

STATES OF JERSEY ORDER PAPER

Tuesday 15th March 2005

- A. COMMUNICATIONS BY THE BAILIFF
- B. TABLING OF SUBORDINATE LEGISLATION
- C. MATTERS RELATING TO COMMITTEE MEMBERSHIP
- D. PRESENTATION OF PAPERS

(a) **Papers for information**

Matters presented under Standing Order 6A(1)(a)

Termination of Pregnancy (Jersey) Law 1997: report for 2003 and 2004. R.C.12/2005.

Health and Social Services Committee.

Jersey Financial Services Commission and the Economic Development Committee: Memorandum of Understanding. R.C.13/2005.

Economic Development Committee.

Draft Water Resources (Jersey) Law 200- Scrutiny Report (S.R.3/2004): response of the Environment and Public Services Committee. S.R.3/2004. Res.

Environment and Public Services Committee.

Field 690A, Maufant, St. Martin: sale of rights (P.20/2005)- amendment (P.20/2005 Amd.)- comments. P.20/2005. Amd.Com.

Finance and Economics Committee.

Draft Employment Tribunal (Jersey) Regulations 200- (P.36/2005): comments. P.36/2005. Com.

Finance and Economics Committee.

Matters presented under Standing Order 6A(1)(b)

(b) **Notification of Standing Order decisions**

(c) **Notification of acceptance of tenders**

(d) **Papers to be lodged “au Greffe” under Standing Order 17A(1)(a)**

Draft Health Care (Registration) (Amendment) (Jersey) Law 2002 (Appointed Day) Act 200-. P.45/2005.

Health and Social Services Committee.

Draft Health Care (Registration) (No. 2) (Jersey) Regulations 200. P.46/2005.

Health and Social Services Committee.

Draft Planning and Building (Amendment No. 2) (Jersey) Law 200. P.47/2005.

Environment and Public Services Committee.

Health and Safety Appeal Tribunal: appointment of Members. P.48/2005.
Employment and Social Security Committee.

Dean of Jersey: cessation of membership of the States. P.49/2005.
Senator E.P. Vibert.

(e) Notification of Papers lodged “au Greffe” under Standing Order 17A(1)(b)

(f) Papers for consideration by the States in Committee under Standing Order 38A

E. STATEMENTS AND PROPOSITIONS RELATING TO THE ARRANGEMENT OF PUBLIC BUSINESS AT THIS OR ANY SUBSEQUENT MEETING

THE STATES are asked to agree that the following matters lodged “au Greffe” be considered at their next meeting on 5th April 2005 –

Field 690A, Maufant, St. Martin: sale of rights. P.20/2005.
Lodged: 1st February 2005.
Housing Committee.

Field 690A, Maufant, St. Martin: sale of rights (P.20/2005)- P.20/2005.
comments. Com.
Presented: 1st February 2005.
Environment and Public Services Committee.

Field 690A, Maufant, St. Martin: sale of rights (P.20/2005)- P.20/2005.
amendment. Amd.
Lodged: 1st March 2005.
Deputy of St. Martin.

Field 690A, Maufant, St. Martin: sale of rights (P.20/2005)- P.20/2005.
amendment (P.20/2005 Amd.)- comments. Amd.Com.
Presented: 15th March 2005.
Finance and Economics Committee.

Draft Community Provisions (Animal Feeding) (Jersey) Regulations P.27/2005.
200-.
Lodged: 8th February 2005.
Environment and Public Services Committee.

Draft Fertilisers and Feeding Stuffs (Amendment) (Jersey) Law 200-. P.28/2005.
Lodged: 8th February 2005.
Environment and Public Services Committee.

Draft Diseases of Animals (Amendment No. 6) (Jersey) Law 200. P.29/2005.
Lodged: 8th February 2005.
Environment and Public Services Committee.

Land in St. Lawrence near Tesson Mill and Field 621, St. Brelade: P.33/2005.
rezoning. (re-issue)
Lodged: 22nd February 2005.
Deputy J.A. Hilton of St. Helier.

Draft Competition (Jersey) Law 2005 (Appointed Day) Act 200-.
Lodged: 1st March 2005.
Economic Development Committee.

P.37/2005.

Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 2) (Jersey) Regulations 200-. Lodged: 8th March 2005. <i>Environment and Public Services Committee.</i>	P.41/2005.
Projet de Loi (Amendement No. 5) sur la Propriété Foncière. Lodged : 8th March 2005. <i>Comité de Législation.</i>	P.42/2005.
Draft Policing of Parks (Jersey) Regulations 200-. Lodged: 8th March 2005. <i>Environment and Public Services Committee.</i>	P.43/2005.
Health and Safety Appeal Tribunal – appointment of Members. Lodged: 15th March 2005. <i>Employment and Social Security Committee.</i>	P.48/2005.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

(a) Written Questions

The President of the Health and Social Services Committee will table an answer to a question asked by Senator L. Norman regarding avian influenza.

