



STATES OF JERSEY ORDER PAPER

24th SEPTEMBER 2019

SUMMARY

- 9.30 a.m. Communications by the Presiding Officer and other announcements
Appointments, matters of privilege, petitions (if any)
- Approx. 9.40 a.m. Summary of written questions
- Up to 2 hours Oral questions with notice
Urgent questions (if any)
- Up to 30 minutes, divided between the two Ministers Oral questions without notice:
- Minister for Infrastructure
 - Chief Minister
- Statements
- Minister for Children and Housing regarding the publication of the review by the Independent Jersey Care Inquiry
- Approx. 11.15 a.m. **Health and Safety Appeal Tribunal: appointment of Chairman** (P.82/2019)
- Draft Public Holidays and Bank Holidays (Amendment) (No. 2) (Jersey) Act 201-** (P.84/2019)
- Comptroller and Auditor General: appointment** (P.85/2019)
- Note: This proposition must be debated in camera.*
- Government Plan: assessments of planned efficiency savings** (P.88/2019)
- Government Plan: assessments of planned efficiency savings (P.88/2019) – amendment** (P.88/2019 Amd.)
- Income Support for mature students** (P.89/2019)
- Draft EU Legislation (Aquatic Animal Health) (Amendment) (Jersey) Regulations 201-** (P.91/2019)
- Draft EU Legislation (Wild Aquatic Animals – Food and Feed) (Jersey) Regulations 201-** (P.103/2019)
- Note: Because of the requirement for a six-week lodging period, the Minister for the Environment will seek the agreement of the Assembly to debate this matter at the meeting.*
- Arrangement of public business at subsequent meetings

Lunch adjournment likely around 12.45 p.m., until 2.15 p.m.

If business is not completed by around 5.30 p.m. the Assembly usually adjourns for the evening and will resume its meeting at 9.30 a.m. on Wednesday 25th and Thursday 26th September 2019 if necessary.



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24th SEPTEMBER 2019

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

C. DOCUMENTS PRESENTED

States of Jersey Complaints Board: findings – complaint by X against the Health and Community Services Department in respect of a Division of that Department (R.62/2019) – response of the Minister for Health and Social Services. R.62/2019.
Res.

Presented: 17th September 2019, *Minister for Health and Social Services.*

Our Hospital Programme: update to the States Assembly (September 2019). R.116/2019.
Presented: 11th September 2019, *Minister for Economic Development, Tourism, Sport and Culture.*

Statistics Users Group: appointment of Panel Members. R.117/2019.
Presented: 12th September 2019, *Chief Minister.*

Commissioner for Standards: Investigation of Complaint of breach of the Code of Conduct for Elected Members by Deputy M. Tadier of St. Brelade. R.118/2019.
Presented: 13th September 2019, *Privileges and Procedures Committee.*

States Assembly Annual Report 2018. R.119/2019.
Presented: 13th September 2019, *Privileges and Procedures Committee.*

Guidance on the use of Jèrriais by the Government of Jersey. R.120/2019.
Presented: 16th September 2019, *Chief Minister.*

Financial Management and Internal Control. R.121/2019.
Presented: 19th September 2019, *Comptroller and Auditor General.*

Recurring Themes: Decision Making (P.A.C.3/2019) – Executive Response. P.A.C.3/2019.
Res.
Presented: 11th September 2019, *Public Accounts Committee.*

D. NOTIFICATION OF LODGED PROPOSITIONS

Government Plan: assessments of planned efficiency savings (P.88/2019) – amendment. P.88/2019.
Amd.
Lodged: 17th September 2019, *Chief Minister.*

States Assembly: time limits on speeches in debates. P.101/2019.
Lodged: 11th September 2019, *Privileges and Procedures Committee.*

Public Holidays: designation of 28th September from 2021 onwards. P.102/2019.
Lodged: 16th September 2019, *Deputy M. Tadier of St. Brelade.*



Draft EU Legislation (Wild Aquatic Animals – Food and Feed) (Jersey) Regulations 201-
Lodged: 18th September 2019, *Minister for the Environment*.

P.103/2019.

