

STATES OF JERSEY ORDER PAPER

Tuesday 1st February 2011

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Sand Racing (Jersey) Order 2011. R&O.7/2011.
Minister for Transport and Technical Services.

Road Racing (Hill Climbs and Sprint) (Jersey) Order 2011. R&O.8/2011.
Minister for Transport and Technical Services.

Road Traffic (Public Parking Places – Charges) (Amendment) (Jersey) Order 2011. R&O.9/2011.
Minister for Transport and Technical Services.

Community Provisions (Bovine Embryos) (Fees) (Jersey) Order 2011. R&O.10/2011.
Minister for Planning and Environment.

C. DOCUMENTS PRESENTED OR LAID

Insolvency: temporary scheme for compensatory payment in lieu of statutory period of notice on termination of employment – revised Report. R.5/2011.
Presented: 27th January 2011.
Minister for Social Security.

Jersey Development Company. S.R.1/2011.
Presented: 28th January 2011.
Corporate Services Scrutiny Panel.

D. NOTIFICATION OF LODGED PROPOSITIONS

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

Composition of the States: implementation of remaining Clothier reforms – referendum (P.3/2011) – amendment. P.3/2011.
Lodged: 26th January 2011. Amd.
Senator F. du H. Le Gresley.

Ratification of a Double Taxation Agreement between the States of Jersey and the Government of Estonia. P.7/2011.
Lodged: 24th January 2011.
Chief Minister.

Ratification of the Agreement for the Exchange of Information relating to Tax Matters between the Government of Jersey and the Government of Canada. P.8/2011.
Lodged: 24th January 2011.
Chief Minister.

Geneva Conventions: Additional Protocol III – extension to Jersey. P.9/2011.
Lodged: 24th January 2011.
Chief Minister.

Draft Banking Business (Amendment No. 7) (Jersey) Law 2011. P.10/2011.

Lodged: 25th January 2011.
Minister for Economic Development.

Income Support Medical Appeal Tribunal: appointment of members. P.11/2011.
Lodged: 27th January 2011.
Minister for Social Security.

Social Security Tribunal: appointment of members. P.12/2011.
Lodged: 27th January 2011.
Minister for Social Security.

Jersey Employment Tribunal: appointment of members. P.13/2011.
Lodged: 27th January 2011.
Minister for Social Security.

Draft Public Elections (Amendment No. 4) (Jersey) Law 2011. P.14/2010.
Lodged: 27th January 2011.
Privileges and Procedures Committee.

E. WITHDRAWAL OF LODGED PROPOSITIONS

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

Freedom of Information: implementation plan. P.145/2010.
Lodged: 13th October 2010.
Deputy R.G. Le Hérisssier of St. Saviour.

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

Nomination of Deputy Trevor Mark Pitman of St. Helier as a member of the Privileges and Procedures Committee.

Nomination of Deputy Deborah Jane De Sousa of St. Helier as a member of the Corporate Services Scrutiny Panel.

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

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

1. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy A.K.F. Green of St. Helier regarding legislation for cycle helmets.
2. The Minister for Planning and Environment will table an answer to a question asked by Deputy A.K.F. Green of St. Helier regarding legislation for the provision of disabled toilets.
3. The Chief Minister will table an answer to a question asked by the Deputy of St. John regarding the use of self-employed or agency staff.
4. The Minister for Treasury and Resources will table an answer to a question asked by Senator A. Breckon regarding business arrangements between the JEC and Newtel.
5. The Minister for Economic Development will table an answer to a question asked by Senator A. Breckon regarding a complaint to Jersey Competition Regulatory Authority.
6. The Minister for Treasury and Resources will table an answer to a question asked by the

Deputy of St. John regarding the signature on Treasury cheques.

7. The Minister for Economic Development will table an answer to a question asked by the Deputy of St. John regarding the new dairy at Trinity.
8. The Minister for Home Affairs will table an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding work permits.
9. The Minister for Planning and Environment will table an answer to a question asked by Senator J.L. Perchard regarding the Odeon Cinema building.
10. The Minister for Transport and Technical Services will table an answer to a question asked by Senator J.L. Perchard regarding the incineration of metal cans and tins.
11. The Chairman of the Comité des Connétables will table an answer to a question asked by Senator J.L. Perchard regarding the separation of domestic waste.
12. The Minister for Social Security will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding allegations of abuse of the Income Support system.
13. The Minister for Housing will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the protection of tenants in Housing Trust properties.
14. The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the election of Senators.
15. The Minister for Treasury and Resources will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding increases in taxation rates.
16. The Minister for Treasury and Resources will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding tax rates for wealthy residents.
17. The Minister for Planning and Environment will table an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding the Energy Policy Green Paper.
18. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding composting costs.
19. The Minister for Health and Social Services will table an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding the compilation of accident statistics.
20. The Minister for Social Security will table an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding the overall cost of the Income Support system.
21. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. John regarding insurance assistance for families travelling to the UK.
22. The Minister for Economic Development will table an answer to a question asked by the Deputy of St. Martin regarding parking at the Airport.
23. The Minister for Home Affairs will table an answer to a question asked by the Deputy of St. Martin regarding suspended police officers.
24. The Minister for Economic Development will table an answer to a question asked by Senator F. du H. Le Gresley regarding actual expenditure against Business Plan Key Objectives.
25. The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the granting of a postal licence to TNT.
26. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding tax revenues.

27. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding charges on zero rate companies.
28. The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the creation of sustainable jobs.
29. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding cancelled operations.
30. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding suspended staff.
31. The Minister for Economic Development will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding staff at Jersey Airport.
32. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. Mary regarding the collective investment of funds.
33. The Minister for Economic Development will table an answer to a question asked by the Deputy of St. Mary regarding the use of insecticides.
34. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. Mary regarding the competence of civil servants.
35. The Chief Minister will table an answer to a question asked by the Deputy of St. Mary regarding the use of consultants.

(b) – Oral Questions

(120 minutes)

1. The Deputy of St. Mary will ask the following question of the Minister for Economic Development –

“Can the Minister give members an assessment of the reputational damage, if any, to Jersey and in particular to our export industries, caused by the recent adverse publicity surrounding the tax affairs of a notable UK retailer, and the related use of a Jersey-based holding company?”
2. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Will the Minister inform members whether and when Jersey will cooperate on the European Union Savings Tax Directive and when Jersey will endorse the new European Union Savings Tax Directive which is designed to keep away the tax evaded funds we say we do not want but for which, by refusing to endorse the Directive, we provide facility?”
3. The Connétable of Grouville will ask the following question of the Chief Minister –

“How many staff will be required for the new post in Brussels, what will Jersey’s share of the cost be and will savings be made to compensate in the Chief Minister’s Department?”
4. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Economic Development –

“Does the Minister agree that the uncertainty surrounding the future of the zero-ten tax policy is potentially harmful for Jersey's business interests, following clear statements from the EU and the UK Treasury that it must be changed, and if so, what pressure, if any, is he putting on the Minister for Treasury and Resources to introduce a long-term viable alternative?”
5. The Deputy of St. John will ask the following question of the Minister for Home Affairs –

“Following the disposal by the Bomb Disposal Team in 2010 of a container full of fireworks, which had been stored in St John since 2007, would the Minister advise whether the Department notified both the owner and the importer of the disposal and whether the Home Affairs Department accepts any responsibility for the situation and has given any consideration to reimbursing the owner who is out of pocket by £50,000?”

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

“What active steps, if any, is the Minister taking to prevent companies and individuals who do not pay any Jersey tax or employ any Jersey workers coming to the Island to trade thereby taking business and work away from Jersey residents?”

- 7 Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Home Affairs –

“In view of earlier concerns about anti-social misuse of cars and motorbikes at Albert Quay and in light of the unwillingness of Economic Development to put a barrier system in place would the Minister advise whether or not the police are able to prosecute individuals caught on film by residents whilst carrying out acts of an anti-social nature?”

- 8 The Deputy of St. Martin will ask the following question of the Chief Minister –

“Further to responses given on 2nd February 2010, will the Chief Minister inform Members of the advice and training now given to newly appointed States employees on the Jersey Human Rights Law, what refresher training is given to existing staff and whether a Human Rights working group been re-established to raise awareness of the Jersey Human Rights Law?”

- 9 Deputy P.V.F. Le Claire of St. Helier will ask the following question of the Minister for Health and Social Services –

“Can the Minister set out the current statistics for people diagnosed with cancer in Jersey, stating whether there is a prevalence in any specific age group or for particular cancers when compared to the United Kingdom or France and advise whether Jersey residents are subject to any greater risks of developing cancer due to the geology of Jersey or being situated near to nuclear power stations in France?”

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

“Will the Chief Minister outline the appointments process that was undertaken in appointing a n Assistant Minister responsible for External Relations and would he outline how the incumbent will manage two very large workloads?”

- 11 Deputy S. Pitman of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Given renewed fears of a 'double dip' recession in the UK, will the Minister advise what contingency plans, if any, he has in place should this also prove the case in Jersey; further still, given the cuts already planned for public services will he urgently look at 'progressive' taxation measures for those individuals on high incomes above £100,000 and at abstracting tax from businesses currently contributing nothing to the economy?”

- 12 Deputy A.K.F. Green of St. Helier will ask the following question of the Minister for Transport and Technical Services –

“Could the Minister advise the Assembly whether the removal of the charity scrap metal skip at the Bellozanne recycling site is a temporary arrangement and, if so why and when is it to be reinstated, and, if not, could the Minister explain why this facility has been removed?”

