



# STATES OF JERSEY ORDER PAPER

Tuesday 11th September 2012

## A. COMMUNICATIONS BY THE PRESIDING OFFICER

## B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

Community Provisions (Restrictive Measures – Côte D'Ivoire) (Amendment No. 7) (Jersey) Order 2012. <i>Chief Minister.</i>	R&O.87/2012.
Motor Traffic (Cabs – Fares and Charges) (Amendment No. 3) (Jersey) Order 2012. <i>Minister for Transport and Technical Services.</i>	R&O.90/2012.
Road Traffic (St. Brelade) (Amendment No. 17) (Jersey) Order 2012. <i>Minister for Transport and Technical Services.</i>	R&O.91/2012.
Town Criterium (Jersey) Order 2012. <i>Minister for Transport and Technical Services.</i>	R&O.92/2012.
Community Provisions (Restrictive Measures – Somalia) (Amendment) (Jersey) Order 2012. <i>Chief Minister.</i>	R&O.93/2012.
Road Racing (Festival of Speed) (Jersey) Order 2012. <i>Minister for Transport and Technical Services.</i>	R&O.94/2012.
Jersey International Air Display (Jersey) Order 2012. <i>Minister for Transport and Technical Services.</i>	R&O.95/2012.
Income Support (General Provisions) (Amendment No. 8) (Jersey) Order 2012. <i>Minister for Social Security.</i>	R&O.96/2012.
Road Traffic (Public Parking Places) (Amendment No. 7) (Jersey) Order 2012. <i>Minister for Transport and Technical Services.</i>	R&O.97/2012.
Endangered Species (CITES) (Designation and Appointment) (Jersey) Order 2012. <i>Minister for Planning and Environment.</i>	R&O.98/2012.
Endangered Species (CITES) (Fees) (Jersey) Order 2012. <i>Minister for Planning and Environment.</i>	R&O.99/2012.
Community Provisions (Restrictive Measures – Syria) (Amendment No. 6) (Jersey) Order 2012. <i>Deputy Chief Minister, for and on behalf of the Chief Minister.</i>	R&O.100/2012.
Education (Discretionary Grants – Amounts) (Amendment No. 4) (Jersey) Order 2012. <i>Minister for Education, Sport and Culture.</i>	R&O.101/2012.
Veterinary Surgeons (General Provisions) (Jersey) Order 2012. <i>Minister for Planning and Environment.</i>	R&O.102/2012.



Control of Borrowing (Amendment No. 15) (Jersey) Order 2012. R&O.103/2012.  
*Deputy Chief Minister for and on behalf of Minister for Economic Development.*

### C. DOCUMENTS PRESENTED OR LAID

Protection of Freedoms Act 2012: extension of provisions to Jersey by Order in Council (P.71/2012) – addendum. P.71/2012.  
Presented: 6th August 2012. Add.  
*Chief Minister.*

States of Jersey Law 2005: delegation of functions – Planning and Environment – July 2012 revised delegations. R.93/2012.  
Presented: 23rd July 2012.  
*Minister for Planning and Environment.*

Land Transactions under Standing Order 168(3) – St. Mary’s School House, La Rue Verte, St. Mary – lease. R.94/2012.  
Presented: 24th July 2012.  
*Minister for Treasury and Resources.*

Environment Department: Draft Supplementary Planning Guidance – community engagement in the planning process. R.95/2012.  
Presented: 24th July 2012.  
*Minister for Planning and Environment.*

Jersey Safety Council: Report and Financial Statements for the year ended 31st December 2011. R.96/2012.  
Presented: 24th July 2012.  
*Minister for Social Security.*

Births, Marriages and Deaths in 2011: statement. R.97/2012.  
Presented: 25th July 2012.  
*Minister for Home Affairs.*

Property Plan and States Rental Waiting List: Update Report for 2011. R.98/2012.  
Presented: 25th July 2012.  
*Minister for Housing.*

Jersey Appointments Commission: Annual Report for 2011. R.99/2012.  
Presented: 7th August 2012.  
*Chief Minister.*

Land Transactions under Standing Order 168(3) – R.100/2012.  
(a) Residential property for a Group Care Home – Casa Mia, La Route de la Haule, St. Lawrence;  
(b) Beach House, Green Island, St. Clement – right to access through the sea-wall.  
Presented: 8th August 2012.  
*Minister for Treasury and Resources.*

Environment Department: Draft Supplementary Planning Guidance – Design Guidance for St. Helier – draft for consultation. R.101/2012.  
Presented: 9th August 2012.  
*Minister for Planning and Environment.*