E. WITHDRAWAL OF LODGED PROPOSITIONS

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions
(attached)

- WQ.381/2019 1. The Chief Minister will table an answer to a question asked by Deputy K.F. Morel of St. Lawrence regarding the use of facial-recognition technology.
- WQ.382/2019 2. The Minister for External Relations will table an answer to a question asked by Deputy K.F. Morel of St. Lawrence regarding the implications of extending the U.K.'s membership of the World Trade Organisation to Jersey.
- WQ.384/2019 3. The Minister for Infrastructure will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the financial return from the Liberty Bus contract.
- WQ.385/2019 4. The Minister for Infrastructure will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the level of bicycle use in Jersey.
- WQ.386/2019 5. The Minister for Infrastructure will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding public transport projects.
- WQ.387/2019 6. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the interception of communications of a person not connected with the warrant or the subject of the investigation to which the warrant for the interception relates.
- WQ.388/2019 7. The Minister for the Environment will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the public accessibility of site notices.
- WQ.390/2019 8. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding grants to the uniformed youth services.
- WQ.391/2019 9. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the role of the Jersey Police Complaints Authority in signing off investigations into complaints.



(b) – Oral Questions

(120 minutes)

- OQ.218/2019 1. Deputy J.M. Maçon of St. Saviour will ask the following question of the Chair of the States Employment Board –
- “Is it the case that, where there is a serious complaint or investigation against civil servants at Tier 2 or above, the Board and the relevant Ministers are informed of the matter; and, if not, will the Board agree a policy that this should happen in all such cases in future?”
- OQ.219/2019 2. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –
- “Will the Minister state how the figure for overpayments on Income Support claims last year compares with the figure for 2011 given in response to Written Question 6972 on 26th June 2012 of 2,688 overpayments at an estimated median value of £138 repaid at a rate of £21 weekly?”
- OQ.216/2019 3. Senator K.L. Moore will ask the following question of the Chair of the States Employment Board –
- “Will the Chair advise whether public sector employees have been advised that they are no longer permitted to send correspondence to the media, even if they fall within categories of employment that are deemed to be politically eligible?”
- OQ.221/2019 4. The Connétable of St. Helier will ask the following question of the Minister for Treasury and Resources –
- “Given the commitment in the Common Strategic Policy to achieve fairness in the delivery of public services that does not disadvantage St. Helier ratepayers, and further to the Minister’s response to a question on 2nd July 2019 that “fairness is the whole dynamics of the C.S.P.” and that details on achieving that fairness would be in the Government Plan, will the Minister explain how this is reflected in the Plan?”
- OQ.223/2019 5. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Home Affairs –
- “Will the Minister advise members what rules or regulations the States of Jersey Police must follow in the strip search of prisoners who are placed in cells at Police Headquarters and what safeguards there are to ensure that any such rules or regulations are followed?”
- OQ.222/2019 6. Deputy S.M. Ahier of St. Helier will ask the following question of the Minister for Health and Social Services –
- “Will the Minister advise the Assembly whether he is considering a ban on the sale of flavoured e-cigarettes?”
- OQ.220/2019 7. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –
- “As the U.K. Department of Work and Pensions has decided to use from 2020 the Social Metrics Commission’s methodology (contained in the report, ‘A New Measure of Poverty’) to supplement the figure for Households Below Average Income, what measures will the Chief Minister put in place to ensure that Jersey has up-to-date figures to compare with those of the U.K., to help deliver the commitment to drive down income inequality?”



OQ.225/2019 8. Deputy S.M. Ahier of St. Helier will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –

“Will the Minister advise the Assembly of the progress made by his Inflation Ministerial Group, which he established more than six months ago?”

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

1st question period – Minister for Infrastructure

2nd question period – Chief Minister

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

The Minister for Children and Housing will make a statement regarding the publication of the review by the Independent Jersey Care Inquiry.

L. PUBLIC BUSINESS

Health and Safety Appeal Tribunal: appointment of Chairman. P.82/2019.
Lodged: 15th August 2019, *Minister for Social Security.*

Draft Public Holidays and Bank Holidays (Amendment) (No. 2) (Jersey) Act 201-. P.84/2019.
Lodged: 19th August 2019, *Chief Minister.*

Comptroller and Auditor General: appointment. P.85/2019.
Lodged: 20th August 2019, *Chief Minister.*

Note: This proposition must be debated in camera in accordance with Article 3(2) of the Comptroller and Auditor General (Jersey) Law 2014.

Government Plan: assessments of planned efficiency savings. P.88/2019.
Lodged: 23rd August 2019, *Deputy G.P. Southern of St. Helier.*

Government Plan: assessments of planned efficiency savings (P.88/2019) – amendment. P.88/2019.
Lodged: 17th September 2019, *Chief Minister.* Amd.