- 13 Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Housing –

“Does the Minister support the plans submitted by Jersey Property Holdings to build 4 new homes on green areas in Les Quennevais Park and Le Clos des Sables and how does he envisage this will impact on current parking issues on the estate?”

14. The Deputy of St. John will ask the following question of the Chairman of the Comité des Connétable –

“Further to the introduction of a new standardised rates form for all the Island Parishes, would the Chairman explain where in the country Parishes we find ‘streets’, why there appear to be mistakes on many forms sent to households when the parishes hold up to date rates files on every property and would he inform Members whether this is the precursor to an all-Island Rate and, if so, give details?”

15. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Social Security –

“Will the Minister advise members of the scale of the under 25 unemployment problem in Jersey and explain what steps, if any, he and his colleagues are taking to ensure that they do not become a lost generation in terms of employment?”

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

“Will the Minister inform members whether in the scheme for a territorial business tax the 17,000 foreign-owned companies currently subject to the zero tax rate will have to declare to the Jersey authorities in which jurisdictions their business is conducted and profits arise and, if so, will Jersey then share this tax information with other jurisdictions in an open and accountable manner to avoid potential double taxation or tax evasion?”

17. The Deputy of St. Martin will ask the following question of the Chief Minister –

“Following the Chief Minister’s written answers on 18th January 2011, will he advise the actual date Mr Napier was instructed to withdraw part (d) of the Terms of Reference and, given the Affidavit’s significance to the suspension of the former Chief Police Officer explain why neither he nor the Deputy of St Martin who were supposed to have oversight of the review were consulted before the decision was taken?”

18. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Transport and Technical Services –

“Does the Minister consider that it is appropriate that patients or family members needing to transport patients undergoing day treatment for illnesses such as cancer or other serious conditions should be charged for the privilege of short term parking in Kensington Place car park; particularly as those undertaking such trips help alleviate the burden on Patient Transport from the Health Service?”

19. Deputy P.V.F. Le Claire of St. Helier will ask the following question of the Minister for Education, Sport and Culture –

“Will the Minister agree to circulate the minutes of Jersey Heritage relating to the commissioning of the report by Mark Price on the Odeon and detail the cost of the report and indicate whether he considers this a good use of the Jersey Heritage budget given that they are unable to keep heritage sites, including the museum, open to residents and visitors alike?”

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

1st question period – Minister for Treasury

2nd question period – Chief Minister

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

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| Shadow Boards and Ministerial Boards: approval by the States. Lodged: 11th November 2010. <i>Deputy P.V.F. Le Claire of St. Helier.</i> | P.170/2010. |
| Shadow Boards and Ministerial Boards: approval by the States (P.170/2010) – comments. Presented: 30th November 2010. <i>Privileges and Procedures Committee.</i> | P.170/2010. Com. |
| Shadow Boards and Ministerial Boards: approval by the States (P.170/2010) – amendment. Lodged: 19th January 2011. <i>Minister for Economic Development.</i> | P.170/2010. Amd. |
| Ministerial offices: reduction. Lodged: 12th November 2010. <i>Deputy P.V.F. Le Claire of St. Helier.</i> | P.171/2010. |
| Ministerial offices: reduction (P.171/2010) – comments. Presented: 25th November 2010. <i>Council of Ministers.</i> | P.171/2010. Com. |
| Standing Orders: additional signatories on propositions. Lodged: 19th November 2010. <i>Senator P.F. Routier.</i> | P.174/2010. |
| Standing Orders: additional signatories on propositions (P.174/2010) – comments. Presented: 30th November 2010. <i>Privileges and Procedures Committee.</i> | P.174/2010. Com. |
| Standing Orders: additional signatories on propositions (P.174/2010) – amendment. Lodged: 26th November 2010. <i>Deputy of St. John.</i> | P.174/2010. Amd. |
| Standing Orders: additional signatories on propositions (P.174/2010) – second amendment. Lodged: 10th December 2010. <i>Deputy P.V.F. Le Claire of St. Helier.</i> | P.174/2010. Amd.(2) |
| Standing Orders: additional signatories on propositions (P.174/2010) – third amendment. Lodged: 7th January 2010. <i>Deputy G.P. Southern of St. Helier.</i> | P.174/2010. Amd.(3) |
| Standing Orders: additional signatories on propositions (P.174/2010) – fourth amendment. Lodged: 12th January 2010. <i>Deputy T.M. Pitman of St. Helier.</i> | P.174/2010. Amd.(4) |
| Pomme d’Or Farm: refurbishment. Lodged: 1st December 2010. <i>Deputy A.K.F. Green of St. Helier.</i> | P.177/2010. |