States of Jersey Complaints Board: findings – complaint against a decision of the Minister for Education, Sport and Culture. Presented: 13th August 2012. <i>Privileges and Procedures Committee.</i>	R.102/2012.
States of Jersey Law 2005: delegation of functions – Economic Development – Harbours (Inshore Safety) (Jersey) Regulations 2012. Presented: 13th August 2012. <i>Minister for Economic Development.</i>	R.103/2012.
Census 2011: Report. Presented: 13th August 2012. <i>Chief Minister.</i>	R.104/2012.
Jersey Child Care Trust: appointment of Chairperson. Presented: 16th August 2012. <i>Minister for Education, Sport and Culture.</i>	R.105/2012.
Jersey Tourism: A Year in Review 2011. Presented: 17th August 2012. <i>Minister for Economic Development.</i>	R.106/2012.
Organisations receiving grants of over £100,000: 2010 Accounts. Presented: 30th August 2012. <i>Minister for Treasury and Resources.</i>	R.107/2012.
States of Jersey Complaints Board: findings – complaint against a decision of the Minister for Education, Sport and Culture (R.102/2012) – response of the Minister. Presented: 7th September 2012. <i>Privileges and Procedures Committee.</i>	R.108/2012.
States Members’ Remuneration Review Body: appointment of members. Presented: 7th September 2012. <i>Privileges and Procedures Committee.</i>	R.109/2012.
Meetings of the States in 2013. Presented: 7th September 2012. <i>Privileges and Procedures Committee.</i>	R.110/2012.
Housing Transformation Programme Review: Interim Report. Presented: 17th August 2012. <i>Health, Social Security and Housing Scrutiny Panel.</i>	S.R.5/2012.
Tourism Development Fund (S.R.3/2012): response of the Minister for Treasury and Resources. Presented: 4th September 2012. <i>Minister for Treasury and Resources.</i>	S.R.3/2012. Res.
Introduction of Tasers in Jersey (S.R.4/2012): response of the Minister for Home Affairs. Presented: 23rd August 2012. <i>Minister for Home Affairs.</i>	S.R.4/2012. Res.
Management of Bus Contracts: Following up the investigations of the Comptroller and Auditor General. Presented: 2nd August 2012. <i>Public Accounts Committee.</i>	P.A.C.2/2012.



Compromise Agreements: Following up the investigations of the Comptroller and Auditor General (P.A.C.1/2012) – response of the States Employment Board. P.A.C.1/2012.  
Presented: 6th September 2012. Res.  
*States Employment Board.*

#### **D. NOTIFICATION OF LODGED PROPOSITIONS**

Committee of Inquiry: resignation of the Comptroller and Auditor General P.68/2012.  
(P.68/2012) – amendment. Amd.  
Lodged: 4th September 2012.  
*Deputy J.A.N. Le Fondré of St. Lawrence.*

Medium Term Financial Plan 2013 – 2015. P.69/2012.  
Lodged: 23rd July 2012.  
*Council of Ministers.*

Incorporation of Ports of Jersey. P.70/2012.  
Lodged: 27th July 2012.  
*Minister for Economic Development.*

Protection of Freedoms Act 2012: extension of provisions to Jersey by Order in P.71/2012.  
Council.  
Lodged: 31st July 2012.  
*Chief Minister.*

Draft Price Indicators (Amendment) (Jersey) Regulations 201-. P.72/2012.  
Lodged: 31st July 2012.  
*Minister for Economic Development.*

Use of Electronic Devices in the States Chamber: trial. P.73/2012.  
Lodged: 31st July 2012.  
*Privileges and Procedures Committee.*

Draft Taxation (Miscellaneous Provisions) (Jersey) Regulations 201-. P.74/2012.  
Lodged: 9th August 2012.  
*Chief Minister.*

Jersey Appointments Commission: appointment of Chairman. P.75/2012.  
Lodged: 9th August 2012.  
*Chief Minister.*

Draft Banking Business (Amendment No. 8) (Jersey) Law 201-. P.76/2012.  
Lodged: 14th August 2012.  
*Minister for Economic Development.*

Draft Banking (Depositors Compensation Supplementary Provisions) (Jersey) P.77/2012.  
Regulations 201-.  
Lodged: 14th August 2012.  
*Minister for Economic Development.*

Draft Banking Business (Depositors Compensation) (Amendment and P.78/2012.  
Miscellaneous Provision) (Jersey) Regulations 201-.  
Lodged: 14th August 2012.  
*Minister for Economic Development.*



Draft Bankruptcy (Désastre) (Amendment No. 6) (Jersey) Law 201-.  
Lodged: 14th August 2012.  
*Minister for Economic Development.*

P.79/2012.

Historic Abuse Redress Scheme: approval by the States Assembly.  
Lodged: 3rd September 2012.  
*Deputy M.R. Higgins of St. Helier.*

P.80/2012.

