20/2016.

L.-M. HART
Deputy Greffier of the States

3rd March 2016

Note –

In accordance with the meeting dates fixed for 2016 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 9th and Thursday 10th March 2016.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.25/2016.

This Order amends the Tourism (General Provisions) (Jersey) Order 1990 to remove the requirement in Article 25 for registered proprietors to keep records of registered guests on registered premises and to furnish the Minister with copies of such records. A similar provision which is contained in Article 4 of the Immigration Hotel Records (Jersey) Order 1999 remains in force.

The Order was made on 26th February 2016 and comes into force on 1st July 2016.

R&O.26/2016.

This Order increases, from 72 pence to 78 pence, the rate per square metre, per hour, charged for the inspection of commercial or public premises with a floor area of more than 100 square metres and the preparation of a fire safety report on the premises. The rate was last increased one year ago.

The Order was made on 29th February 2016 and came into force on 7th March 2016.



WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Home Affairs will table an answer to the following question asked by the Connétable of Grouville –

“Will the Minister for Home Affairs provide details, for each of the last three years, of –

- (a) the number of road side checks carried out by the Jersey Customs and Immigration Service to detect the misuse of Duty Free Hydrocarbon Oil (Red Diesel);
 - (b) any other checks or actions carried out by the Customs and Immigrations Service to detect misuse of Duty Free fuel, excluding checks carried out under the registration scheme that was launched in December 2015;
 - (c) the number of vehicles detected misusing Duty Free fuel in those checks or actions;
 - (d) the number of prosecutions that have resulted from those checks?”
2. The Chief Minister will table an answer to the following question asked by Deputy S.M. Wickenden of St. Helier –

“How many times did the eGovernment team travel to the UK to meet with UK companies that were tendering for the eGovernment Design Authority tender and how much did each visit cost?”

3. The Chief Minister will table an answer to the following question asked by Deputy S.M. Wickenden of St. Helier –

“Further to the answer tabled to question 9238 on 23rd February 2016 regarding the support provided to Jersey’s digital industry, could the Chief Minister advise how Digital Jersey is being mandated to assist in the eGovernment deliveries and what authority, if any, Digital Jersey will have over the eGovernment team to be able to meet the mandate given to them?”

4. The Minister for Health and Social Services will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier –

“Further to the Minister’s answer to written question 9230 tabled on 23rd February 2016, which asked for a breakdown of the costs of the Future Hospital consultation and showed that £12,720 had been spent on video recordings, for what reasons was such a sum spent on approximately 72 minutes of basic footage, which works out at around £177 per minute?”

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

“Further to the Minister’s answer to written question 9240 regarding the International Finance Centre, could the Minister elaborate on what he refers to as the ‘demand profile’?”

Can the Minister also set out a building delivery timeline that shows the car park ready by 2022, given the substantial number of buildings which need to be completed and the seemingly slow pace at which new tenants are being confirmed?”



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 how pension contributions, potential benefits payments to those who are unable to find work and potential reduced tax take have been factored into the department’s calculations when determining how to achieve the £60 million savings in staff costs set out in the Medium Term Financial Plan?”

What alternative plans does the Minister have should targets fail to be met due to the pursuit of the £60 million savings in order to ensure that damage is not caused to essential frontline services?”

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

“Further to the Minister’s answer to question 9209 tabled on 2nd February 2016 regarding the introduction of a new criminal offence for inciting racial or religious hatred, could the Minister provide an estimated timetable for the process of achieving this indicating when such a law could enter into force?”

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

“Would the Minister advise what additional amount of Income Tax the Comptroller of Taxes expects to collect as a result of assessing Social Security pension entitlement in 2015 over 53 weeks instead of the usual 52 weeks? Furthermore, what is the estimated number of pensioners who are likely to become liable for Income Tax for 2015 only as a result of having to declare an additional week’s pension entitlement? Of that figure, how many are single pensioners and how many are married or in civil partnerships?”

9. The Chief Minister will table an answer to the following question asked by the Deputy of St. John –

“What are the requirements set out by departments for engaging consultants and advisors to support decision making?”

What limits are set within budgets for such engagement?”

