



STATES OF JERSEY ORDER PAPER

Tuesday 11th December 2012

- A. COMMUNICATIONS BY THE PRESIDING OFFICER**
- B. TABLING OF SUBORDINATE ENACTMENTS**
- C. DOCUMENTS PRESENTED OR LAID**
- D. NOTIFICATION OF LODGED PROPOSITIONS**
- 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 Economic Development will table an answer to a question asked by the Connétable of St. John regarding Hangar8 and projected receipts to the Treasury and the Parish of St. Peter.
2. The Minister for Economic Development will table an answer to a question asked by the Connétable of St. John regarding the estimated costs of the demolition of Freight sheds.
3. The Chairman of the Environment Scrutiny Panel will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the progress of Scrutiny reviews undertaken in 2012.
4. The Chief Minister will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding changes to the tax structure.
5. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding waiting lists for consultants.
6. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding police complaints.



7. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding staffing levels.
8. The Minister for Planning and Environment will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding redevelopments in town.
9. The Minister for Planning and Environment will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding consistency in planning applications.
10. The Minister for Social Security will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding Health Insurance Fund payments to doctors.
11. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding waiting times for elective surgery.
12. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding demand for social rented accommodation.
13. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding Income Support enquiries at the Citizen's Advice Bureau.
14. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding Foreign Account Tax Compliance Act agreements.
15. H.M. Attorney General will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the legal obligations of Jersey courts.
16. H.M. Attorney General will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the 'Trust' status of the States of Jersey.
17. H.M. Attorney General will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the ownership of public property.

The following question was deferred from 4th December 2012 at the request of the Chief Minister and is therefore shown in addition to Deputy M.R. Higgins of St. Helier's five written questions for this meeting.

18. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the impact of the Comprehensive Spending Review on staffing levels.

(b) – Oral Questions

(120 minutes)

The following question was deferred from 4th December 2012 at the request of the Minister for Health and Social Services and is therefore shown in addition to the Connétable of St. John's two oral questions for this meeting.

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

“Would the Minister advise what construction works were being undertaken at the General Hospital in or around the Emergency Assessment unit during the nights of 9th to 11th November 2012, what required such urgent works, by whom were they authorised and what action, if any, has been taken to discipline this person given that patients were kept awake all night by the noise?”



2. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –
“Will the Minister inform members how the sums involved in the 1% non-consolidated pay award recently imposed on public sector employees have been calculated and whether any additional terms and conditions have also been imposed?”
3. Deputy J.H. Young of St. Brelade will ask the following question of the Minister for Planning and Environment –
“Will the Minister advise the Assembly of the current status of the approved Masterplan for the development of the St. Helier Waterfront and whether he has any plans to review it as a result of changed circumstances since the plan was adopted?”
4. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Home Affairs –
“Will the Minister advise members whether any witness statements made by victims of child abuse that were made to, and in the custody of, the States of Jersey Police were subsequently lost and, if so, have these statements now been recovered; if not, what are the implications for victims making claims for compensation under the Historic Abuse Redress Scheme?”
5. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Chief Minister –
“Would the Chief Minister update members on the progress of the proposed departmental restructuring and of the present membership of the working party responsible for this?”
6. The Connétable of St. John will ask the following question of the Chief Minister –
“Who authorised the advertisement placed in the Jersey Evening Post on 5th December 2012 concerning a public meeting to discuss Plémont and why was authority given for taxpayer’s money to be spent in this way?”
7. Deputy T.M. Pitman of St. Helier will ask the following question of the Chief Minister –
“In view of concerns raised by a number of States Members and stakeholders, will the Chief Minister ensure that the issues of both the police hand-over of investigations and the actions of those in political power will be fully covered in the Historic Child Abuse inquiry terms of reference?”
8. Deputy J.M. Maçon of St. Saviour will ask the following question of the Chief Minister –
“Has the Chief Minister considered the Leveson Report and, if so, will he be bringing forward any proposals to better safeguard members of the public and, if not, why not?”
9. The Deputy of Grouville will ask the following question of the Chairman of the Comité des Connétables –
“Given that in June 2011, the States adopted P.60/2011 requesting the Connétables to investigate the possibility of compiling a booklet by January 2012 to publicise to their parishioners the workings of parish assemblies and to investigate publishing a standardised set of recommended procedures for use at these assemblies, can the Chairman advise members whether this has been done and, if not, why not?”



