

# STATES OF JERSEY ORDER PAPER

Tuesday 5th April 2011

## A. COMMUNICATIONS BY THE PRESIDING OFFICER

## B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

Community Provisions (Restricted Measures – Libya) (Amendment No. 4) R&O.38/2011.  
(Jersey) Order 2011.  
*Chief Minister.*

## C. DOCUMENTS PRESENTED OR LAID

Committee of Inquiry: Reg's Skips Ltd. – Planning Applications – Second R.38/2011.  
Report.  
Presented: 1st April 2011.  
*Committee of Inquiry: Reg's Skips Ltd. – Planning Applications.*

States of Jersey Law 2005: delegation of functions – Housing – March 2011 R.39/2011.  
revised delegations.  
Presented: 1st April 2011.  
*Minister for Housing.*

Review of Speed Limits: Revised Policy. S.R.4/2011.  
Presented: 31st March 2011.  
*Environment Scrutiny Panel.*

## D. NOTIFICATION OF LODGED PROPOSITIONS

## E. WITHDRAWAL OF LODGED PROPOSITIONS

## F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

Appointment of the President of the Chairmen's Committee.

## G. MATTERS OF PRIVILEGE

## H. PETITIONS

## I. QUESTIONS

(a) – **Written Questions**  
*(attached)*

1. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. Mary regarding hospital waiting lists.
2. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. Mary regarding treatment for obesity.
3. The Minister for Education, Sport and Culture will table an answer to a question asked by the Deputy of St. Mary regarding pupil teacher ratios over the last 10 years.
4. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the cost of a GP consultation.

5. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the overlap between Income Support and income tax thresholds.
6. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding social rental housing.
7. 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 revenues.
8. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding pay and conditions offered to nurses.

**(b) – Oral Questions**

(120 minutes)

The following oral question was deferred from the meeting of 29th March 2011, at the request of the Minister for Treasury and Resources, and therefore is additional to the oral question which Deputy P.V.F. Le Claire has submitted for the present meeting –

Deputy P.V.F. Le Claire of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Will the Minister consider introducing a scheme in Jersey similar to that recently announced in the United Kingdom whereby interest free loans will be available to first time buyers earning under £60,000 looking to buy a property to help them get a foothold on the housing ladder and, if not, why?”

1. Deputy J.M. Maçon of St. Saviour will ask the following question of the Chief Minister–

“Can the Chief Minister advise whether he has considered recommendation 4 in the report of the Review of the roles of the Crown Officers (R.28/2011) that the Bailiff should continue to be the guardian of the constitution and the conduit through which official correspondence passes and, if so, explain what processes and procedures, if any, have been put in place as a result?”

2. Senator F. du H. Le Gresley will ask the following question of the Minister for Home Affairs –

“Could the Minister advise why his review of the maximum award available to the Criminal Injuries Compensation Board (as detailed in the Report and Accounts for 2010 - R.34/2011) has not been concluded and whether funding to meet higher awards has been sought from the Treasury?”

3. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Economic Development –

“Will the Minister inform members of the conditions attached to the Regulation of Undertakings and Development licence issued to the company responsible for the construction of the Portelet development in respect of the number of local and non-locally qualified workers that can be employed on this project?”

4. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Economic Development –

“Can the Minister confirm that the Harbours Department have seized and will possibly dispose of the whole of the fleet of sailing boats belonging to the Jersey Sailing Trust and, if so, would he advise whether he knew of this matter and considers that this action is proportionate and reasonable?”

5. The Deputy of St. John will ask the following question of the Minister for Economic Development –

“Would the Minister detail the numbers of people on waiting lists across all harbours and marinas and advise whether the waiting lists figures have reduced since 2009 and, if so, by how many?”

6. Deputy A.E. Jeune of St. Brelade will ask the following question of the Minister for Health and Social Services –

“Will the Minister give the details of clinical staff employed on an interim, locum, agency and contract basis during the past 12 months, identifying any newly created posts and indicating days worked per week, the commencement and end dates and the total cost including all fees and expenses?”

7. The Deputy of St. Martin will ask the following question of the Minister for Education, Sport and Culture –

“Further to the Minister’s written answer on 29th March regarding the construction of a new school on Field 327A in St Martin when no mention was made of an area of land being found to replace the football pitches currently being used by the School and Parish football teams, will he inform Members whether an alternative area has been found and if not, what proposals does he have in mind?”

