



STATES OF JERSEY ORDER PAPER

Tuesday 29th May 2012
CONSOLIDATED

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

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| Collective Investment Funds (Certified Funds – Prospectuses) (Jersey) Order 2012. <i>Minister for Economic Development.</i> | R&O.65/2012. |
| Battle of Flowers (Jersey) Order 2012. <i>Minister for Transport and Technical Services.</i> | R&O.66/2012. |
| * Diseases of Animals (Importation of Miscellaneous Goods and Animals) (Jersey) Order 2012. <i>Minister for Planning and Environment.</i> | R&O.67/2012. |
| * Community Provisions (Restrictive Measures – Belarus) (Amendment No. 7) (Jersey) Order 2012. <i>Deputy Chief Minister for and on behalf of Chief Minister.</i> | R&O.68/2012. |
| * Community Provisions (Restrictive Measures – Burma/Myanmar) (Amendment No. 8) (Jersey) Order 2012. <i>Deputy Chief Minister for and on behalf of Chief Minister.</i> | R&O.69/2012. |
| * Community Provisions (Restrictive Measures – Syria) (Amendment No. 3) (Jersey) Order 2012. <i>Deputy Chief Minister for and on behalf of Chief Minister.</i> | R&O.70/2012. |

C. DOCUMENTS PRESENTED OR LAID

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|---|--------------------|
| Social Housing Schemes: funding (P.40/2012) – comments. Presented: 25th May 2012. <i>Corporate Services Scrutiny Panel.</i> | P.40/2012. Com. |
| * <i>Ex gratia</i> payment: Mr. D. Turner (P.46/2012) – comments. Presented: 28th May 2012. <i>Minister for Planning and Environment.</i> | P.46/2012. Com. |
| The proposed acquisition of Lime Grove House: Conclusions on issues considered during the enquiry – May 2012. Presented: 22nd May 2012. <i>Comptroller and Auditor General.</i> | R.63/2012. |
| The proposed acquisition of Lime Grove House: Report of the Comptroller and Auditor General – May 2012. Presented: 22nd May 2012. <i>Comptroller and Auditor General.</i> | R.64/2012. |



Planning and Environment Policy application NE6: Coastal National Park – Consultation Paper. R.65/2012.
Presented: 23rd May 2012.
Minister for Planning and Environment.

Land Transactions under Standing Order 168(3) – Cliff House, La Route de L’Aeval, St. Lawrence – boundary ratification. R.66/2012.
Presented: 25th May 2012.
Minister for Treasury and Resources.

States of Jersey Complaints Panel: report for 2011. R.67/2012.
Presented: 25th May 2012.
Privileges and Procedures Committee.

* Youth Rate Research for the Employment Forum: April 2012. R.68/2012.
Presented: 28th May 2012.
Minister for Social Security.

D. NOTIFICATION OF LODGED PROPOSITIONS

* *Ex gratia* payment: Mr. D. Turner (P.46/2012) – amendment. P.46/2012.
Lodged: 29th May 2012. Amd.
Deputy M.R. Higgins of St. Helier.

Statement made ‘*in camera*’ on 8th December 2008: release of transcript. P.48/2012.
Lodged: 23rd May 2012.
Deputy M.R. Higgins of St. Helier.

Income Support Medical Appeal Tribunal: appointment of members. P.49/2012.
Lodged: 25th May 2012.
Minister for Social Security.

* Disciplinary Panel of the Law Society of Jersey: re-appointment of lay members. P.50/2012.
Lodged: 29th May 2012.
Chief Minister.

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 S.S.P.A. Power of St. Brelade regarding the deployment of Customs officers.



2. The Chief Minister will table an answer to a question asked by the Connétable of St. John regarding inward migration.
3. The Chairman of the Jersey Overseas Aid Commission will table an answer to a question asked by the Connétable of St. John regarding funding for Durrell.
4. The Chief Minister will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the Historic Child Abuse Inquiry's Terms of Reference.
5. The Minister for Home Affairs will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the potential merger of the Customs and Immigration intelligence section and the States of Jersey Police.
6. The Minister for Social Security will table an answer to a question asked by the Deputy of Grouville regarding access to the Social Security benefits system.
7. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of Grouville regarding the allocation of surplus funds.
8. The Chief Minister will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding restructuring the public sector.
9. 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 avoidance of tax.
10. The Minister for Planning and Environment will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Human Rights audit of procedures at the Planning Department.
11. The Minister for Planning and Environment will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding recommendations made in the Reg's Skips Committee of Inquiry report.
12. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the publication of a hospitality, gifts and expenses register and list of external meetings undertaken by him and his Assistant Ministers.
13. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the publication of a hospitality, gifts and expenses register and list of external meetings undertaken by the Chief Executive and Departmental officers.
14. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the cost of medical insurance.
15. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding a breakdown of costs for temporary workers.
16. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the taxing of non-finance, non-locally owned businesses.
17. The Minister for Education, Sport and Culture will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding employees on 'zero hours' contracts.
18. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding employees on 'zero hours' contracts.



