



STATES OF JERSEY ORDER PAPER

Tuesday 26th June 2012

CONSOLIDATED

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Petroleum (Licensing) (Fees) (Jersey) Order 2012. R&O.74/2012.
Minister for Home Affairs.

Income Support (Transitional Provisions) (Amendment No. 5) (Jersey) Order 2012. R&O.75/2012.
Minister for Social Security.

Immigration (Fees) (Amendment No. 2) (Jersey) Order 2012. R&O.76/2012.
Minister for Home Affairs.

* Community Provisions (Restrictive Measures – Syria) (Amendment No. 4) (Jersey) Order 2012. R&O.77/2012.
Deputy Chief Minister for and on behalf of Chief Minister.

* Social Security (Contributions) (Amendment No. 12) (Jersey) Order 2012. R&O.78/2012.
Minister for Social Security

C. DOCUMENTS PRESENTED OR LAID

Jersey Competition Regulatory Authority: appointment of Chief Executive to the Board. R.75/2012.
Presented: 19th June 2012.
Minister for Economic Development.

Land transactions under Standing Order 168(3) – Physiotherapy Studio, Les Quennevais Sports Centre – lease. R.76/2012.
Presented: 20th June 2012.
Minister for Treasury and Resources.

Jersey Competition Regulatory Authority: Annual Report 2011. R.77/2012.
Presented: 20th June 2012.
Minister for Economic Development.

States of Jersey Police: Annual Performance Report 2011. R.78/2012.
Presented: 20th June 2012.
Minister for Home Affairs.

States Employees' Remuneration: employees earning over £70,000. R.79/2012.
Presented: 21st June 2012.
States Employment Board.



- * Residential Tenancies: Condition Reports, Standard Tenancy Agreements, Standard Forms of Notice and Obligatory Tenancy Provisions – White Paper – Summary of responses. R.80/2012.
Presented: 26th June 2012.
Minister for Housing.

D. NOTIFICATION OF LODGED PROPOSITIONS

- Income support: mileage allowance. P.62/2012.
Lodged: 14th June 2012.
Deputy G.P. Southern of St. Helier.
- Jersey Financial Services Commission: appointment of Commissioner. P.63/2012.
Lodged: 19th June 2012.
Minister for Economic Development.
- States of Jersey Complaints Panel: appointment of members. P.64/2012.
Lodged: 19th June 2012.
Privileges and Procedures Committee.
- Property and Infrastructure Regeneration: appointment of Member to the Regeneration Steering Group. P.65/2012.
Lodged: 19th June 2012.
Chief Minister.
- * Scrap Metal Contract: approval by States Assembly. P.66/2012.
Lodged: 25th June 2012.
Deputy G.C.L. Baudains of St. Clement.

E. WITHDRAWAL OF LODGED PROPOSITIONS

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

Appointment of 5 members of the Bailiff's Consultative Panel.

- * Resignation of Mr. Christopher Evans and Mr. Alexander Fearn from the Public Accounts Committee.

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

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

1. The Minister for Treasury and Resources will table an answer to a question asked by the Connétable of St. John regarding Jersey Telecom's fault repair service.
2. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Board of Governors of Haut de la Garenne.



3. The Minister for Planning and Environment will table an answer to a question asked by Deputy R.J. Rondel of St. Helier regarding the environmental risk assessment undertaken prior to the Diamond Jubilee firework display.
4. The Minister for Planning and Environment will table an answer to a question asked by Deputy R.J. Rondel of St. Helier regarding concerns raised by States Departments in respect of the Diamond Jubilee firework display.
5. The Minister for Transport and Technical Services will table an answer to a question asked by the Deputy of Grouville regarding measures to improve air quality across Jersey.
6. The Minister for Transport and Technical Services will table an answer to a question asked by the Deputy of Grouville regarding road cleaning on bank holidays and weekends.
7. The Minister for Transport and Technical Services will table an answer to a question asked by the Deputy of Grouville regarding staffing and manpower costs.
8. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding legal costs incurred in respect of the Low Value Consignment Relief court action.
9. The Minister for Treasury and Resources will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the collection of Value Added Tax for the UK Government by Jersey Post.
10. The Minister for Economic Development will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the impact of the loss of car parking provision in the town area.
11. 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 the health implications of wireless broadband.
12. The Minister for Health and Social Services will table an answer to a question asked by Senator S.C. Ferguson regarding litigation claims against the Health and Social Services Department.
13. The Minister for Health and Social Services will table an answer to a question asked by Senator S.C. Ferguson regarding the cost of occupied beds in various Hospital departments.
14. The Minister for Treasury and Resources will table an answer to a question asked by Senator S.C. Ferguson regarding the progress of Gigabit Jersey.
15. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the new £100 note.
16. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Energy from Waste Plant.
17. The Minister for Planning and Environment will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the delegation of powers in respect of planning applications.
18. The Minister for Treasury and Resources will table an answer to a question asked by the Connétable of St. John regarding power cuts experienced in the Island over the past 10 years.
19. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. Ouen regarding the use of additional funding within the Health and Social Services Department.