## **E. WITHDRAWAL OF LODGED PROPOSITIONS**

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

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

P.66/2012.

## **F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS**

Appointment of unelected members of the Public Accounts Committee (*Note attached*).

## **G. MATTERS OF PRIVILEGE**

## **H. PETITIONS**

## **I. QUESTIONS**

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

1. The Minister for Education, Sport and Culture will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding Teachers' terms and conditions of service.
2. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the performance of Atos.
3. The Chief Minister will table an answer to a question asked by Deputy J.A.N. Le Fondré of St. Lawrence regarding the job description for the Chief Executive.
4. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding growth predictions for the economy.
5. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Historic Abuse Redress Scheme.
6. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the veto powers of the Royal family in relation to legislation.
7. The Minister for Education, Sport and Culture will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the appointment of the Chairperson of the Jersey Child Care Trust.
8. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the full costs of the Low Value Consignment Relief Court case.



9. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding similar fact evidence.
10. The Minister for Economic Development will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding a breakdown of Jersey Tourism's advertising costs.
11. The Minister for Treasury and Resources will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding monies received from the sale of public land.
12. The Minister for Economic Development will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding Low Value Consignment Relief and the fulfilment industry.
13. The Chief Minister will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the implementation of the Freedom of Information (Jersey) Law 2011.
14. The Minister for Home Affairs will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the release of the South Yorkshire Report into the conduct of States of Jersey Police Officers.
15. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the use of Household Medical Accounts in the Income Support system.
16. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the Wilcox Report.

**(b) – Oral Questions**

(120 minutes)

1. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Transport and Technical Services –  
  
“Can the Minister confirm whether his Department will receive compensation for the loss of parking at Green Street and, if so, identify how long this will be for, from which revenue budget this will come and whether it relates just to the 91 spaces which will be lost or will take into consideration the loss of revenue had the car park been extended as planned?”
2. Deputy S. Pitman of St. Helier will ask the following question of the Minister for Home Affairs–  
  
“Will the Minister explain why he has not yet made public the 62,000 word affidavit submitted to the Wiltshire investigation by the former Chief of Police and advise when it will be published?”
3. Deputy J.H. Young of St. Brelade will ask the following question of the Minister for Social Security –  
  
“Will the Minister advise the Assembly whether he has already initiated, or is actively considering any proposals jointly with other Ministers for undertaking suitable, labour intensive public sector infrastructure projects such as the maintenance of our coastal paths and conservation sites, in order to open up interim employment opportunities and, if not, why not?”



4. The Connétable of St. Mary will ask the following question of the Chairman of Privileges and Procedures –

“Despite advising me in writing on 3rd August that the Committee considered that “a serious breach of the privileges of the Assembly” had occurred, will the Chairman advise why, one month on, the Committee has not even written to Members about the incident and will he confirm the Committee’s stance on this matter and advise how it is championing and defending the privileges of States Members?”

5. The Connétable of St. John will ask the following question of the Minister for Economic Development –

“Further to Economic Development’s provision of £75,000 worth of sponsorship to the Jersey Rugby Club before the summer recess, would the Minister confirm whether a further Tourism grant of £56,000 has been made and, if so, explain who sanctioned this and whether the grant was supported by the Jersey Sports Council?”

6. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Treasury and Resources –

“Could the Minister clarify how the assumptions on economic growth as outlined in the Medium Term Financial Plan were calculated?”

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

“Following on from my oral question (7038) of 17th July 2012 can the Chief Minister advise what progress, if any, has been made to review and update the Royal Court (Jersey) Law 1948 to ensure that in future all those being elected as Jurats are of sound character and judgement and to ensure that any Jurat subsequently found to have demonstrated seriously flawed judgement or behaviour can be removed?”

8. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Education, Sport and Culture –

“Given the increasing importance of German tourists to our economy, what plans, if any, does the Minister have to ensure that German continues to be taught in the Island's schools?”

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

“Will the Minister describe for members the extent to which the Medium Term Financial Plan is dependent on his predictions for economic growth over the period concerned, and what plans, if any, he has in place should these growth figures not be achieved?”

10. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Transport and Technical Services –

“Will the Minister advise how much it costs to move the seaweed on St Aubin's Bay and other beaches and clarify what purposes it serves to move it to the low water line only for the sea to move it back up the beach?”



11. Deputy T.M. Pitman of St. Helier will ask the following question of the Chairman of the Electoral Commission –

“Given the financial cost of promoting genuine public engagement via submissions on the future reform of the States and in light of the concerns I have expressed to the Commission regarding bogus submissions using false identities, can the Chairman advise how many of the submissions made to the Electoral Commission were actually via e-mail with no address to confirm authenticity?”