- * 19. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding Tax Information Exchange Agreements.
20. The Minister for Planning and Environment will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the number of complaints received by the Department between 2006 to 2011.
21. The Minister for Planning and Environment will table an answer to a question asked by Deputy J.H. Young of St. Brelade regarding additions to the Island's housing stock.

(b) – Oral Questions

(120 minutes)

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

“Would the Minister state what progress, if any, has been made towards the provision of a new police station at the Green Street roundabout?”
2. Deputy J.H. Young of St. Brelade will ask the following question of the Minister for Treasury and Resources –

“Will the Minister advise what progress has been made by Property Holdings in the provision of affordable homes from each of the five States owned sites identified in the Island Plan in June 2011 and will planning applications be submitted for the development of 150 affordable homes before 29th June 2012 as otherwise amendments will be needed to the Island Plan as required by policy H1?”
3. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Minister for Home Affairs –

“What control and/or influence, if any, does the Minister have over a voluntary organisation to whom he allocates funds annually from his budget and upon whose Board he has a representative?”
4. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Treasury and Resources –

“Would the Minister confirm that despite a £40,000,000 investment by the public, there will be some addresses that will not be able to use the fibre optic Gigabit Jersey technology and would he further confirm that an English company CH2MHill is contracted to do the majority of the cable laying and infrastructure works and, if so, how does this benefit the Island's tax revenues and provide work for local companies?”
5. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –

“Will the Minister inform members of the number of recipients who were automatically awarded level 3 impairment when Income Support was introduced on 31st January 2008; what the annual change in the numbers of recipients has been since that date; how many have been subject to review and how many have had their award reduced under the new criteria for judging the level of impairment?”



6. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Economic Development –

“Following the Jersey Competition Regulatory Authority’s public criticism of Jersey Telecom’s 4G adverts, does the Minister consider it is time to introduce a general law relating to misleading advertisements in the Island?”
7. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Does the Minister agree with the findings and criticisms within the Comptroller and Auditor General’s report into the Lime Grove House acquisition and, if so, will he be resigning?”
8. Deputy J.M. Maçon of St. Saviour will ask the following question of the Chief Minister –

“Will the Chief Minister give an undertaking that there will be an official consultation process, with a clearly identifiable point of contact, to ensure that interested individuals and groups are able to contribute to the Committee of Inquiry into historical child abuse’s terms of reference and are kept informed of the Committee’s progress and, if not, why not?”
9. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Housing –

“Further to my question on 15th May 2012 regarding the States Loan Scheme, would the Minister advise whether any homeowners are still using it, why it has been decided not to re-introduce it and what research and consultation has taken place on the alternative scheme he outlined recently?”
10. Deputy R.J. Rondel of St. Helier will ask the following question of the Minister for Treasury and Resources –

“What, if anything, is the Minister as representative of the shareholder, doing to ensure that Jersey Telecom adopt the ‘opt-in’ service for access to over-18 sites?”
11. Deputy T.M. Pitman of St. Helier will ask the following question of the Chairman of Privileges and Procedures Committee –

“Will the Privileges and Procedures Committee reconsider its previous decision not to afford citizen’s media sites the same rights to access material and film meetings as the mainstream media?”
- * 12. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Minister for Treasury and Resources –

“Does the Minister propose to negotiate Double Taxation Agreements with France and Canada and, if so, when?”
13. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Economic Development –

“Could the Minister state whether the 87 businesses which have set up in Jersey in the last 4 years in sectors such as oil, gas and mining are currently paying any company tax; advise what part tax neutrality plays in their business models and, given that the Minister for Treasury and Resources has made a commitment to tax these companies, how sustainable is their presence in Jersey?”



14. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Treasury and Resources –

“Would the Minister confirm the number of houses involved in the test or pilot scheme that was conducted recently in the La Moye area for Gigabit Jersey?”