20. The Minister for Home Affairs will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the inmates at H.M.P La Moye serving sentences for drug related offences.
21. The Minister for Economic Development will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding enforcement actions undertaken by the JFSC.
22. The Chief Minister will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the Queen Elizabeth II Field Challenge.
23. The Minister for Housing will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding benchmark standards for private rental accommodation.
24. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding changes to company tax policy.
25. The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding job opportunities with mining companies registered in Jersey.
26. The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding job opportunities created by inward investment.
27. The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the measurement of the number of high-value jobs created through the Economic Growth Strategy.
28. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the overpayment of Income Support.

(b) – Oral Questions

(120 minutes)

1. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Health and Social Services –

“What is the current waiting time for people urgently seeking an appointment with a psychologist?”
2. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Social Security –

“What advice, if any, is provided by staff at the Social Security Department to all local employers to ensure that they are aware that the employees’ 6% Social Security contribution should not be taken from any redundancy payments and will he undertake to ensure that any employee who has had contributions taken from their redundancy pay in the last 2 years receives a full refund?”
3. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Economic Development –

“Does the Minister consider that the revelation about the K2 tax avoidance scheme being promoted in the United Kingdom from Jersey has damaged the Island’s reputation as a well regulated and responsible financial centre and undermined the policy of attracting high net worth individuals to come and live in Jersey, and, if not, why not?”



4. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Treasury and Resources –

“Given that on 8th November 2011, when standing for his current position, the Minister made a commitment to ‘finding a proper and fair solution’ to the zero rate paid by some local companies, will he reaffirm this commitment and state what progress, if any, has been made to finding the solution?”

5. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Transport and Technical Services –

“Further to his answer on 12th June 2012, can the Minister inform members why Picot and Rouillé Limited, the local company that runs the scrapyards at Bellozanne, was deemed to be an unsuitable company to process the Island’s scrap metal for the next tender period and in his words ‘did not come up to the mark’?”

6. Deputy G.P. Southern will ask the following question of the Chief Minister –

“When the Chief Minister, in his statement released on 21st June 2012, calls upon all those concerned in aggressive tax planning schemes to ‘act’, what actions does he envisage and what actions, if any, will he be taking as Chief Minister?”

7. Deputy R.J. Rondel of St. Helier will ask the following question of the Minister for Planning and Environment –

“Would the Minister advise the Assembly whether there are any major concerns from a planning perspective regarding the relocation of the new Police Headquarters to the Green Street site and, if so, what these are?”

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

“Would the Minister, as the shareholder representative, advise how many power cuts there have been over the last 10 years, what the causes were and what action, if any, the JEC is taking to put in place a reliable continuous power supply?”

9. Deputy J.A. Hilton of St. Helier will ask the following question of the Minister for Health and Social Services –

“Did the Children’s Service decide not to inform other relevant Departments that a convicted sex offender had been housed within yards of the playground at Le Marais and, if so, given the reaction of tenants and her responsibilities under the Children (Jersey) Law 2002, does the Minister consider that not sharing such information was appropriate?”

10. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Treasury and Resources –

“Will the Minister, as representative of the shareholder, detail what advice, if any, he sought before committing to ‘Gigabit Jersey’ and does he have contingency plans for any delay or over-budget arising?”



11. 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 whether the Development Control officers of the Planning Department are subject to a Code of Conduct (including pre-application discussions, reports to members, review of decisions and records of complaints) which mirrors that contained within the Local Government Association revised guidance note ‘Probity in Planning: the role of councillors and officers’ published in May 2009 and, if not, why not?”

12. Deputy G.P. Southern will ask the following question of the Chief Minister –

“In preparatory work with Ministers or with the States Employment Board relating to proposed moves to ‘modernise’ services provided by the public sector, to what extent, if any, has the privatisation or outsourcing of services been explored and in particular, has outsourcing been ruled out for any services and, if so, which ones?”

13. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Will the Minister advise whether redundancy payments under £50,000 are subject to ITIS and, if so, outline what advice, if any, is provided to local companies and employees by his Department to ensure that all those who have received redundancy payments are aware that ITIS is not paid on earnings under this amount?”

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

“Does the Chief Minister agree that more Ministerial priority must be allocated to Population and Migration control and the regulation and the supply of social and affordable housing and, if so, would he consider the creation of a Minister with specific and direct responsibility for Population and Migration regulation and control and also the provision, supply, control and regulation of all social housing and housing trusts?”

15. Deputy R.J. Rondel of St. Helier will ask the following question of the Minister for Housing –

“Would the Minister advise the Assembly what the price range of the proposed development of ‘affordable homes’ due to be completed next to Trinity Parish Hall will be?”

16. Deputy T.M. Pitman of St. Helier will ask the following question of H.M. Attorney General –

“What requirement, if any, is in place to ensure that lawyers provide an itemised breakdown of their bills?”