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

“Under what circumstances could publicly owned assets be disposed of in order to fund the cost of any project not contained within the Medium Term Financial Plan?”

11. Deputy M. Tadier of St. Brelade will ask the following question of the Chairman of the Electoral Commission –

“Would the Chairman explain why the Commission put forward a second option in its interim report involving the retention of the Connétables, when this is in direct contradiction to its own principles, notably that constituencies should as far as possible be of broadly equal size and that a candidate should generally require a significant number of votes in order to be elected to the Assembly?”

12. Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Minister for Health and Social Services –

“Is the post of Head of Policy, Ministerial Support and Engagement intended to act as an intermediary between the Ministerial Team and senior officers and, if so, why is this deemed necessary?”

13. Deputy M.R. Higgins of St. Helier will ask the following question of H.M. Attorney General –

“Is the Attorney General aware of any cases of alleged criminal offences committed by serving officers in the States of Jersey Police and, if so, what action if any, will he be taking to prosecute such officers to maintain or/restore public confidence in the police and to show that no one is above the Law?”

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

“In light of recent moves to clampdown on Jersey’s tax system, what efforts are being taken to ensure that ‘Jersey and the other Crown Dependencies can work with London to secure financial services growth for London and the UK’ as acknowledged by the UK Chancellor during his recent meeting with the Minister?”

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

“Was the Hampshire Police investigation into the circumstances leading to the arrest of Curtis Warren and others due to be completed in December this year, and, if so, will the Minister inform Members whether the investigation has been completed and, if so, will he make the outcome known?”

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

“Will the Minister advise members how much of the sums held in Jersey accounts is held by EU subjects and liable to European Union Savings Tax Directives (EUSTD), how much is held by UK residents, how much is exempt from EUSTD and how much is held by US citizens and would be subject to any US Foreign Account Tax Compliance Act agreement when signed?”



17. Deputy J.H. Young of St. Brelade will ask the following question of the Minister for Planning and Environment –

“As the Minister now has a Planning application pending for the proposed new Police Headquarters at Green Street, does this prevent the Minister from producing a Masterplan to guide the future development of the Eastern Gateway Area of St Helier as required by the Island Plan, and if not, will he inform the assembly whether he intends to do so before he determines the application?”

18. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Social Security –

“Would the Minister advise what steps, if any, he is taking to ensure efficiency and reduce overpayments within the Income Support scheme?”

19. Deputy J.M. Macon of St. Saviour will ask the following question of the Chief Minister –

“Why do the Chairman of the Comité des Connétables and the Assistant Chief Ministers regularly attend Council of Ministers meetings and does the Chief Minister consider that other groups/interests should be routinely present and, if not, why not?”

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

“As the cost of any purchase by compulsory purchase is determined by a Board of Arbitrators and the Assembly therefore has no control over the purchase price and any associated legal costs, how does the Chief Minister justify the proposal to purchase the Plémont site by compulsory purchase in the present economic climate?”

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

1st question period – Minister for Housing

2nd question period – Planning and Environment

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Draft Intellectual Property (Unregistered Rights) (Application, Transitional Provisions and Savings) (Jersey) Regulations 201-. P.112/2012.

Lodged: 30th October 2012.

Minister for Economic Development.

Draft Intellectual Property (Unregistered Rights) (Application, Transitional Provisions and Savings) (Jersey) Regulations 201- (P.112/2012): comments. P.112/2012.
Com.

Presented: 4th December 2012.

Economic Affairs Scrutiny Panel.

Draft Intellectual Property (Unregistered Rights) (Jersey) Law 2011 (Appointed Day) Act 201-. P.111/2012.

Lodged: 30th October 2012.

Minister for Economic Development.