10. The Minister for Social Security will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“Further to the Minister’s answer to oral question 9264 asked on 23rd February 2016 regarding Income Support accommodation components, can she clarify what she means when she says of the 1,898 Income Support households in private sector rental, 48% are ‘below the cap’ and 52% ‘above the cap’?”

Further to her comments that ‘components were never designed to be incredibly generous; they are a modest assistance to low income families who are required to rent in the private sector’, is it the case that, with the move to 90% market rents for social housing providers, these components will now exceed the maximum components for those renting in the private sector; and if so, what is the justification for this?”



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

“Following the recent publication of the Comptroller and Auditor General’s report ‘Review of Financial Management – Part 2’ (R.19/2016), will the department be carrying out a full review of the finance function across the States of Jersey? If so, how will the review be undertaken? Will it require engagement from a consultant or advisor and would the Minister also provide a target date for the completion of any such review?”

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

“What housing policies have resulted in the apparent reduction in rental support available to low-income families, given the differences between the figures produced in the House Price Index for quarters three and four 2015 for average private sector rents and the accommodation component of Income Support?”

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

“Can the Minister account for the differences between the figures produced in the House Price Index for quarters three and four 2015 for average private sector rents and the accommodation component of Income Support contained in the following table which shows that the rental component of Income Support has not kept up with average rents in the private sector –

	Rent per month	Income Support per week
1-bedroom flat	£930	£181.30
2-bedroom flat	£1,450	£235.48
2-bedroom house	£1,500	£273.52
3-bedroom house	£1,900	£324.24
4-bedroom house	£2,500	£341.25

What policy decisions have led to this apparent reduction in real terms in rental support available to low-income families?

Why does rental support now not match real rents as used to be the case under the ‘fair rent’ policy and what impact has this had on the amount of support received by low income families comparing the situation in 2013 and 2015?”

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

“Will the Minister provide a breakdown of the short and long-term savings attached to his plans to outsource the cleaning and gardening services currently delivered by his department?”

15. The Chief Minister will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“What estimate has been made of the effect of achieving significant reductions in staffing within the next three years, and what impact would that have on the viability of the new Career Average Revalued Earnings (CARE) pension scheme?”



16. The Chief Minister will table an answer to the following question asked by Deputy S.M. Wickenden of St. Helier –

“Further to the answer tabled to question 9238 on 23rd February 2016 regarding the support provided to Jersey’s digital industry, could the Chief Minister advise what specialisms have been identified so far that Jersey is lacking, if any, and outline what the Government has done to inform the local digital community and education services of any such lack of skills?”

17. The Chief Minister will table an answer to the following question asked by Deputy S.M. Wickenden of St. Helier –

“Further to the answer tabled to question 9238 on 23rd February 2016 regarding the support provided to Jersey’s digital industry, could the Chief Minister advise –

- why it has taken almost a year to draft a digital framework when the Strategic Plan was agreed on 30th April 2015;
- why it has taken 3 years to act on one of the Key Objectives for eGovernment, which was to grow the local digital sector; and
- whether any policies in the Design Authority tender process specify the need to align with the Strategic Plan and, if so, what are they, and if not, why not?”

18. The Chief Minister will table an answer to the following question asked by the Deputy of St. John –

“Could the Chief Minister provide an up-to-date list of consultants and advisors and their cost?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

Questions without notice 2016

1st Session 2016

March 22nd	Treasury and Resources	Chief Minister
April 12th	Education	Health and Social Services
April 26th	Economic Development, Tourism, Sport and Culture	Chief Minister
May 10th	Housing	Infrastructure
May 24th	Environment	Chief Minister
June 14th	External Relations	Social Security
June 28th	Home Affairs	Chief Minister
July 12th	Treasury and Resources	Education

2nd Session 2016

September 13th	Health and Social Services	Chief Minister
September 27th	Economic Development, Tourism, Sport and Culture	Housing
October 11th	Infrastructure	Chief Minister
November 1st	Environment	External Relations
November 15th	Social Security	Chief Minister
November 29th	Home Affairs	Treasury and Resources
December 13th	Education	Chief Minister