17. Deputy J.A. Hilton of St. Helier will ask the following question of the Minister for Health and Social Services –

“Will the Minister inform Members whether compulsory criminal records checks for all employees employed in the care system will be a requirement of the new Regulation of Care Law due to be lodged for debate later this year?”

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

1st question period – Minister for Transport and Technical Services

2nd question period – Minister for Health and Social Services



J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

The Chairman of the Comité des Connétables will make a statement regarding the 2012 Island wide rate.

L. PUBLIC BUSINESS

Vote of Censure: Minister for Treasury and Resources. P.61/2012.
Lodged: 12th June 2012.
Senator S.C. Ferguson.

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

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

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

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

M. ARRANGEMENT OF PUBLIC BUSINESS

10th July 2012

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

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

Draft Employment Tribunal (Amendment No. 3) (Jersey) Regulations 201-. P.51/2012.
Lodged: 29th May 2012.
Minister for Social Security.

Draft Petroleum (Amendment No. 3) (Jersey) Law 201-. P.52/2012.
Lodged: 29th May 2012.
Minister for Home Affairs.

Draft Petroleum Substances (Jersey) Regulations 201-. P.53/2012.
Lodged: 29th May 2012.
Minister for Home Affairs.



Draft Fire Precautions (Amendment No. 2) (Jersey) Law 201-. Lodged: 29th May 2012. <i>Minister for Home Affairs.</i>	P.54/2012.
Public Employees Contributory Retirement Scheme: Committee of Management – appointment of Member. Lodged: 6th June 2012. <i>Chief Minister.</i>	P.58/2012.
States of Jersey Development Company Limited: appointment of Non-Executive Director. Lodged: 7th June 2012. <i>Minister for Treasury and Resources.</i>	P.59/2012.
Transfer of Undertakings Protection of Employment legislation. Lodged: 8th June 2012. <i>Deputy G.P. Southern of St. Helier.</i>	P.60/2012.
<u>17th July 2012</u>	
Economic Growth and Diversification Strategy. Lodged: 1st June 2012. <i>Council of Ministers.</i>	P.55/2012.
Draft Income Support (Amendment No. 8) (Jersey) Regulations 201-. Lodged: 1st June 2012. <i>Minister for Social Security.</i>	P.56/2012.
Draft Waste Management (Amendment) (Jersey) Regulations 201-. Lodged: 1st June 2012. <i>Minister for Planning and Environment.</i>	P.57/2012.
Income support: mileage allowance. Lodged: 14th June 2012. <i>Deputy G.P. Southern of St. Helier.</i>	P.62/2012.
Jersey Financial Services Commission: appointment of Commissioner. Lodged: 19th June 2012. <i>Minister for Economic Development.</i> <i>(Consideration 'in camera')</i>	P.63/2012.
States of Jersey Complaints Panel: appointment of members. Lodged: 19th June 2012. <i>Privileges and Procedures Committee.</i>	P.64/2012.
Property and Infrastructure Regeneration: appointment of Member to the Regeneration Steering Group. Lodged: 19th June 2012. <i>Chief Minister.</i>	P.65/2012.



11th September 2012

- * Scrap Metal Contract: approval by States Assembly.
Lodged: 25th June 2012.
Deputy G.C.L. Baudains of St. Clement.

P.66/2012.

M.N. DE LA HAYE
Greffier of the States

25th June 2012

Note –

An asterix * in the left-hand margin denotes either a new item added to this Order Paper since the principal Order Paper was published on 7th June 2012, or an item which has been moved.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.77/2012.

This Order amends the Community Provisions (Restrictive Measures – Syria) (Jersey) Order 2012 (“principal Order”) to give effect in Jersey to Council Regulation (EU) No. 509/2012 of 15th June 2012 (OJ L 156/10 16.6.2012) (“amending Regulation”). This Regulation amends Regulation (EU) No. 36/2012 concerning restrictive measures in view of the situation in Syria (“Council Regulation”). The amending Regulation sets out prohibitions and derogations that relate to the supply of equipment, goods and technology to persons, bodies and entities in Syria and includes prohibitions and derogations concerning related technical and financial assistance.

Article 1 defines the principal Order.

Article 2 amends the definition of the Council Regulation in the principal Order to include the amending Regulation.

Article 3 amends the principal Order by omitting certain provisions in the amending Regulation which do not have effect in Jersey.

Article 4 amends the principal Order so that activities prohibited by the amending Regulation (and by a previous amending Regulation, that is Council Regulation (EU) No. 168/2012 of 27 February 2012 (OJ L 54/1, 28.2.2012)) are criminal offences under Jersey law.

Article 5 provides that this Order will come into effect on the day after it is made.

The Order was made on 22nd June 2012 and came into force on 23rd June 2012.

R&O.78/2012

This Order extends the transitional period for which benefits in kind are to continue to be valued in accordance with the rules that applied in 2011, for the purposes of determining a person’s earnings or income from self-employment. The transitional period is extended to the end of 2012.

The Order was made on 22nd June 2012 and came into force on 23rd June 2012.