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

“Following the decision by the Minister for Economic Development to sponsor the Jersey Rugby Club when other sporting clubs have seen their grants from the Jersey Sports Council reduced, will the Minister undertake to review the various quangos that spend taxpayers money and especially the use of ‘sponsorship’ to circumvent Treasury directives to reduce public spending?”

13. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –

“Will the Minister describe for members his vision for the public sector and state how the involvement of Atos will contribute to the achievement of his vision?”

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

“Will the Minister inform the Assembly of the alternative uses for redundant historic buildings, particularly redundant churches, which he prefers and encourages when applying the Historic Buildings policies of the Island Plan 2011 and advise whether he considers these policies to be sufficiently flexible to ensure viable use of such buildings and, if not, whether he will be making appropriate amendments?”

15. The Connétable of St. Mary will ask the following question of the Minister for Planning and Environment –

“Is the Minister aware of areas of public land where injurious weeds, and specifically ragwort, are endemic and, if so, is he satisfied that there are sufficient resources available to ensure that these are dealt with in accordance with the Weeds (Jersey) Law 1961?”

16. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Treasury and Resources –

“Does the Minister consider that growth in the affordable housing and social housing sectors of the economy are of vital importance to stimulate the economy, as stated by the UK Government this week?”

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

1st question period – Minister for Economic Development

2nd question period – Chief Minister

**J. PERSONAL STATEMENTS**

**K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY**





## L. PUBLIC BUSINESS

- Draft Residential Tenancy (Amendment) (Jersey) Law 201-. P.67/2012.  
Lodged: 13th July 2012.  
*Minister for Housing.*
- Committee of Inquiry: resignation of the Comptroller and Auditor General. P.68/2012.  
Lodged: 17th July 2012.  
*Deputy G.C.L. Baudains of St. Clement.*
- Committee of Inquiry: resignation of the Comptroller and Auditor General P.68/2012.  
(P.68/2012) – amendment. Amd.  
Lodged: 4th September 2012.  
*Deputy J.A.N. Le Fondré of St. Lawrence.*
- Incorporation of Ports of Jersey. P.70/2012.  
Lodged: 27th July 2012.  
*Minister for Economic Development.*
- Protection of Freedoms Act 2012: extension of provisions to Jersey by Order in P.71/2012.  
Council. Add.  
Lodged: 31st July 2012.  
*Chief Minister.*
- Protection of Freedoms Act 2012: extension of provisions to Jersey by Order in P.71/2012.  
Council (P.71/2012) – addendum. Add.  
Presented: 6th August 2012.  
*Chief Minister.*
- Draft Price Indicators (Amendment) (Jersey) Regulations 201-. P.72/2012.  
Lodged: 31st July 2012.  
*Minister for Economic Development.*
- Use of Electronic Devices in the States Chamber: trial. P.73/2012.  
Lodged: 31st July 2012.  
*Privileges and Procedures Committee.*
- Jersey Appointments Commission: appointment of Chairman. P.75/2012.  
Lodged: 9th August 2012.  
*Chief Minister.*

## M. ARRANGEMENT OF PUBLIC BUSINESS

### 25th September 2012

- Draft Taxation (Miscellaneous Provisions) (Jersey) Regulations 201-. P.74/2012.  
Lodged: 9th August 2012.  
*Chief Minister.*
- Draft Banking Business (Depositors Compensation) (Amendment and P.78/2012.  
Miscellaneous Provision) (Jersey) Regulations 201-.  
Lodged: 14th August 2012.  
*Minister for Economic Development.*



Draft Banking (Depositors Compensation Supplementary Provisions) (Jersey) Regulations 201-. P.77/2012.  
Lodged: 14th August 2012.  
*Minister for Economic Development.*

Draft Banking Business (Amendment No. 8) (Jersey) Law 201-. P.76/2012.  
Lodged: 14th August 2012.  
*Minister for Economic Development.*

Draft Bankruptcy (Désastre) (Amendment No. 6) (Jersey) Law 201-. P.79/2012.  
Lodged: 14th August 2012.  
*Minister for Economic Development.*

**9th October 2012**

Historic Abuse Redress Scheme: approval by the States Assembly. P.80/2012.  
Lodged: 3rd September 2012.  
*Deputy M.R. Higgins of St. Helier.*

**23rd October 2012**

**6th November 2012**

Medium Term Financial Plan 2013 – 2015. P.69/2012.  
Lodged: 23rd July 2012.  
*Council of Ministers.*

**M.N. DE LA HAYE  
Greffier of the States**

6th September 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 on the morning of Thursday 13th September 2012.**



## **Explanatory Note regarding subordinate legislation tabled at this meeting.**

(See Item B)

### **R&O.87/2012.**

This Order gives effect to Council Regulation (EU) No. 617/2012 of 10th July 2012 (O.J. L 179/1 11.7.2012) amending Council Regulation (EC) No. 174/2005 imposing restrictions on the supply of assistance related to military activities to Côte d'Ivoire.