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

“Would the Minister advise what consultation, if any, took place before the Department began publishing planning applications on-line and what consideration, if any, was given to the matter of security and privacy of applicants?”

16. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Economic Development –

“Will the Minister advise Members of the current state of negotiations with the Guernsey Authorities regarding a joint Financial Services Ombudsman, explain the differences between the scope of the existing two schemes and advise when legislation will be lodged for consideration by the Assembly?”

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

- * 1st question period – Minister for Health and Social Services
2nd question period – Minister for Planning and Environment

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

- Open ballot for Ministers and Chairmen. P.188/2011.
Lodged: 5th December 2011.
Deputy T.M. Pitman of St. Helier.
- Open ballot for Ministers and Chairmen (P.188/2011): comments. P.188/2011.
Presented: 6th January 2012. Com.
Privileges and Procedures Committee.
- Social Housing Schemes: funding. P.40/2012.
Lodged: 17th April 2012.
Minister for Treasury and Resources.
- Social Housing Schemes: funding (P.40/2012) – comments. P.40/2012.
Presented: 25th May 2012. Com.
Corporate Services Scrutiny Panel.
- Draft Money Laundering and Weapons Development (Directions) (Amendment) P.41/2012.
(Jersey) Law 201-
Lodged: 17th April 2012.
Chief Minister.



Draft Collective Investment Funds (Amendment and Validation) (Jersey) Law 201-. P.42/2012.
Lodged: 17th April 2012.
Minister for Economic Development.

Draft Amendment (No. 19) of the Standing Orders of the States of Jersey. P.43/2012.
Lodged: 19th April 2012.
Minister for Treasury and Resources.

Jersey Employment Tribunal: appointment of Chairman and Deputy Chairman. P.45/2012.
Lodged: 1st May 2012.
Minister for Social Security.

M. ARRANGEMENT OF PUBLIC BUSINESS

12th June 2012

Standing Orders: Answers to Questions. P.30/2012.
Lodged: 26th March 2012.
Deputy G.P. Southern of St. Helier.

Standing Orders: Answers to Questions (P.30/2012) – comments. P.30/2012.
Presented: 27th April 2012. Com.
Privileges and Procedures Committee.

States Members' Remuneration Review Body: revised Terms of Reference. P.44/2012.
Lodged: 27th April 2012.
Privileges and Procedures Committee.

* *Ex gratia* payment: Mr. D. Turner. P.46/2012.
Lodged: 1st May 2012.
Deputy M.R. Higgins of St. Helier.

* *Ex gratia* payment: Mr. D. Turner (P.46/2012) – comments. P.46/2012.
Presented: 28th May 2012. Com.
Minister for Planning and Environment.

* *Ex gratia* payment: Mr. D. Turner (P.46/2012) – amendment. P.46/2012.
Lodged: 29th May 2012. Amd.
Deputy M.R. Higgins of St. Helier.

26th June 2012

Draft Health Insurance (Medical Benefit) (Amendment No. 5) (Jersey) Regulations P.47/2012.
201-.
Lodged: 15th May 2012.
Minister for Social Security.

Statement made 'in camera' on 8th December 2008: release of transcript. P.48/2012.
Lodged: 23rd May 2012.
Deputy M.R. Higgins of St. Helier.

Income Support Medical Appeal Tribunal: appointment of members. P.49/2012.
Lodged: 25th May 2012.
Minister for Social Security.



- * Disciplinary Panel of the Law Society of Jersey: re-appointment of lay members. P.50/2012.
Lodged: 29th May 2012.
Chief Minister.

10th July 2012

Tourism Development Fund: assistance to the private sector. P.26/2012.
Lodged: 13th March 2012.
Minister for Treasury and Resources.
(debate commenced 1st May 2012)

Draft Income Tax (Amendment No. 41) (Jersey) Law 201-. P.38/2012.
Lodged: 4th April 2012.
Minister for Treasury and Resources.

M.N. DE LA HAYE
Greffier of the States

28th May 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 24th May 2012, or an item which has been moved.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.67/2012.

This Order revokes and replaces, with changes, the Diseases of Animals (Importation of Miscellaneous Goods) Order 1958. The main changes relate to deleting some outdated provisions relating to prohibited goods and animals and introducing a new prohibition relating to animal products. This Order also gives an inspector new enforcement powers.

Article 1 defines various terms used in the Order.