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| Jersey Consumer Council: future mandate. Lodged: 17th December 2010. <i>Minister for Economic Development.</i> | P.182/2010. |
| Draft Public Employees (Contributory Retirement Scheme) (Amendment No. 18) (Jersey) Regulations 201-. Lodged: 20th December 2010. <i>Chief Minister.</i> | P.185/2010. |
| Draft Public Employees (Contributory Retirement Scheme) (Existing Members) (Amendment No. 11) (Jersey) Regulations 201-. Lodged: 20th December 2010. <i>Chief Minister.</i> | P.186/2010. |
| Draft Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 14) (Jersey) Regulations 201-. Lodged: 20th December 2010. <i>Chief Minister.</i> | P.187/2010. |
| Draft Public Employees (Contributory Retirement Scheme) (Former Hospital Scheme) (Amendment No. 5) (Jersey) Regulations 201-. Lodged: 20th December 2010. <i>Chief Minister.</i> | P.188/2010. |
| Housing issues in Jersey. Lodged: 21st December 2010. <i>Deputy P.V.F. Le Claire of St. Helier.</i> | P.189/2010. |
| Draft Terrorist Asset-Freezing (Jersey) Law 201-. Lodged: 21st December 2010. <i>Chief Minister.</i> | P.191/2010. |
| Draft Terrorist Asset-Freezing (Jersey) Law 201- (P.191/2010): amendment. Lodged: 18th January 2011. <i>Chief Minister.</i> | P.191/2010. Amd. |
| Jersey Police Authority: establishment. Lodged: 21st December 2010. <i>Minister for Home Affairs.</i> | P.192/2010. |
| Jersey Police Authority: establishment (P.192/2010) – comments. Presented: 7th January 2011. <i>Public Accounts Committee.</i> | P.192/2010. Com. |
| Draft Employment (Minimum Wage) (Amendment No. 7) (Jersey) Regulations 201-. Lodged: 22nd December 2010. <i>Minister for Social Security.</i> <i>(Cannot be debated before 2nd February 2011)</i> | P.193/2010. |
| Standing Orders: minimum lodging periods – revision. Lodged: 23rd December 2010. <i>Senator P.F. Routier.</i> | P.194/2010. |
| Standing Orders: minimum lodging periods – revision (P.194/2010) – amendment. Lodged: 12th January 2011. <i>Deputy of St. Martin.</i> | P.194/2010. Amd. |
| Composition of the States: implementation of remaining Clothier reforms – | P.3/2011. |

referendum.
Lodged: 18th January 2011.
Deputy S. Pitman of St. Helier.

Composition of the States: implementation of remaining Clothier reforms – referendum (P.3/2011) – amendment. P.3/2011.
Lodged: 26th January 2011. Amd.
Senator F. du H. Le Gresley.

Assistant Ministers: notification of appointments and dismissals. P.5/2011.
Lodged: 19th January 2011.
Deputy P.V.F. Le Claire of St. Helier.
(Cannot be debated until 2nd February 2011)

M. ARRANGEMENT OF PUBLIC BUSINESS

15th February 2011

Draft Loi (No. 7) (201-) concernant la charge de Juge d'Instruction. P.148/2010.
Lodged: 19th October 2010.
Chief Minister.

Esplanade Quarter: deferment of works. P.181/2010.
Lodged: 7th December 2010.
Deputy of St. John.

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 Turkey. P.195/2010.
Lodged: 23rd December 2010.
Chief Minister.

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 the United Mexican States. P.196/2010.
Lodged: 23rd December 2010.
Chief Minister.

Draft Companies (Amendment No. 5) (Jersey) Regulations 201-. P.197/2010.
Lodged: 29th December 2010.
Minister for Economic Development.

Draft Gambling (Remote Gambling Disaster Recovery) (Amendment) (Jersey) Regulations 201-. P.199/2010.
Lodged: 31st December 2010.
Minister for Economic Development.

Standing Orders: time limits on speeches during debates. P.1/2011.
Lodged: 4th January 2011.
Senator P.F. Routier.

Cold weather payments: amendment to income support. P.4/2011.
Lodged: 19th January 2011.
Senator F. du H. Le Gresley.

Assistant Ministers: appointment by the States. P.6/2011.
Lodged: 19th January 2011.
Deputy of St. John.

Income Support Medical Appeal Tribunal: appointment of members. P.11/2011.
Lodged: 27th January 2011.

Minister for Social Security.

Social Security Tribunal: appointment of members. P.12/2011.
Lodged: 27th January 2011.
Minister for Social Security.

Jersey Employment Tribunal: appointment of members. P.13/2011.
Lodged: 27th January 2011.
Minister for Social Security.

1st March 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.

Ratification of a Double Taxation Agreement between the States of Jersey and P.7/2011.
the Government of Estonia.
Lodged: 24th January 2011.
Chief Minister.

Ratification of the Agreement for the Exchange of Information relating to Tax P.8/2011.
Matters between the Government of Jersey and the Government of Canada.
Lodged: 24th January 2011.
Chief Minister.