The main effect of the amendments is to remove the restrictions on the supply of technical and financial assistance related to military activities and internal repression equipment and to make consequential amendments.

The Order was made on 16th July 2012 and came into force on 17th July 2012.

### **R&O.90/2012.**

This Order increases the tariff of fares and charges for controlled taxi-cabs, by an average of 2.5%, with effect from 30th July 2012. The tariff was last increased on 25th July 2011.

The Order was made on 19th July 2012 and came into force on 30th July 2012.

### **R&O.91/2012.**

This Order further amends the Road Traffic (St. Brelade) (Jersey) Order 1990 in relation to parking.

*Article 1* makes amendments to Schedule 2 to the 1990 Order. The effect of the first amendment is to impose a new prohibition of waiting on La Route de Noirmont. The effect of the second amendment is to reduce the area in which waiting is prohibited in La Rue Voisin.

*Article 2* provides for citation and commencement of this Order.

The Order was made on 27th July 2012 and came into force on 10th August 2012.

### **R&O.92/2012.**

This Order allows the closure of streets in St. Helier for the holding of the Town Criterium cycle event on Sunday 26th August 2012. The Order also sets out for that event certain variations of the usual arrangements for one-way traffic in town and other ancillary provisions.

The Order was made on 27th July 2012 and came into force on being made.

### **R&O.93/2012.**

This Order amends the Community Provisions (Restrictive Measures – Somalia) (Jersey) Order 2011 (the “principal Order”), following 2 new European amending Regulations.

*Article 1* defines the principal Order.

*Article 2* updates the definition “Council Regulation” in the principal Order, to incorporate changes made by Council Regulation (EU) No. 641/2012 of 16 July 2012 amending Regulation (EU) No. 356/2010 imposing certain specific restrictive measures directed against certain natural or legal persons, entities or bodies, in view of the situation in Somalia. The relevant effects of the amendments are to add a person to the list of those whose funds are frozen and to whom no military-related assistance may be given, and to clarify the extent of the exemption for humanitarian assistance.

*Article 3* takes the opportunity to correct an error in a cross-reference in the principal Order.

*Article 4* inserts a new Article 2A in the principal Order, to prohibit the import of charcoal from Somalia, and the financing of such imports. It implements Council Regulation (EU) No. 642/2012 of 16 July 2012 amending Regulation (EC) No. 147/2003 concerning certain restrictive measures in respect of Somalia. The remainder of Regulation (EC) No. 147/2003 is already implemented in Jersey in other ways, primarily through the Somalia (United Nations Sanctions) (Channel Islands) Order 2002.



*Article 5* amends other provisions of the principal Order so that the powers to obtain information also apply in relation to the new prohibition of charcoal imports and financing. It also adds an offence of contravening that prohibition, subject to the same penalty (up to 2 years imprisonment, an unlimited fine, or both) as the equivalent offences in relation to Regulation (EU) No. 356/2010.

*Article 6* names the Order and brings it into force on the day after it is made.

The Order was made on 27th July 2012 and came into force on 28th July 2012.

#### **R&O.94/2012.**

This Order allows the Classic and Vintage Motor Racing Club of Jersey Limited to close roads to hold sprint races on the Five Mile Road on 24th August 2012 and hill climbs at Grève de Lecq on 25th and 26th August 2012.

The Order was made on 3rd August 2012 and came into force on being made.

#### **R&O.95/2012.**

This Order allows Jersey International Air Display a.r.l. to control access to certain roads and beaches on 12th, 13th and 14th September 2012 for the viewing of the Jersey International Air Display.

The Order was made on 8th August 2012 and came into force on being made.

#### **R&O.96/2012.**

This Order amends the Income Support (General Provisions) (Jersey) Order 2008 in respect of the residency requirements for entitlement to income support. Those requirements no longer require a person to be resident in Jersey for 5 continuous years in certain circumstances. These circumstances are: (a) where a person was born in Jersey and has been resident in Jersey for a period or periods totalling at least 10 years; and (b) where a person not born in Jersey started a period of residence in Jersey before the age of 20, such period totalling at least 10 years, and the person is the child of a person who would qualify for housing consent under any sub-paragraph of Regulation 1(1)(a) to (h) of the Housing (General Provisions) (Jersey) Regulations 1970.