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

“Will the Chief Minister inform Members why part (d) of the Terms of Reference shown in R.39/2010 (reissue) was amended in the Napier terms of Reference published in R.132/2010 and why part (d) and part (c)(iii) are included, but do not appear in the Napier Terms of Reference published in R.132/2010; and will he also state why Members were not informed that these parts had been removed?”

9. Deputy A.E. Jeune of St. Brelade will ask the following question of the Minister for Health and Social Services –

“Following her response to a written question 6171 on 29th March 2011, regarding the £600,000 ‘savings’ achieved by the Managing Director, would the Minister justify how working to her budget can be regarded as a saving and state exactly where the savings equating to a ‘turn around of just over £1 million’ were made ?”

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

“Given that on 29th March 2011 the Minister advised that the Reciprocal Health Agreement would be signed by 5th April 2011, is she able to update members when this will happen, and who within in her department has had responsibility for progressing this agreement?”

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

“Will the Minister update members on her Department's progress in combating blood-borne diseases such as HIV and Hepatitis C and advise specifically what funding is provided by her Department to ACET to meet the cost of the preventative and other work undertaken by that organisation and for the unlinked anonymous testing for these diseases?”

12. Deputy S.S.A. Power of St. Brelade will ask the following question of the Minister for Economic Development –

“Given the tourism benefit that outlying harbours and piers provide both to visitors to the Island and to locals, how does the Minister justify his comments made in the Assembly during the meeting of 29th March 2011 that these outlying harbours are uneconomical and are subsidised by his Department?”

13. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Will the Minister agree to release the report referred to by his Assistant Minister during oral questions on 29th March 2011 which verifies that the benefit to other Islanders from 1(1)(k) residents is over £50 million and if not, why not?”

14. Deputy P.V.F. Le Claire of St. Helier will ask the following question of the Minister for Transport and Technical Services –

“Will the Minister confirm that there is a need to replace the current sewage treatment equipment by the end of 2013, and, if so, will he advise what is the current estimated cost of the replacement system, what is its life expectancy and how will treated sewage be released into the environment?”

15. The Deputy of St. Martin will ask the following question of the Minister for Health and Social Services –

“Further to the Minister’s response to an oral question on 15th March 2011 when she was unable to inform Members why Allied Health Professionals are paid at a Civil Service rate which is considerably higher than that of nurses, is she now able to provide the Assembly with a detailed reason for this anomaly?”

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

1st question period – Minister for Social Security

2nd question period – Minister for Economic Development

**J. PERSONAL STATEMENTS**

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

The Minister for Economic Development will make a statement regarding the Jersey Financial Services Commission.

**L. PUBLIC BUSINESS**

Jersey Financial Services Commission: imposition of fines. P.150/2010.  
Lodged: 19th October 2010.  
*Senator A. Breckon.*

Speed Limits: revised policy. P.167/2010.  
Lodged: 2nd November 2010.  
*Minister for Transport and Technical Services.*

Speed Limits: revised policy (P.167/2010) – amendment. P.167/2010.  
Lodged: 29th December 2010. Amd.  
*Minister for Economic Development.*

Speed Limits: revised policy (P.167/2010) – second amendment. P.167/2010.  
Lodged: 5th January 2011. Amd.(2)  
*Connétable of St. Helier.*

Speed Limits: revised policy (P.167/2010) – third amendment. P.167/2010.  
Lodged: 13th January 2011. Amd.(3)  
*Deputy M.R. Higgins of St. Helier.*

Income Tax: introduction of higher rate. P.23/2011.  
Lodged: 14th February 2011.  
*Deputy G.P. Southern of St. Helier.*

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|---|--------------------|
| Draft States of Jersey (Transfer of Functions No. 4) (Treasury and Resources to Chief Minister) (Jersey) Regulations 201-.<br>Lodged: 16th February 2011.<br><i>Chief Minister.</i> | P.25/2011.         |
| Draft Licensing (No. 17) (Jersey) Regulations 201-.<br>Lodged: 22nd February 2011.<br><i>Minister for Economic Development.</i>   | P.28/2011.         |
| Draft Income Support (Amendment No. 6) (Jersey) Regulations 201-.<br>Lodged: 22nd February 2011.<br><i>Minister for Social Security.</i>  | P.29/2011.         |
| Committee of Inquiry: States owned or controlled utilities.<br>Lodged: 24th February 2011.<br><i>Senator A. Breckon.</i>  | P.31/2011.         |
| States Members' training.<br>Lodged: 8th March 2011.<br><i>Deputy M. Tadier of St. Brelade.</i>   | P.34/2011.         |
| States Members' training (P.34/2011): comments.<br>Presented: 29th March 2011.<br><i>Privileges and Procedures Committee.</i>   | P.34/2011.<br>Com. |
| Public Elections: extension of pre-poll voting arrangements.<br>Lodged: 22nd March 2011.<br><i>Deputy J.M. Maçon of St. Saviour.</i>  | P.42/2011.         |
| Draft Separate Limited Partnerships (Jersey) Law 2011 (Appointed Day) Act 201-.<br>Lodged: 22nd March 2011.<br><i>Minister for Economic Development.</i>                            | P.45/2011.         |