Income Support for mature students. P.89/2019.
Lodged: 23rd August 2019, *Deputy G.P. Southern of St. Helier.*

Draft EU Legislation (Aquatic Animal Health) (Amendment) (Jersey) Regulations 201-. P.91/2019.
Lodged: 29th August 2019, *Minister for the Environment.*



Draft EU Legislation (Wild Aquatic Animals – Food and Feed) (Jersey) Regulations 201- P.103/2019.

Lodged: 18th September 2019, *Minister for the Environment*.

Note: Note: Because of the requirement for a six-week lodging period, the minimum lodging period of the proposition lodged by the Minister for the Environment will expire on Wednesday 30th October 2019. The Minister will therefore seek the agreement of the Assembly, under Standing Order 26(7), to reduce the lodging period in order that this matter can be debated at the meeting.

M. ARRANGEMENT OF PUBLIC BUSINESS

8th October 2019

Employment (Jersey) Law 2003: review of parental leave rights amendments. P.54/2019.

Lodged: 21st May 2019, *Deputy L.M.C. Doublet of St. Saviour*.

Employment (Jersey) Law 2003: review of parental leave rights amendments (P.54/2019) – amendment. P.54/2019.
Amd.

Lodged: 11th June 2019, *Deputy L.M.C. Doublet of St. Saviour*.

States of Jersey employees: Breastfeeding policy. P.79/2019.

Lodged: 13th August 2019, *Deputy L.M.C. Doublet of St. Saviour*.

Draft Charities (Transitional Provisions) (Amendment) (Jersey) Regulations 201- P.80/2019.

Lodged: 14th August 2019, *Minister for External Relations*.

Draft Health Care (Registration) (No. 5) (Jersey) Regulations 201- P.83/2019.

Lodged: 19th August 2019, *Chief Minister*.

Draft Electronic Communications (Amendment of Law) (Jersey) Regulations 201- P.86/2019.

Lodged: 20th August 2019, *Chief Minister*.

Government Plan: publication of the efficiencies. P.90/2019.

Lodged: 29th August 2019, *Deputy K.F. Morel of St. Lawrence*.

Parish Assemblies: revised arrangements. P.92/2019.

Lodged: 2nd September 2019, *Senator S.Y. Mézec*.

States' expenditure: classification in accordance with international best practice. P.94/2019.

Lodged: 6th September 2019, *Deputy R.J. Ward of St. Helier*.

22nd October 2019

Draft Banking Business (Depositors Compensation) (Amendment No. 2) (Jersey) Regulations 201- P.81/2019.

Lodged: 14th August 2019, *Minister for External Relations*.

Draft Shops (Regulation of Opening) (Amendment) (Jersey) Regulations 201- P.93/2019.

Lodged: 6th September 2019, *Minister for Economic Development, Tourism, Sport and Culture*.



Draft Criminal Procedure (Jersey) Law 2018 (Appointed Day) (No. 2) Act 201-. Lodged: 9th September 2019, <i>Minister for Home Affairs.</i>	P.95/2019.
Draft Criminal Procedure (Transitional Provisions) (Jersey) Regulations 201-. Lodged: 9th September 2019, <i>Minister for Home Affairs.</i>	P.96/2019.
Draft Criminal Procedure (Qualifying Offences) (Jersey) Regulations 201-. Lodged: 9th September 2019, <i>Minister for Home Affairs.</i>	P.97/2019.
Draft Criminal Procedure (Form of Oath) (Jersey) Regulations 201-. Lodged: 10th September 2019, <i>Minister for Home Affairs.</i>	P.98/2019.
Draft Intellectual Property (Unregistered Rights) (Application, Transitional Provisions and Savings) (Amendment) (Jersey) Regulations 201-. Lodged: 10th September 2019, <i>Chief Minister.</i>	P.99/2019.
Draft Employment (Amendment No. 11) (Jersey) Law 201-. Lodged: 10th September 2019, <i>Minister for Social Security.</i>	P.100/2019.
Public Holidays: designation of 28th September from 2021 onwards. Lodged: 16th September 2019, <i>Deputy M. Tadier of St. Brelade.</i>	P.102/2019.
<u>12th November 2019</u>	
5G Network: restrictions on use. Lodged: 2nd July 2019, <i>Senator S.C. Ferguson.</i>	P.69/2019.
States Assembly: time limits on speeches in debates. Lodged: 11th September 2019, <i>Privileges and Procedures Committee.</i>	P.101/2019.
<u>26th November 2019</u>	
Government Plan 2020–2023. Lodged: 23rd July 2019, <i>Council of Ministers.</i>	P.71/2019.