The President of the Health and Social Services Committee will table an answer to a question asked by Deputy J.L. Dorey of St. Helier regarding pregnancy termination statistics.

The President of the Employment and Social Security Committee will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the long term incapacity allowance.

The President of the Employment and Social Security Committee will table an answer to a further question asked by Deputy G.P. Southern of St. Helier regarding the long term incapacity allowance.

The President of the Employment and Social Security Committee will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding minimum wage and the proposed income support scheme.

The President of the Employment and Social Security Committee will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding benefit payments under certain schemes.

(b) Oral Questions

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

K. PUBLIC BUSINESS

Speed Limits: revised policy. P.1/2004.
Lodged: 20th January 2004.
Environment and Public Services Committee.

Speed Limits: revised policy (P.1/2004) – amendment. P.1/2004. Amd.
Lodged: 9th November 2004.
Connétable of St. Helier.

Speed limits: revised policy (P.1/2004) – amendment P.1/2004.
(P.1/2004 Amd.)– comments. Amd.Com.
Presented: 23rd November 2003.
Environment and Public Services Committee.

Draft Regulation of Investigatory Powers (Jersey) Law 200-. P.196/2004.
Lodged: 9th November 2004.
Home Affairs Committee.

Draft Regulation of Investigatory Powers (Jersey) Law 200- P.196/2004.
(P.196/2004): comments. Com.
Presented: 30th November 2004.
Finance and Economics Committee.

Draft Regulation of Investigatory Powers (Jersey) Law 200- P.196/2004.
(P.196/2004) – amendment. Amd.
Lodged: 1st March 2005.
Employment and Social Security Committee.

Draft Liquor (Restrictions on Consumption) (Jersey) Law 200-. P.9/2005.
Lodged: 18th January 2005.
Home Affairs Committee.

Draft Liquor (Restrictions on Consumption) (Jersey) Law 200- P.9/2005. Com.
(P.9/2005): comments.
Presented: 22nd February 2005.
Finance and Economics Committee.

Draft Liquor (Restrictions on Consumption) (Jersey) Law 200- P.9/2005. Amd.
(P.9/2005): amendments. (re-issue)
Lodged: 1st March 2005.
Deputy of St. Martin.

Draft Jersey Overseas Aid Commission (Jersey) Law 200- Lodged: 25th January 2005. <i>Overseas Aid Committee.</i>	P.14/2005.
Draft Jersey Overseas Aid Commission (Jersey) Law 200- (P.14/2005): comments. Presented: 15th February 2005. <i>Finance and Economics Committee.</i>	P.14/2005. Com.
Draft Overseas Aid Commission (Jersey) Law 200- (P.14/2005): amendments. Lodged: 1st March 2005. <i>Overseas Aid Committee.</i>	P.14/2005. Amd.
Senatorial elections 2005: reduced term of office. Lodged: 1st February 2005. <i>Deputy of St. Martin.</i>	P.17/2005.
Draft Employment Relations (Jersey) Law 200- Lodged: 1st February 2005. <i>Employment and Social Security Committee.</i>	P.19/2005.
Draft Employment Relations (Jersey) Law 200- (P.19/2005): comments. Presented: 8th March 2005. <i>Finance and Economics Committee.</i>	P.19/2005. Com.
Draft Employment Relations (Jersey) Law 200- (P.19/2005): amendments. Lodged: 1st March 2005. <i>Deputy G.P. Southern of St. Helier.</i>	P.19/2005. Amd.
Draft Employment (Jersey) Law 2003 (Appointed Day) Act 200- Lodged: 1st February 2005. <i>Employment and Social Security Committee.</i>	P.18/2005.
Draft Employment (Jersey) Law 2003 (Appointed Day) Act 200- (P.18/2005): comments. Presented: 8th March 2005. <i>Finance and Economics Committee.</i>	P.18/2005. Com.
Jersey Tourism: relocation and lease of new office accommodation. Lodged: 1st March 2005. <i>Economic Development Committee.</i>	P.22/2005.
Jersey Tourism: relocation and lease of new office accommodation (P.22/2005) – comments. Presented: 1st February 2005. <i>Environment and Public Services Committee.</i>	P.22/2005. Com.
Draft States of Jersey (Amendment) Law 200- Lodged: 8th February 2005. <i>Policy and Resources Committee.</i>	P.26/2005.