Geneva Conventions: Additional Protocol III – extension to Jersey. P.9/2011.
Lodged: 24th January 2011.
Chief Minister.

Draft Public Elections (Amendment No. 4) (Jersey) Law 2011. P.14/2010.
Lodged: 27th January 2011.
Privileges and Procedures Committee.

29th March 2011

Samarès Nursery site, St. Clement: removal from draft Island Plan– petition. P.131/2010.
Lodged: 1st October 2010.
Connétable of St. Clement.

Samarès Nursery site, St. Clement: removal from draft Island Plan– petition P.131/2010.
(P.131/2010) – comments. Com.
Presented: 22nd December 2010.
Minister for Planning and Environment.

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

5th April 2011

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.

M.N. DE LA HAYE
Greffier of the States

27th January 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 2nd and Thursday 3rd February 2011.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.7/2011.

This Order permits the Jersey Motor Cycle and Light Car Club to hold sand races and practices on various parts of the beaches at Millbrook, St. Oueŕs Bay and West Park on various dates in 2011.

The Order was made on 21st January 2011 and came into force immediately.

R&O.8/2011.

This Order specifies dates and times when the Jersey Motor Cycle and Light Car Club may close the Bouley Bay Hill and Five Mile Road courses to normal traffic and use them for the purposes of motor races and practices.

The Order was made on 21st January 2011 and came into force immediately.

R&O.9/2011.

The effect of this Order is to increase, by approximately 2%, with effect from 1st February 2011, the public parking charges payable for parking units and monthly season tickets, pursuant to the Road Traffic (Public Parking Places – Charges) (Jersey) Order 2010 (“2010 Order”). The charges were last increased on 1st February 2010.

This Order also adds Ann Place Car Park (“STHA1”) to the list of parking places in respect of which a season ticket charge is payable under Articles 4(b) and 5(2)(b) of the 2010 Order. Articles 9(b) and 5(2)(b) provide higher charges to be payable in certain car parks, mainly in St. Helier.

The Order was made on 21st January 2011 and comes into force on 1st February 2011.

R&O.10/2011.

This Order prescribes fees for approvals, certificates, inspections and tests under the Community Provisions (Bovine Embryos) (Jersey) Regulations 2010.

The Order was made on 25th January 2011 and came into force on 26th January 2011.

WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy A.K.F. Green of St. Helier–

“Could the Minister outline the progress made to date in relation to the preparation of appropriate legislation for the compulsory wearing of protective helmets for cyclists under 18 and when the Minister envisages he will be in a position to bring forward draft legislation?”

2. The Minister for Planning and Environment will table an answer to the following question asked by Deputy A.K.F. Green of St. Helier–

“Could the Minister outline the progress made to date regarding the preparation of appropriate planning legislation for the provision of changing places (disabled toilets) and when the Minister envisages he will be in a position to bring forward draft legislation?”

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

“How many self-employed contract/agency staff are currently working for the States of Jersey, and could the Chief Minister provide the information broken down by individual Ministerial Departments under the following headings –

- (a) self-employed contract
 - (i) headcount;
 - (ii) invoice value (monthly);
 - (iii) fee cost and expenses (breakdown);
 - (iv) period of engagement;
 - (v) role or project?
- (b) agency staff
 - (i) head count;
 - (ii) invoice value;
 - (iii) Civil Service Grade equivalent;
 - (iv) role?”

4. The Minister for Treasury and Resources will table an answer to the following question asked by Senator A. Breckon–

“Can the Minister as representative of the shareholders confirm the financial position and business arrangements between the Jersey Electricity Company (JEC) and Newtel Holdings and, in particular, can the Minister state –

- (a) how much was invested in Newtel Holdings and in what year?
- (b) how much of this was written off and in what year?
- (c) whether the JEC extended a line of credit for services provided to Newtel and, if so, for how long?
- (d) was there an outstanding amount and, if so, why was this allowed to happen?
- (e) was any money repaid and if so, what amount and how?
- (f) for what purpose was the credit extended?

Does the Minister consider that there is a chance of recovering any of the outstanding monies invested in Newtel and, if so, how and when?”

5. The Minister for Economic Development will table an answer to the following question asked by Senator A. Breckon–

“Can the Minister advise whether a formal complaint has been made to the Jersey Competition

Regulatory Authority (JCRA) by Clear Mobitel about the anti-competitive behaviour of the Jersey Electricity Company and Newtel Holdings and, if so –

- (a) when was the formal complaint made?
- (b) why has the JCRA not made this matter public?
- (c) is the complaint still being investigated and, if so, by whom and within what timescale?

Does the Minister have confidence in the JCRA as an independent body that will investigate all matters without fear or favour?”