## **M. ARRANGEMENT OF PUBLIC BUSINESS**

### **3rd May 2011**

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|---|--------------------|
| Draft Freedom of Information (Jersey) Law 201-.<br>Lodged: 15th March 2011.<br><i>Privileges and Procedures Committee.</i>                        | P.39/2011.         |
| Draft Freedom of Information (Jersey) Law 201- (P.39/2011): amendment.<br>Lodged: 25th March 2011.<br><i>Privileges and Procedures Committee.</i> | P.39/2011.<br>Amd. |
| Freedom of Information: Implementation Plan.<br>Lodged: 16th March 2011.<br><i>Deputy R.G. Le Hérisssier of St. Saviour.</i>                      | P.41/2011.         |
| Draft Christmas Bonus (Jersey) Law 201-.<br>Lodged: 22nd March 2011.<br><i>Minister for Social Security.</i>                                      | P.43/2011.         |
| Draft Food Costs Bonus (Jersey) Regulations 201-.<br>Lodged: 22nd March 2011.<br><i>Minister for Social Security.</i>                             | P.44/2011.         |
| Health and Safety Appeal Tribunal: appointment of members.<br>Lodged: 29th March 2011.  | P.46/2011.         |

*Minister for Social Security.*

Planning Applications Panel: appointment of Members. P.50/2011.  
Lodged: 29th March 2011.  
*Minister for Planning and Environment.*

**17th May 2011**

Goods and Services Tax: exemption or zero-rating for foodstuffs, domestic energy and fuel. P.36/2011.  
Lodged: 10th March 2011.  
*Senator A. Breckon.*

Jersey Harbours and Airport Shadow Board: Terms of Reference. P.47/2011.  
Lodged: 29th March 2011.  
*Minister for Economic Development.*

Code of Practice for Scrutiny Panels and the Public Accounts Committee: amendments. P.49/2011.  
Lodged: 29th March 2011.  
*Chairmen's Committee.*

**7th June 2011**

States of Jersey Development Company Limited: appointment of Chairman and Non-Executive Directors. P.32/2011.  
Lodged: 2nd March 2011.  
*Minister for Treasury and Resources.*

**21st June 2011**

North of Town Masterplan (Revised). P.190/2010.  
Lodged: 21st December 2010.  
*Minister for Planning and Environment.*

North of Town Masterplan (Revised) (P.190/2010): amendment. P.190/2010.  
Lodged: 22nd December 2010. Amd.  
*Deputy P.V.F. Le Claire of St. Helier.*

North of Town Masterplan (Revised) (P.190/2010): second amendment. P.190/2010.  
Lodged: 10th January 2010. Amd.(2)  
*Deputy A.K.F. Green of St. Helier.*

North of Town Masterplan (Revised) (P.190/2010): third amendment. P.190/2010.  
Lodged: 25th January 2011. Amd.(3)  
*Connétable of St. Helier.*

North of Town Masterplan (Revised) (P.190/2010): fourth amendment. P.190/2010.  
Lodged: 15th February 2011. Amd.(4)  
*Deputy of St. Mary.*

Esplanade Quarter: deferment of works. P.24/2011.  
Lodged: 15th February 2011.  
*Deputy of St. John.*

Esplanade Quarter: deferment of works (P.24/2011) – comments. P.24/2011.  
Presented: 28th March 2011. Com.  
*Council of Ministers.*

Island Plan 2011: approval. P.48/2011.  
Lodged: 29th March 2011.

*Minister for Planning and Environment.*

**5th July 2011**

Draft Control of Housing and Work (Jersey) Law 201-.

P.37/2011.

Lodged: 15th March 2011.

*Chief Minister.*

Draft Register of Names and Addresses (Jersey) Law 201-.

P.38/2011.

Lodged: 15th March 2011.