Article 2 prohibits the import of any animal or item listed in the Schedule unless that animal or item falls within an exception specified in the Schedule or its import is authorized by a licence granted by the Minister. This Article makes it clear that this Order overrides anything to the contrary in the Diseases of Animals (Rabies) (Importation of Mammals) (Jersey) Order 2011. That Order for example, allows certain animals to be imported into Jersey from the British Islands or the Republic of Ireland without a licence. The import of any such animal that is prohibited under this Order would, nevertheless, require a licence, even if imported from any of those countries. This Article also makes it clear that the need for a licence under this Order is without prejudice to any other requirements for import that might be required under any other enactment.

Article 3 requires that a person who imports an animal or item under a licence to comply with any conditions subject to which the licence is granted.

Article 4 gives an inspector enforcement powers concerning search and seizure of animals and items. Those powers are similar to enforcement powers in other legislation concerning diseases of animals.

Article 5 makes two minor corrections to the Diseases of Animals (Non-Rabies) (Importation of Mammals) (Jersey) Order 2011.

Article 6 revokes the Diseases of Animals (Importation of Miscellaneous Goods) (Jersey) Order 1958.

Article 7 sets out the title of the Order and provides that it will come into force 7 days after it is made.

The *Schedule* removes outdated provisions and introduces a new prohibition relating to animal products. Broadly speaking, the import of animal products is prohibited from countries other than from the European Union, the EFTA countries (Liechtenstein, Switzerland, Norway and Iceland (Iceland being in relation to fishery products only)), Andorra, San Mario, the Faroe Islands (the Faroe Islands being in relation to fishery products only), the Bailiwick of Guernsey and the Isle of Man unless certain exceptions apply. Those exceptions, set out in EC legislation relating to imports from third countries, include small consignments of animal products for personal consumption, trade samples and small consignments intended for study.

The Order was made on 24th May 2012 and comes into force on 31st May 2012.

R&O.68/2012.

This Order amends the Community Provisions (Restrictive Measures – Belarus) (Jersey) Order 2011 to give effect in Jersey to Council Regulation (EU) No. 354/2012 of 23 April 2012 (OJ No. L 113/1, 25.4.2012) amending Regulation (EC) No. 765/2006 concerning restrictive measures in respect of Belarus. The effect is to allow the Chief Minister to derogate from the freezing of funds where necessary for the purposes of diplomatic missions, consular posts or international organisations enjoying immunities.

The Order also takes the opportunity to add Articles 2(4)–(6), 2b and 8a of Regulation (EC) No. 765/2006 (as inserted by previous European amending Regulations) to the list of provisions omitted in the application of the Regulation to Jersey, because they are not needed in Jersey as they merely direct EU institutions as to how they produce and amend the contents of the Annexes to the Regulation.

The Order was made on 25th May 2012 and came into force on 26th May 2012.

**R&O.69/2012.**

This Order gives effect in Jersey to Council Regulation (EU) No. 409/2012 of 14th May 2012 (OJ L 126, 15.5.2012, P.1) (“the 2012 Regulation”), which has effect from 16th May 2012 in all the cases mentioned below. The 2012 Regulation amends Council Regulation (EC) No. 194/2008 (OJ L. 66, 10.3.2008, p.1) renewing and strengthening the restrictive measures in respect of Burma/Myanmar (“the 2008 Regulation”), by, amongst other matters, suspending until 30th April 2013 the operation of the asset freezing measures contained in Article 11 of the 2008 Regulation and of the investment ban measures contained in Article 15 of the 2008 Regulation. The 2012 Regulation also permanently removes certain individuals (listed in the Annex to the 2012 Regulation) from the list in Annex VI to the 2008 Regulation of persons subject to the asset freeze under Article 11.

The Order was made on 25th May 2012 and came into force on 26th May 2012.

R&O.70/2012.

This Order amends the Community Provisions (Restrictive Measures – Syria) (Jersey) Order 2012 to give effect in Jersey to Council Implementing Regulation (EU) No. 410/2012 of 14 May 2012 (OJ L126/3 15.5.2012) implementing Article 32(1) of Regulation (EU) No. 36/2012 concerning restrictive measures in view of the situation in Syria. The latter Regulation sets out in Annex II a list of entities and persons whose funds and economic resources are frozen.

The effect of this Order is to provide for the implementation in Jersey of an amendment to that list.

The Order was made on 25th May 2012 and came into force on 26th May 2012.