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

“As the former States Treasurer left his post some considerable time ago, can the Minister advise whether cheques are still being issued by the Treasury still signed by the former Treasurer and, if so, why?

Does the Minister accept that this could cause concern to creditors and others and send out a message that Jersey as a finance centre is not up to speed in the international field?”

7. The Minister for Economic Development will table an answer to the following question asked by the Deputy of St. John–

“As the new dairy at Trinity is up and running, can the Minister advise whether there has been positive feedback from the industry regarding its operation?

Could members be advised the total amount of financial aid provided by taxpayers to meet the construction and fit out of the dairy?

Was all of the machinery within the new dairy purchased new or second hand (please specify) and, if second hand, is it fit for purpose?

Have contracts with Tesco been as fruitful as expected and, if not, has the dairy requested further help to support the industry financially?”

8. The Minister for Home Affairs will table an answer to the following question asked by Deputy P.V.F. Le Claire of St. Helier–

“Can the Minister provide for members a detailed breakdown (by sector and by country of origin) of those individuals currently working in Jersey on work permits; the number of dependents they have and whether any of those dependents have the right to work by virtue of their relationship to the prime work permit holder?

Can he also provide these details for the whole of 2010?

Would he agree to take personal oversight or appoint a political lead, to ensure that all requests for non EU labour to fill jobs have had a serious consideration of potential on-Island employees by cross referencing with Social Security, considering that 1,700 people are currently unemployed in Jersey a present?”

9. The Minister for Planning and Environment will table an answer to the following question asked by Senator J.L. Perchard–

“Now that the Minister has decided to maintain the listing of the former Odeon Cinema building on the Historic Buildings Register, what does he intend to do to ensure that the building does not further deteriorate and blight its surroundings?”

10. The Minister for Transport and Technical Services will table an answer to the following question asked by

Senator J.L. Perchard—

“Will the Minister provide an estimate as to how many metal cans and tins were loaded into the Island’s incinerator last year and what plans, if any, does he have to reduce the number in 2011?”

11. The Chairman of the Comité des Connétables will table an answer to the following question asked by Senator J.L. Perchard –

“Will the Comité support the separation of all used metal drinks cans and food tins by parishioners to avoid burning them in the incinerator by introducing (as with glass) a monthly kerb-side collection for metal cans and tins and, if not, why not?”

12. The Minister for Social Security will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier—

“Will the Minister clarify how a complaint from the public relating to an alleged abuse of the Income Support system is investigated and confirm that any such complaint is investigated to ascertain whether an allegation is valid or not.

Would the Minister advise how long such an investigation takes from the receipt of a complaint?”

13. The Minister for Housing will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier—

“What powers, if any, does the Minister possess to ensure tenants within Housing Trust properties are protected from persistent anti-social behaviour from neighbours; further still, what sanctions, if any, can he impose on Housing Trusts that do not protect tenants’ rights?”

14. The Chairman of the Privileges and Procedures Committee will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier—

“Will the Chairman clarify that other than the role of Senator having arisen from the position of 12 Jurats these originally being elected for life and only by a vote limited to the ‘King’s men’ whether the Privileges and Procedures Committee is aware of any historical justification for the necessity of the Island electing 12 Senators; further still, whether the Committee is aware of any research since 1948 demonstrating that there is public support specifically for the retaining of 12 Senators as opposed to a general support for retaining an Island-wide mandate in some form itself?”

15. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier—

“As UK tax rates are now dramatically higher for those having incomes in excess of £150,000, and with many in Jersey finding it increasingly difficult to make ends meet in the current economic climate coupled with the increase in GST to 5%, will the Minister explain why he still believes it is not appropriate to increase the taxation rates on higher earners residing in the Island?”

16. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier—

“As the States have made a commitment to work towards a fairer, more equal society, can the Minister advise whether his department is considering measures to address the use of tax vehicles by wealthy residents to pay far lower rates of tax in real terms on their overall income than those less well-off residents and, if not, why?”