The Order was made on 16th August 2012 and came into force on 1st September 2012.

#### **R&O.97/2012.**

This Order makes further amendments to the Road Traffic (Public Parking Places) (Jersey) Order 2006 (defined by *Article 1* as the “principal Order”), to add the Ann Street Brewery Car Park in St. Helier to the list of parking places specified in Schedule 1 to that Order (*Article 2*).

*Articles 3* and *4* amend Schedules 2 and 3 respectively: the effect of these amendments is that the maximum parking period at the Ann Street Brewery Car Park is 7 consecutive days, and the prescribed charge for parking a vehicle there is 1 parking unit for each hour or part of an hour between 8 a.m. and 5 p.m. on any day except Sunday. *Article 5* amends Schedule 4 to permit parking of commercial vehicles over 15 feet in length, and of agricultural vehicles, at that car park.

*Article 6* gives the title for this Order and provides for its commencement on 1st October 2012.

The Order was made on 18th August 2012 and comes into force on 1st October 2012.

#### **R&O.98/2012.**

This Order designates the Minister for Planning and Environment as the Scientific Authority under the Endangered Species (CITES) (Jersey) Law 2012.

This Order also appoints persons to be officers for the purposes of the Endangered Species (CITES) (Jersey) Law 2012. Those persons are inspectors within the meaning of the Diseases of Animals (Jersey) Law 1956 and the Director of Environmental Policy.

The Order was made on 20th August 2012 and came into force on 21st August 2012.



### **R&O.99/2012.**

This Order sets out the fees for applications for permits, certificates and licences relating to import and export of specimens under the Endangered Species (CITES) (Jersey) Law 2012. It also sets out fees for alteration of licences and their replacement.

No fee is payable in respect of an import permit, export permit or re-export certificate if the Management Authority has determined, prior to the application being made, that the import, export or re-export of specimens of a species referred to in the application is likely to bring conservation benefits to the species, or, if specimens of more than one species are referred to in an application, those species.

A fee for an application for a commercial licence is reduced by 50% if, at the time the Management Authority is considering the application, the premises in which each specimen to which the application relates, is held or is to be held, are inspected by the Minister for Planning and Environment, or any officer within the meaning of the Endangered Species (CITES) (Jersey) Law 2012, pursuant to any power or duty under an another enactment.

The Order was made on 20th August 2012 and came into force on 21st August 2012.

### **R&O.100/2012.**

This Order gives effect to Council Implementing Regulation (EU) No. 742/2012 of 16th August 2012 (O.J. No. L219/1 17.8.2012) implementing Article 32(1) of Regulation (EU) No. 36/2012 concerning restrictive measures in view of the situation in Syria. This Order adds a further entity to the list of persons, entities and bodies against whom restrictive measures must be taken.

The Order was made on 21st August 2012 and came into force on 22nd August 2012.

### **R&O.101/2012.**

This Order amends the Education (Discretionary Grants – Amounts) (Jersey) Order 2008 with effect from 1st September 2012 –

- (a) in Article 2(1) to increase the amounts for maintenance costs by 2%;
- (b) in Article 4(5) to increase the fixed-figure maximum final contribution in respect of any one student by 5.4%; and
- (c) in Article 7 to increase the maximum vacation study allowances by 2%.

These amounts were last changed on 1st September 2011.

The Order was made on 23rd August 2012 and came into force on 1st September 2012.

### **R&O.102/2012.**

This Order supplements the commencement of the Veterinary Surgeons (Amendment) (Jersey) Law 2012 on 27th August 2012. The amendments in that Law provide for the conditions for recognition as a veterinary surgeon in Jersey to be prescribed by Order. This Order prescribes those conditions and the particulars and documents to be provided by an applicant for recognition.

To be recognized as a veterinary surgeon in Jersey, a person must be registered in the register maintained under section 2 of the Veterinary Surgeons Act 1966 of the United Kingdom with the registration status “UK Practising”. The requirement to have a particular registration status is new and existing recognized veterinary surgeons are allowed until 1st April 2013 to change their registration status (in the unlikely event that they are not already registered as “UK Practising”) and to provide to the Royal Court, which holds the list of recognized veterinary surgeons in Jersey, the particulars that will from now on be required from applicants for recognition.

A veterinary surgeon may change his or her registration status with the Royal College of Veterinary Surgeons by applying and paying a revised fee. The transitional period allowed for existing recognized veterinary surgeons to change their status (if required) and provide particulars runs to 1st April 2013 as this is the annual date for renewal of registration under the Veterinary Surgeons Act 1966, at which time they would pay an annual retention fee to the Royal College that is determined by reference to their



declared registration status. Currently, the annual fee for “UK Practising” status is £334, whilst the fee for “Non-practising” status is £84.