DR. M. EGAN
Greffier of the States

19th September 2019

Note –

In accordance with the meeting dates fixed for 2019 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 25th and Thursday 26th September 2019.



WRITTEN QUESTIONS

(See Item I(a))

1. The Chief Minister will table an answer to the following question asked by Deputy K.F. Morel of St. Lawrence –

“Is facial-recognition technology used by any Government department, arms-length organisation or States-owned entity; and if so, will the Chief Minister list each department, organisation or entity for which this is the case alongside an explanation of the reason for its use and the legal basis for its use in each instance?”

2. The Minister for External Relations will table an answer to the following question asked by Deputy K.F. Morel of St. Lawrence –

“Will the Minister advise the Assembly of the consequences of having the U.K.’s membership of the World Trade Organisation extended to Jersey?”

3. The Minister for Infrastructure will table an answer to the following question asked by Deputy R.J. Ward of St. Helier –

“Will the Minister advise –

- (a) what the annual financial return from the Liberty Bus contract was in 2018; what specific projects this money has been spent on; and what the projected return is for 2019;
- (b) how much subsidy Liberty Bus received, or is estimated to receive, from the Government of Jersey during 2018 and 2019;
- (c) what percentage and amount of Liberty Bus ‘profits’ from the Jersey bus service were returned to Jersey bus operations; and
- (d) what proportion and amount of any such ‘profits’ from the Jersey bus service were used in other, off-Island bus providers within the HCT group?”

4. The Minister for Infrastructure will table an answer to the following question asked by Deputy R.J. Ward of St. Helier –

“Further to the response to Written Question 152/2018, in which it was stated that “every year in May [the department collects] collect data on most of the major routes into St Helier to identify the percentage take up of each of the main transport modes”, will the Minister –

- (a) provide an update for 2018 and 2019 on the percentage of commuters who cycled to work in St. Helier; and
- (b) state what measures have been taken since he took up his position as Minister to improve and encourage day-to-day cycling provision in Jersey?”



5. The Minister for Infrastructure will table an answer to the following question asked by Deputy R.J. Ward of St. Helier –

“Further to the response to Written Question 290/2019, in which it was stated that income from Liberty Bus returns to the Government of Jersey “is paid into the revenue budget of the Transport Planning section, which is responsible for the States’ Sustainable Transport Policy” and that public transport projects funded as a result “include infrastructure projects such as the installation of waiting shelters at bus stops, improvements to walking routes, and the provision of additional pedestrian crossing facilities”, will the Minister list any such projects that have been completed since May 2018 and state the cost of each one?”

6. H.M. Attorney General will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Further to his answer to Oral Question 214/2019, will H.M. Attorney General explain how a telephone intercept is considered lawful and not in breach of the Data Protection (Jersey) Law 2018 in instances where the warrant authorizing the intercept is for one specific number or person but, in error, the police intercept the communications of another person not connected with the warrant or the subject of the investigation?”

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

“Further to his answer to Written Question 367/2019 on 10th September 2019, is the Minister aware of any occasions when a landlord or developer has placed site notices in positions on their land far enough away from public access that the locations have prevented any meaningful detailed public scrutiny of the notices and thereby prevented people from making objections to the planning application in question; is it his assessment that that any such practice should invalidate any grant of planning consent and if not, why not?”

8. 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 advise members how much money his department has paid in grants to each of the uniformed youth organisations in the Island each year for the last five years, indicating how any annual changes compare to the respective changes in R.P.I. from one year to the next, and will he explain how much he is proposing to give them in the coming years under the Government Plan?”

9. H.M. Attorney General will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Is it lawful for the Jersey Police Complaints Authority to sign off on an investigation undertaken by the police into a complaint in instances where the complainant has not been interviewed or asked to provide evidence as part of that investigation and, in determining the lawfulness of such action by the Authority, is any consideration given to whether or not the complainant was informed by the Authority that they would be so interviewed or asked to provide evidence?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

Questions without notice 2019		
October 8th	Health and Social Services	Education
October 22nd	Economic Development, Tourism, Sport and Culture	Chief Minister
November 12th	Environment	Treasury and Resources
November 26th	Children and Housing	Chief Minister
December 10th	External Relations	Social Security