17. The Minister for Planning and Environment will table an answer to the following question asked by Deputy P.V.F. Le Claire of St. Helier–
- “Following his response to the following question on 22nd June 2010, when the Minister advised that he hoped to present an Energy Policy Green Paper to the States later that year which would provide a direction that the Island as a whole could follow to improve overall energy efficiency, will he advise when this Green Paper and the Air Quality Strategy will be tabled?”
18. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy P.V.F. Le Claire of St. Helier–
- “Further to his written answers on 23rd of May 2006 and 20th November 2007 to questions raised regarding green waste composting costs, would the Minister provide comparable costs for 2008, 2009 and 2010?”
19. The Minister for Health and Social Services will table an answer to the following question asked by Deputy P.V.F. Le Claire of St. Helier–
- “Following on from his answer to the following question posed by the Deputy of St. Mary on 23rd March 2010, can the Minister provide updated figures for child accident statistics for 2009 and 2010?
- Would the Minister also advise Members whether, as discussed around the introduction of rear seat belts, her Department is compiling accident details to help analyse the impact of accidents by activity and can she report back on any reduction of accidents since the wearing of rear seat belts were made compulsory?”
20. The Minister for Social Security will table an answer to the following question asked by Deputy P.V.F. Le Claire of St. Helier–
- “Further to the answer given to the following question on 23rd March 2010, would the Minister provide updated figures regarding the overall cost of Income Support since Social Security implemented the system?”
21. The Minister for Health and Social Services will table an answer to the following question asked by the Deputy of St. John–
- “Given that the Reciprocal Health Agreement is still not in place, what insurance assistance is there for families in the following situations and would she advise who the public should contact for assistance –
- (a) when a patient has to attend hospital in the UK, whilst travelling between the Airport to the place of treatment?
 - (b) for the next-of-kin or carer to assist a patient whilst travelling and staying in UK?
 - (c) if private insurance premiums are declined or it is too expensive?
- Further to this what help, if any, can the travelling public get if they are going to the UK and are declined insurance on age or health grounds or when the premiums are excessive?”
22. The Minister for Economic Development will table an answer to the following question asked by the Deputy of St. Martin–
- “With reference to answers given during the States Sitting on 18th January 2011 relating to parking charges at the Airport, will the Minister inform Members of –
- (a) the revenue received from the parking area outside the Arrivals area?

- (b) the revenue received from all other parking areas?
- (c) the number of free parking permits issued to staff?
- (d) the number of parking spaces for disabled drivers?"

23. The Minister for Home Affairs will table an answer to the following question asked by the Deputy of St. Martin–

“Will the Minister inform Members of the number of Police Officers suspended during 2010, showing the dates when the suspension commenced and dates when the suspension ended?”

24. The Minister for Economic Development will table an answer to the following question asked by Senator F. du H. Le Gresley

“Would the Minister provide a detailed breakdown of actual expenditure against budget, to the nearest £000, for the following Key Objectives in his Department’s 2010 Business Plan –

- (a) Key Objective 7– Introduce Business Advisory Service
- (b) Key Objective 9– Jersey Awards for Enterprise
- (c) Key Objective 90– Rural Initiative Scheme?

Would the Minister state how many grants were made under the Rural Initiative Scheme in 2010, the names of the recipients, the value, purpose and category of each grant?”

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

“Can the Minister inform members what assessment he has made of the economic impact of the granting of a Class 1 postal licence to the Dutch-based global logistics business TNT (2009 revenues 10.4 billion Euros), and if none, why?

Is the Minister concerned that allowing such a large company, with its access to enormous economies of scale and to potential cross-subsidy, has the potential to totally wipe out Jersey Post which is already trading at reduced profit levels?

What threat, if any, does this pose to the maintenance of Jersey Post’s Universal Service Obligation (USO) and if so, what measures does the Minister have under consideration to protect the USO?

Will the Minister inform members what duties he, or the Jersey Competition Regulatory Authority, has to safeguard the Island’s economy overall, in contrast to any duty to promote competition?

Will the Minister also comment on whether the granting of a Class 1 postal licence to HiSpeed Freight Services Limited (which includes DHL Global Mail/ Deutsche Post Global Mail), another large global operator will have a detrimental impact upon Jersey Post?”

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

“Will the Minister confirm that –

- (a) early estimates of the loss in tax revenue from the zero/ten tax policy were around £90 million annually, with approximately £30 million from the ‘zero’ component and £60 million from ‘ten %’?
- (b) more recent estimates from the Treasury give estimates of £10 – £15 million tax to be recouped through ‘look-through’ from Jersey owned zero-rated non-finance companies?

In the light of the answer given to question 5947 on 18th January 2011 that only £0.7 million of additional

tax revenue is likely from 'look-through' in 2009, will the Minister now give an estimate of the tax revenue through 'deemed distribution' for 2010 once companies have declared both final and interim dividends?"

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

"Following his answers to question 5945, will the Minister inform members how much was raised from the payment of fees and charges from the number of foreign-owned non-finance companies which existed under the "exempt company" rules prior to the "zero/ten" regime?

How much is currently raised from the 17,600 foreign-owned non-finance companies currently registered at the JFSC in fees and charges?

Does the Minister have any plans to increase these charges on these zero-rated companies, and if not, why not?"

28. The Minister for Economic Development will table an answer to the following question asked by Deputy G.P. Southern of St. Helier-

"Would the Minister accept that the latest Business Tendency Survey shows the lowest figures for a year across all sectors in both current employment and future employment categories?

Can the Minister point to any sectors where his departmental initiatives have successfully created sustainable jobs?

What further efforts, if any, will he make in the coming year to promote job creation in the marketplace?"