Draft Bankruptcy (Netting, Contractual Subordination and Non-Petition Provisions) (Jersey) Law 200-. Lodged: 8th February 2005. <i>Economic Development Committee.</i>	P.30/2005.
Social Security Tribunal: appointment of members. Lodged: 22nd February 2005. <i>Employment and Social Security Committee.</i>	P.31/2005.
Family Allowances Tribunal: appointment of members. Lodged: 22nd February 2005. <i>Employment and Social Security Committee.</i>	P.32/2005.
Control of Public Entertainment Panel: appointment of Chairman. Lodged: 1st March 2005. <i>Education, Sport and Culture Committee.</i>	P.35/2005.
Draft Employment Tribunal (Jersey) Regulations 200-. Lodged: 1st March 2005. <i>Employment and Social Security Committee.</i>	P.36/2005.
Draft Employment Tribunal (Jersey) Regulations 200- (P.36/2005): comments. Presented: 15th March 2005 <i>Finance and Economics Committee.</i>	P.36/2005. Com.

M.N. DE LA HAYE
Greffier of the States

10th March 2005.

Note –

In accordance with a decision of the States on 16th November 2004, this meeting will continue, if necessary, on Wednesday 16th March and Tuesday 22nd March 2005.

WRITTEN QUESTION PAPER

(See Item G)

The President of the Health and Social Services Committee will table an answer to the following question asked by Senator L. Norman -

“The World Health Organisation has warned that ‘the world is now in the gravest possible danger of a pandemic’ stemming from avian influenza, commonly known as bird flu. Would the President advise members of the arrangements, if any, the Committee has made to protect the local population?”

The President of the Health and Social Services Committee will table an answer to the following question asked by Deputy J.L. Dorey of St. Helier -

“Would the President supply members with the pregnancy termination statistics for the last two years, in the format previously supplied under the provisions of Article 9 of the Termination of Pregnancy (Jersey) Law 1997?”

The President of the Employment and Social Security Committee will table an answer to the following question asked by Deputy G.P. Southern of St. Helier -

“Would the President inform members –

- (a) of the percentage of new recipients who, in the 4th quarter of 2004, received 100% benefit under the long-term incapacity allowance (LTIA)?
- (b) of comparative figures on LTIA claimants in the 4th quarters of 2004 and 2003, showing the difference in numbers of claimants, the percentages of their awards, and the total sums paid out in these periods?
- (c) what estimated saving, if any, will be achieved through LTIA accumulated in the first year of its operation as more claimants transfer from short-term to long-term incapacity allowance during this period? and,
- (d) whether the recent findings of the report from Professor Walker of Nottingham University on poverty in the Island included evidence of these most recent data on changes to LTIA, and, if not, what steps is the Committee going to take to update our understanding of the real levels of poverty in Jersey following these recent changes?”

The President of the Employment and Social Security Committee will table an answer to the following question asked by Deputy G.P. Southern of St. Helier -

“The President has stated that the reason for the application of an incapacity percentage rule to all long term incapacity allowance (LTIA) recipients is to encourage a return to work. Would the President inform members –

- (a) how many any of the 125 LTIA recipients in the last quarter of 2004 have managed to return to work?
- (b) whether any recipients of LTIA have been refused Health Insurance Exception benefit (HIE), despite meeting the income criteria, on the grounds that they are less than 100% incapacitated, and, if so, would he confirm whether this is the Committee’s policy?

- (c) whether any difficulties exist concerning the ability of the medical board to fairly assign a degree of incapacity to applicants for LTIA showing a wide range of illnesses, and, if so, has this led to an increase in the rate of appeals made? and,
- (d) whether the Committee will review the appeals procedure by which a period of two years applies to failed appeals, given the possibility that an applicant's condition may change during this time?"

The President of the Employment and Social Security Committee will table an answer to the following question asked by Deputy G.P. Southern of St. Helier -

"In answer to my question on 1st March 2005, the President stated that the proposed level of income support is to be set at welfare rates and not the level of contributory benefits in order to maintain the incentive to work.

Would the President inform members –

- (a) whether the Committee will review the minimum wage level due to be introduced in Jersey in light of recent announcements from the U.K. government on the level of the minimum wage, in order to ensure that it still fully reflects the increased living costs on the Island? and,
- (b) whether the Committee's proposed Income Support Strategy will incorporate measures to deal with housing benefits?"

The President of the Employment and Social Security Committee will table an answer to the following question asked by Deputy G.P. Southern of St. Helier -

- "(a) Comparative 4th quarter figures released by the Committee on short term incapacity allowance (STIA) 2004, and sickness benefit 2003, show a 7.7% drop in the number of claims. Similarly the figures for long term incapacity allowance (LTIA) and invalidity benefit show a 16% reduction. Will the President inform members how the total payments for these two benefits have changed in absolute and percentage terms?
- (b) The numbers of claims involving a 'dependency-increase' for short-term and long-term illness over the same period have reduced from 1306 to 183 and from 45 to 7, respectively, a reduction in both of 85%. Will the President inform members what the reduction in the overall dependency payments in absolute terms has been between the two quarters for these two types of benefit?
- (c) Will the President inform members what the Department's estimate of saving to its budget is, that may ensue over the first and subsequent years from the introduction in the new STIA and LTIA resulting from the Committee's change to the treatment of dependency?"