The Order was made on 23rd August 2012 and came into force on 27th August 2012.

**R&O.103/2012.**

This Order amends the Control of Borrowing (Jersey) Order 1958 (the “Order”), by introducing Article 12A which makes provision about the payment of fees.

The effect of Article 12A is to enable the Jersey Financial Services Commission (the “Commission”) to charge an application fee for the grant of a consent in respect of any of the transactions regulated under the Order. Any fee charged by the Commission will be in accordance with a scale of fees published by the Commission under Article 15(5) of the Financial Services Commission (Jersey) Law 1998.

The Order was made on 29th August 2012 and came into force on 5th September 2012.



(See item F)

In accordance with Standing Order 124(1) the Chairman of the Public Accounts Committee has given notice of her nominations for the position of unelected members of the PAC. The Chairman has given notice that she will nominate the following 2 persons at this meeting –

Mr. John F. Mills C.B.E.  
Mr. Ian Ridgway

(short biographies for these nominees are attached)

In accordance with Standing Order 124(2) any alternative nominations for membership of the PAC must be received by the Greffier of the States no later than 2 clear working days before 11th September 2012, namely no later than Thursday 6th September 2012. If alternative nominations are received a ballot will be held.

## BIOGRAPHIES

### Mr John F. Mills CBE

Mr Mills has spent his career within the Civil Services of the United Kingdom, Hong Kong and Jersey, being the Chief Executive for Policy and Resources Committee between 1999 and 2003. He moved on from Jersey, becoming the Director of Rural Policy for the Department for the Environment, Food and Rural Affairs until 2007.

His current remunerated roles are:

- 2008 - Non-executive director, Port of London Authority (Vice-chairman of the Board since 2009)
- 2009 - Commissioner, Commission for Rural Communities.
- 2009 - Commissioner, Jersey Financial Services Commission.
- 2010 - Member, Shadow Board for Harbours and Airport, Jersey.

His current voluntary roles are:

- 1999 - Chairman of the Governing Body, Highgate School, London N6
- 2008 - Member, States Members Remuneration Review Body, Jersey
- 2009 - Income Tax Commissioner of Appeal, Jersey.
- 2010 - Member (Employers Representative), Committee of Management, Public Employees' Contributory Retirement Scheme, Jersey.
- 2011 - Trustee, Jersey Opera House Trust.

### Mr Ian Ridgway

Mr Ridgway is a Chartered Accountant currently the Group Finance Director of Newtel Holdings Limited having previously been the Finance Director for Jersey Post International Limited.



## WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Education, Sport and Culture will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Will the Minister inform members what was the cost of the 2011 Sector benchmarking report on teachers’ terms and conditions in Jersey and advise what confidence, if any, he has in the value of its findings?”

Will the Minister advise whether Sector was able to

- (a) obtain terms and conditions for Guernsey teachers,
- (b) make a meaningful comparison between UK and Jersey cost of living, and
- (c) understand differences between “directed time, contact time and total working hours?”

When will he be publishing this report?”

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

“Following concerns about the performance of Atos in assessing the fitness for work of those with disabilities for the UK’s Department for Work and Pensions and problems in its delivery of services to the UK Border Agency, will the Minister justify for members the involvement of Atos in the reform of Jersey’s public sector?”

In particular will he state:

- a) on what terms were companies invited to bid for this reform contract,
- b) the names of those companies bidding,
- c) what is the cost of the successful Atos bid
- d) what the final terms of reference for this contract are?

Will he further inform members what his “vision” for the public sector is and whether he still wishes to invite public sector UK representatives to help inform this vision in the light of their experience?”

Given the success of Atos in capturing extensive UK government contracts for the delivery of privatised services, can the Chief Minister confirm the assurances made by the Chief Executive to public sector representatives that this reform is not about privatisation of services?”

3. The Chief Minister will table an answer to the following question asked by Deputy J.A.N. Le Fondré of St. Lawrence –

“Further to the recent announcement of the appointment of the new Chief Executive, would the Chief Minister provide the following information:

- (a) a copy of the job description under which the successful individual was appointed;
- (b) a copy of the previous job description that was applicable when the earlier process of recruitment was performed in circa June 2011, which did not result in a successful appointment to the post;
- (c) details of the process followed in relation to the selection and appointment of the new Chief Executive, including the individuals (or positions thereof) involved in that process?”





4. 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 inform members how his growth predictions for the economy and taxes over the period of the Medium Term Financial Plan are related to local, UK and Europe-wide predictions for economic growth from any other respected institutions in the field?”