Plémont Holiday Village – acquisition by the public and sale to the National Trust for Jersey. Lodged: 27th September 2012. <i>Chief Minister.</i>	P.90/2012.
Plémont Holiday Village – acquisition by the public and sale to the National Trust for Jersey (P.90/2012) – amendment Lodged: 10th October 2012. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.90/2012. Amd.
Plémont Holiday Village – acquisition by the public and sale to the National Trust for Jersey (P.90/2012) – second amendment. Lodged: 27th November 2012. <i>Deputy G.P. Southern of St. Helier.</i>	P.90/2012. Amd.(2) (re-issue)
Draft Fire Precautions (Amendment No. 2) (Jersey) Law 2012 (Appointed Day) Act 201-. Lodged: 30th October 2012. <i>Minister for Home Affairs.</i>	P.114/2012.
Draft Fire Precautions (Designated Premises) (Jersey) Regulations 201-. Lodged: 30th October 2012. <i>Minister for Home Affairs.</i>	P.115/2012.
Draft Repatriation of Prisoners (Jersey) Law 2012 (Appointed Day) Act 201-. Lodged: 13th November 2012. <i>Minister for Home Affairs.</i>	P.121/2012.
Draft Health Insurance (Amendment No. 14) (Jersey) Law 2012 (Appointed Day) Act 201-. Lodged: 13th November 2012. <i>Minister for Social Security.</i>	P.122/2012.

M. ARRANGEMENT OF PUBLIC BUSINESS

15th January 2013

Jersey Appointments Commission: appointment of Commissioner. Lodged: 23rd October 2012. <i>Chief Minister.</i>	P.108/2012.
Tourism Shadow Board: establishment. Lodged: 30th October 2012. <i>Minister for Economic Development.</i>	P.113/2012.
Committee of Inquiry: Historical Child Abuse. Lodged: 6th November 2012. <i>Council of Ministers.</i>	P.118/2012.
Connétables and other parish officials: explanatory document and new legislation. Lodged: 6th November 2012. <i>Deputy M.R. Higgins of St. Helier.</i>	P.119/2012.
Minister for Justice and Department of Justice: report. Lodged: 13th November 2012. <i>Senator L.J. Farnham.</i>	P.120/2012.



- Greville Bathe Fund: appointment of Jurat. P.123/2012.
Lodged: 16th November 2012.
Minister for Treasury and Resources.
- Jersey Innovation Fund: establishment, funding and operation. P.124/2012.
Lodged: 20th November 2012.
Minister for Treasury and Resources.
- Draft Community Provisions (Goods Infringing Intellectual Property Rights) P.125/2012.
(Jersey) Regulations 201-.
Lodged: 27th November 2012.
Minister for Home Affairs.
- Draft Public Employees (Contributory Retirement Scheme) (States of Jersey Prison P.126/2012.
Service – Amendments) (Jersey) Regulations 201-.
Lodged: 29th November 2012.
States Employment Board.
- States Members' remuneration: proposed increase for 2013. P.127/2012.
Lodged: 3rd December 2012.
Connétable of St. Saviour.
- Draft Civil Partnership (Consequential Amendments) (No. 2) (Jersey) Regulations P.128/2012.
201-.
Lodged: 4th December 2012.
Chief Minister.
- Ratification of the Agreement for the Avoidance of Double Taxation and the P.129/2012.
Prevention of Fiscal Evasion with Respect to Taxes on Income between the
Government of Jersey and the Government of the Republic of Singapore.
Lodged: 4th December 2012.
Chief Minister.
- Draft Taxation (Double Taxation) (Amendment) (Jersey) Regulations 201- P.130/2012.
Lodged: 4th December 2012.
Chief Minister.
- Starter Home Deposit Loan Scheme. P.131/2012.
Lodged: 4th December 2012.
Minister for Treasury and Resources.
- Draft Limited Liability Partnerships (Amendment of Law) (Jersey) Regulations P.132/2012.
201-.
Lodged: 4th December 2012.
Minister for Economic Development.
- Draft Income Tax (Amendment No. 42) (Jersey) Law 201- P.133/2012.
Lodged: 4th December 2012.
Minister for Treasury and Resources.