*Chief Minister.*

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

31st March 2011

**Note –**

**In accordance with the meeting dates fixed for 2011 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 6th and Thursday 7th April 2011.**

**Explanatory Note regarding subordinate legislation tabled at this meeting.**

(See Item B)

**R&O.38/2011.**

This Order gives effect in Jersey to Council Regulation (EU) No. 296/2011 of 25 March 2011 amending Regulation (EU) No. 204/2011 concerning restrictive measures in view of the situation in Libya (OJ No. L80/2 26.3.2011). The Council Regulation imposes further restrictions in view of the situation in Libya.

The Order was made on 30th March 2011 and came into force on 31st March 2011.



## WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Health and Social Services will table an answer to the following question asked by the Deputy of St. Mary –

“Could the Minister tell members what the hospital's policy is on waiting lists? What are the waiting times in the most accessed disciplines compared with comparator health authorities/hospitals in the UK and what have been the trends over the last ten years?”

2. The Minister for Health and Social Services will table an answer to the following question asked by the Deputy of St. Mary –

“Can the Minister tell members what the Health Service's current policy is with regard to the treatment of obesity and other health problems to which obesity is a contributory factor, and to the prevention of obesity? Can the Minister tell members of any cost benefit analysis which has been done into the costs and the benefits, financial and non-financial, of prevention rather than cure? What is the trend in obesity-related treatments over the last 5 years, and what are the latest estimates of the scale of the potential costs involved both now and in the future?”

3. The Minister for Education, Sport and Culture will table an answer to the following question asked by the Deputy of St. Mary –

“Can the Minister inform members of the teacher/pupil ratio, with and without teaching assistants, in primary and secondary schools in Jersey, in fee-paying and in non-fee-paying sectors, and give members information on the trends in this ratio over the last 10 years?”

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

“Does the Minister accept the findings contained in Chapter 20 of SR.3/2011 ‘Review of Benefit Levels’ that the cost of a GP consultation is such that it stops some people, especially those on low incomes, from seeing their GP?”

Does she further consider that this presents a significant barrier to the implementation of her primary care strategy which emphasises preventative medicine?

What measures, if any, have been put in place to alleviate this problem since it was first reported in Jersey Annual Social Survey 2009, and if none, why?

What steps does the Minister, in conjunction with her colleagues, have under consideration to address this issue, and when will she bring any proposals to the States?”

5. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Does the Minister accept that the overlap between Income Support and Income Tax thresholds is a significant inefficiency which must be addressed and, if so, when will he bring measures to the States to do so?”

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

“Does the Minister accept Key Finding 13 and Recommendation 11 of SR.3/2011 ‘Review of Benefit Levels’ that the funding for the provision of social rented accommodation must be separated from the

provision of Income Support benefits and, if so, when will he bring a proposal to deal with this to the Assembly?

Does he further accept that the quantity of States social rented accommodation is insufficient to meet the Island's needs, and, if so, what measures, if any, does he intend to pursue to resolve this problem and in what timescale?"

7. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Given that in his response to written question 6121 on 1st March 2011 the Minister stated that it was “not possible to give firm figures” for company tax revenues for the years of assessment 2010 and 2011, will the Minister inform members of the latest estimates for these figures contained in his department's projections for budgetary purposes?"

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

“Will the Minister inform members why the pay and conditions offer under discussion with nurses representatives is limited to Grades 5 and above when retention rates for grades lower down the scale NM1 and NM3 are almost as high as that for NM5 (15%)?”

Will she further explain why no offer is under discussion for grade 3 nurses (Staff Nurse) when the differential in pay at this grade (including housing costs) is greater than that for grades 5 and 6?"

## ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

| <b><u>2011</u></b>                                      | <b>First 15 minute period<br/>Minister</b> | <b>Second 15 minute period<br/>Minister</b> |
|---|--|---|
| <b><u>First session</u></b>                             |  |   |
| <b>May 3rd</b>  | Treasury and Resources                     | Chief Minister                              |
| <b>May 17th</b>   | Education, Sport and Culture               | Health and Social Services                  |
| <b>June 7th</b>   | Home Affairs                               | Chief Minister                              |
| <b>June 21st</b>  | Social Security                            | Planning and Environment                    |
| <b>July 5th</b>   | Housing                                    | Chief Minister                              |
| <b>July 18th (Monday)</b>                               | Transport and Technical Services           | Economic Development                        |
| <b><u>2nd session</u></b>                               |  |   |
| <b>September 13th</b><br>(Annual Business Plan<br>2012) | Treasury and Resources                     | Chief Minister                              |
| <b>September 20th</b>                                   | Education, Sport and Culture               | Health and Social Services                  |
| <b>November 8th</b><br>(Budget 2012)                    | Home Affairs                               | Chief Minister                              |