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

"Will the Minister produce a list of all those "non-urgent" operations which have been cancelled or otherwise postponed following the results of the CSR or because of staff shortages?"

30. The Minister for Health and Social Services will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier-

"Will the Minister inform Members for each person suspended, restricted, excluded or otherwise not carrying out or fulfilling their full contractual duties for any reason, provide the following information –

- (a) Title (doctor, nurse, administrator, social worker, etc.) suitably anonymised;
- (b) The date the person was restricted, excluded or suspended;
- (c) The duties carried out by the person, restricted, excluded or suspended during the entire period, broken down into time periods if they varied over the period;
- (d) The privileges of the person in terms of what are they allowed to do or what facilities they can use in the department or what privileges have been withdrawn;
- (e) Details of any training agreed, booked for, refused by, carried out or currently being undertaken by the person giving specific dates;
- (f) The steps taken by the Department to date, giving dates of each action, to resolve the restrictions/suspension so the process and progress of case handling can be ascertained;
- (g) An estimation of the time until the restriction/suspension is expected to be resolved setting out the

major steps required to be taken and by whom for the matter to be concluded?”

31. The Minister for Economic Development will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier–

“(1) Following the Minister’s undertaking to provide the Assembly with full details of all appointments made at Jersey Airport over the last 4 years, would he provide the following information (which may be presented in a tabular form) –

- (i) vacancy/Position filled (Job Title);
- (ii) grade of position;
- (iii) date(s) advertised and where advertised;
- (iv) number of people who applied and were interviewed, stating whether they were internal or external candidates;
- (v) whether internal or external candidate appointed;
- (vi) whether references were taken before employment commenced?

(2) Will the Minister provide the Assembly with full details of all appointments made at Jersey Harbours over the last 4 years in relation to the following–

- (i) Vacancy/Position filled (Job Title);
- (ii) grade of position;
- (iii) date(s) advertised and where advertised;
- (iv) number of people who applied and were interviewed, stating whether they were internal or external candidates;
- (v) whether internal or external candidate appointed;
- (vi) whether references were taken before employment commenced?”

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

“Can the Minister confirm to members if any Fund controlled or managed by or on behalf of the States, including pension funds, has any shares, including shares held as part of collective investments of any kind, in any of the six corporations which are being currently voted on in the annual Public Eye internet poll for “the worst company of the year 2011”, namely: Anglogold Ashanti, Xpo, BP, Foxconn, Neste Oil and Philip Morris, (for information, details can be found at <http://www.publiceye.ch/en/vote/>) and if so, how many shares, in which Funds and what value?”

33. The Minister for Economic Development will table an answer to the following question asked by the Deputy of St. Mary–

“Given the importance of the good work done by honeybees and other bees, can the Minister outline his overall policy on insecticides and their effect on bees?

Given that beekeepers in Europe have called for a ban on the insecticides imidacloprid, fipronil, thiamethoxam, and clothianidin, can the Minister inform members whether these chemicals have been banned from sale and/or from use in Jersey?

When chemicals in general, and these in particular, have been banned from sale, what steps does the department take to destroy any stocks held around the Island?

Similarly, if a chemical has been banned from use, how is this enforced and what penalties would arise in a case of illegal use of such banned substances?

Do the same rules with regard to the professional use of agricultural chemicals apply to allotment and garden users?”

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

“What action is available to the employer when a civil servant makes a serious error in an area of their professional competence (where “serious” means that the consequences are such that one would reasonably expect that person to have satisfied themselves rigorously with regard to that decision, or to those calculations, etc.?)

What action is available to the employer when a civil servant gives misleading or untrue information to their Minister, for example, in a draft answer to a Written Question, or as part of a Policy document?”

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

“Can the Minister explain to members the current rules regarding the use of consultants by States Departments, specifically the rules governing bias in overall approach, selection of evidence and arguments, and the writing of reports?”

ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

| <u>2011</u> | First 15 minute period Minister | Second 15 minute period Minister |
|---|--|---|
| <u>First session</u> | | |
| February 15th | Education, Sport and Culture | Health and Social Services |
| March 1st | Home Affairs | Chief Minister |
| March 15th | Social Security | Planning and Environment |
| March 29th | Housing | Chief Minister |
| April 5th | Transport and Technical Services | Economic Development |
| May 3rd | Treasury and Resources | Chief Minister |
| May 17th | Education, Sport and Culture | Health and Social Services |
| June 7th | Home Affairs | Chief Minister |
| June 21st | Social Security | Planning and Environment |
| July 5th | Housing | Chief Minister |
| July 18th (Monday) | Transport and Technical Services | Economic Development |
| <u>2nd session</u> | | |
| September 13th (Annual Business Plan 2012) | Treasury and Resources | Chief Minister |
| September 20th | Education, Sport and Culture | Health and Social Services |
| November 8th (Budget 2012) | Home Affairs | Chief Minister |