29th January 2013

19th February 2013

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



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

P.92/2012.
Com.

Police Station Relocation: review of decision (P.92/2012) – comments.
Presented: 20th November 2012.
Minister for Planning and Environment.

P.92/2012.
Com.(2)

M.N. DE LA HAYE
Greffier of the States

6th December 2012

Note –

In accordance with the meeting dates fixed for 2012 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 12th and Thursday 13th December 2012.



WRITTEN QUESTIONS

(See Item I(a))

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

“In relation to the proposed new hangar development at Jersey Airport, will the Minister confirm the detail of the ‘relevant tax and associated payments to the Treasury and Parish authorities’ as set out in his answer to my written question 20th November 2012, and advise whether the projected receipts to be delivered to both the States Treasury and the Parish were included as part of the tendering process and, if so, provide details?”

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

“Will the Minister please advise the Assembly of the estimated cost of -

- (a) the demolition of the existing Freight sheds, which contain Asbestos within their construction materials;
- (b) the cost of the replacement Freight building;
- (c) the cost of the associated aircraft hard standing and any taxiways associated with the relocated freight facility?

Furthermore, has planning permission been made for the relocation of the Freight facility prior to any signing of memorandums of understanding and or contracts with Hanger8?”

3. The Chairman of the Environment Scrutiny Panel will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Will the Chairman provide details of the Reviews which the Environment Scrutiny Panel have completed this year and of those still in progress, together with their projected completion date?

Would the Chairman also explain whether, given the problems ventilated around the Planning process, the Panel plans to undertake an update of a Review of this issue completed by a previous panel and if not, will he explain why?”

4. The Chief Minister will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Does the Chief Minister agree that the external circumstances which forced us to change our tax structure (with consequential shifting of approximately £100 million taxation annually from corporate to personal taxation) appear to be becoming an increasing threat to our finance industry?

What long term future does he consider the finance industry has and does he consider it prudent to continue to pump more effort and funding into finance in the hope that it will survive rather than attempting to manage its decline?”



5. The Minister for Health and Social Services will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Would the Minister advise of the current length of waiting lists to see hospital consultants, including preliminary lists to get onto waiting lists?”

6. The Minister for Home Affairs will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

Will the Minister complete the following table :

Year	No. of complaints made against Police Officers	No. of complaints against officers upheld	No. of officers disciplined as a result of the complaint	How many letters of apology were sent out to successful complainants	How many explanations of officers conduct were sent out to successful complainants
2008					
2009					
2010					
2011					
2012 (to date)					

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

- (a) “Will the Minister set out in tabular form the number of full and part time employees in her department in each of the following categories for the following years (2008, 2009, 2010, 2011, 2012 (to date) together with the annual salary bills for each category in each of those years:

Consultants
Other doctors
Nurses
Nursing auxiliaries
Support staff (radiologists, physiotherapists)
Manual workers
Junior Administrators
Senior Administrators (Grade 12 and above)

- (b) Will the Minister set out the areas of expertise of the full time and part time consultants employed by the Department?”



8. The Minister for Planning and Environment will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“In relation to the following two St. Helier property developments abandoned or put on hold by the developers, will the Minister set out clearly the dates of all correspondence/communications between the Planning department and the developers, setting out the issues raised, resolved and reworked in each so that members can understand for themselves how and why these projects came to be abandoned or put on hold –

- (a) Le Masuriers Parkside North of Town Development;
- (b) Le Masuriers J1 Broad Street Development?”

9. The Minister for Planning and Environment will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister set out the importance of consistency in Planning and enforcement decisions and actions taken by his Department and set out what actions, if any, are taken to ensure that there is consistency in both these areas and explain the legal consequences for the Department for failing to do so?”

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

“Will the Minister complete a number of tables (listed below as a, b, c, etc) using the following format noting that the information will be anonymous in that each doctor will be allocated a number and those who came into the Island in or after 2009 should appear at the end of the list and only show the years in which they were in post and paid.