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

“With reference to the Historic Abuse Redress Scheme will the Chief Minister advise

- (a) the number of claims that that have been submitted for compensation up to the close of business on 3rd September 2012;
- (b) how many claims have been fully settled;
- (c) how many claims are still under investigation and an estimate as to when he believes they are likely to be settled;
- (d) how many claims have been rejected and the grounds for each rejection;
- (e) how many claimants have been asked to agree to a psychiatric and/or psychological harm report being compiled on them and whether any have refused and if so how many;
- (f) details of the people/organisations undertaking these psychiatric/ psychological harm reports, their experience and qualifications and the exact instructions or guidance issued to them by or on behalf of the States of Jersey when determining their assessments.

Would the Minister confirm:

- (i) whether all claims will be accepted under the Scheme regardless of the identity or status of the alleged abuser;
- (ii) that, in order to qualify under the Scheme, applicants do not have to meet an evidential burden more exacting than if they had been brought in civil proceedings?”

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

“Will H.M. Attorney General advise the Assembly whether Her Majesty the Queen or any other senior member of the Royal Family have the power directly to see, amend or veto any legislation enacted by the States of Jersey in addition to the powers she has conferred on her Privy Council?”

7. The Minister for Education, Sport and Culture will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister advise the Assembly why he has appointed the former Directorate Manager of Social Services to be the Chairperson of the Jersey Child Care Trust (R.105) bearing in mind that she and/or her Department’s role may, or may not, be considered in the forthcoming inquiry into Haut de la Garenne?”

Does the Minister not think that it would have been wiser to await the Committee of Inquiry’s Report before appointing anyone formerly employed in this area of States work to such an important position?”



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

“Further to his response on 26th June 2012, will H.M. Attorney General advise the Assembly whether the full costs of the recent failed Low Value Consignment Relief case are now known, and if so, will he set out the costs to Members breaking them down into their various elements and explain how the £85,000 contribution towards these costs, provided by members of the Fulfilment Industry, was determined?”

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

“Will H.M. Attorney General set out the legal position in Jersey on the application of similar fact evidence and in particular what considerations his office would have to take into account when seventeen or more people allege that a particular individual has committed a similar crime against them? Will he also set out any differences between the application of, or criteria used for, similar fact evidence in Jersey and in England and Wales?”

10. The Minister for Economic Development will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“Will the Minister provide a breakdown of expenditure on advertising to promote Jersey tourism outside the Island (including country by country and in the varying media) for 2011 and 2010?”

11. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“Will the Minister advise of the total sum received from the sale of public land at Les Quennevais Park and Clos des Sables over the past 20 years, including a breakdown of each transaction by date, amount and beneficiary?”

12. The Minister for Economic Development will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“Following the loss of the recent Low Value Consignment Relief case will the Minister advise the Assembly how many firms engaged in the fulfilment industry have as a consequence of this loss:

- (a) have relocated their business and left Jersey;
- (b) have gone out of business;
- (c) have laid off staff - giving precise figures as to how many staff?”

13. The Chief Minister will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“Will the Chief Minister explain to the Assembly his plan for the implementation of the Freedom of Information (Jersey) Law 2011 stating in particular his timetable for implementation and where in the Medium Term Financial Plan he has made provision for the necessary expenditure?”



14. The Minister for Home Affairs will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“Will the Minister agree to publish the South Yorkshire Report into the conduct of officers accused of frustrating enquiries into child abuse allegations and if not why not?

Would the Minister confirm whether one of the officers concerned was subsequently promoted?”

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

“Following his statement on 17th April 2012 in response to a question on the use of Household Medical Accounts (HMAs) in the Income Support system that his officers would continue to review and, as necessary, improve the existing support mechanisms within Income Support (IS), including the use of HMAs, will the Minister inform members what progress, if any, he has made in pursuit of such improvements?

Will he further state how many HMAs are currently in existence and how that number compares with previous years, and confirm that HMAs are not closed against the will of clients?

Will he also confirm that where HMAs cover medical expenses beyond 12 GP visits a year, the HMA is made up of additional payments and is not merely the redistribution of other IS components?”

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

“Will the Minister state when he expects to receive the completed report of Professor Wilcox into the social impact of the plan to incorporate social rented Housing provision and will he give an assurance that this report will be made available to members before any Housing proposals are debated by the Assembly?”



## ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

<b>September 25th</b>	Housing	Planning and Environment
<b>October 9th</b>	Social Security	Chief Minister
<b>October 23rd</b>	Transport and Technical Services	Home Affairs
<b>November 6th</b>	Treasury and Resources	Chief Minister
<b>November 20th</b>	Education, Sport and Culture	Health and Social Services
<b>December 4th</b>	Economic Development	Chief Minister
<b>December 11th</b>	Housing	Planning and Environment