Doctor	2008	2009	2010	2011	2012
1					
2					
3					
4 etc					

- (a) The amount of money paid to each GP out of the States Health Insurance Fund for visits to the doctor each year;
- (b) The amount of money paid to each GP out of the States Health Insurance Fund for prescriptions written by the doctor for each year;
- (c) The amount of money paid to each GP for taking blood or other samples for analysis or for other non-visit/ non-prescriptions for each year; and,
- (d) The amount of money paid to each GP for writing sick notes for patients for each year?”



11. 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 update, to the end of Quarter 3 2012, the figures given in response to Question 6867 on 15th May 2012 and in Question 7240 on 12th June 2012 for waiting lists for elective surgery?”

Will she state whether some elective procedures have been postponed until the start of the new financial year in January 2013?

Will she further state what the bed occupancy rate in the hospital is currently?”

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

“Is the Minister surprised that the latest Housing Assessment shows that those in social rented accommodation who were planning to move in the next 3 years expressed higher levels of dissatisfaction with the state of repair of their housing than those in the private sector and even those in unqualified housing?”

What measures, if any, has the Minister in place to meet the demand for social rented housing (especially houses rather than flats) shown by the Assessment to stand at 420 units over the period 2013 to 2015?”

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

“What specific measures, if any, does the Minister have under consideration to reduce the need for members of the public to seek help from the Citizens’ Advice Bureau regarding problems with Income Support claims, which was recorded in their 2011 annual report as the top single issue brought to them by clients on 553 occasions, relegating indebtedness to second place at 262?”

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

“Will the Chief Minister inform members of the extent of the proposals made by the UK government on a Foreign Account Tax Compliance Act (FATCA) equivalent agreement between the UK and the Crown Dependencies?”

What financial instruments would the agreement be intended to cover and what changes, if any, are envisaged for the finance sector following a UK FATCA agreement?”



15. H.M. Attorney General will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“Are Jersey’s courts legally bound by the:

- (a) European Convention on Human Rights;
- (b) International Covenant on Civil and Political Rights;
- (c) Universal Declaration of Human Rights; and the
- (d) International Covenant on Economic, Social and Cultural Rights?

How do the French language statutes comply with Jersey's courts’ legal obligations under the above mentioned international Human Rights laws?”

16. H.M. Attorney General will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“Under Article 2 of the Universal Declaration of Human Rights, is the political, jurisdictional, or international status of the States of Jersey that of a ‘Trust’ government?”

17. H.M. Attorney General will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier -

“Is all public property held in trust for the people of the Island?”

18. The Chief Minister will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Chief Minister list by Department –

- (a) the job losses since the start of the Comprehensive Spending Review (CSR) process giving date, job, title, pay grade, transformation fund allocation to facilitate the loss of the position;
- (b) the jobs which have been created in each of those Departments since the start of the CSR process giving date, job title, pay grade and any non-monetary assistance to recruit these personnel; and,
- (c) figures for the overall change in job count since the start of CSR?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

2013

1st Session 2013

January 15th	Social Security	Chief Minister
January 29th	Transport and Technical Services	Home Affairs
February 19th	Treasury and Resources	Chief Minister
March 5th	Education, Sport and Culture	Health and Social Services
March 19th	Economic Development	Chief Minister
April 16th	Housing	Planning and Environment
April 30th	Social Security	Chief Minister
May 14th	Transport and Technical Services	Home Affairs
June 4th	Treasury and Resources	Chief Minister
June 18th	Education, Sport and Culture	Health and Social Services
July 2nd	Economic Development	Chief Minister
July 16th	Housing	Planning and Environment

2nd Session 2013

September 10th	Social Security	Chief Minister
September 24th	Transport and Technical Services	Home Affairs
October 8th	Treasury and Resources	Chief Minister
October 22nd	Education, Sport and Culture	Health and Social Services
November 5th	Economic Development	Chief Minister
November 19th	Housing	Planning and Environment
December 3rd	Social Security	Chief Minister
December 10th	Transport and Technical Services	Home Affairs