STATES OF JERSEY ORDER PAPER

Tuesday 24th October 2006

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Sand Racing (No. 2) (Jersey) Order 2006. R&O 101/2006. *Minister for Transport and Technical Services*.

Residential Homes (General Provisions) (Amendment No. 13) (Jersey) R&O 102/2006. Order 2006.

Minister for Health and Social Services.

Food Safety (Ice-Cream Stalls etc.) (Amendment No. 27) (Jersey) R&O 103/2006. Order 2006.

Minister for Health and Social Services.

Nursing Agencies (General Provisions) (Amendment No. 22) (Jersey) R&O 104/2006. Order 2006.

Minister for Health and Social Services.

Nursing Homes and Mental Nursing Homes (General Provisions) R&O 105/2006. (Amendment No. 14) (Jersey) Order 2006. Minister for Health and Social Services.

C. DOCUMENTS PRESENTED OR LAID

Goods and Services Tax: exempt or zero-rated items (P.86/2006) – P.86/2006. comments. Com.

Presented: 16th October 2006.

Minister for Treasury and Resources.

Land Transactions under Standing Order 168(3) – proposed central R.82/2006. refuge island at Longueville Road – acquisition of land at Miladi Parade.

Presented: 12th October 2006.

Minister for Treasury and Resources.

Land Transactions under Standing Order 168(3) – Elizabeth Harbour: R.83/2006.

Warehouse E25 – lease to DFDS Transport Ltd.

Presented: 13th October 2006.

Minister for Treasury and Resources.

States of Jersey Law 2005: delegation of functions – Customs and Excise R.84/2006.

(Import and Export Control) (Jersey) Order 2006.

Presented: 17th October 2006. *Minister for Home Affairs*.

Land Transactions under Standing Order 168(3) – 9 Hue Street, St. R.85/2006

Helier: sale of freehold interest. Presented: 20th October 2006. Minister for Treasury and Resources.

Goods and Services Tax Review: Interim Report.

Presented: 18th October 2006. Corporate Services Scrutiny Panel. S.R.6/2006.

D. NOTIFICATION OF LODGED PROPOSITIONS

Draft States of Jersey (Transfer of Functions No. 2) (Planning and

Environment to Economic Development) (Jersey) Regulations 200.

Lodged: 18th October 2006.

Chief Minister.

Draft States of Jersey (Amendment No. 3) Law 200-.

P.126/2006.

P.125/2006.

Lodged: 20th October 2006.

Privileges and Procedures Committee.

Draft Administrative Decisions (Review) (Amendment No. 2) (Jersey)

P.127/2006.

Law 2006 (Appointed Day) Act 200-.

Lodged: 20th October 2006.

Privileges and Procedures Committee.

Draft Employment (Amendment No. 2) (Jersey) Law 200-.

P.128/2006.

Lodged: 20th October 2006.

Deputy G.P. Southern of St. Helier.

E. WITHDRAWAL OF LODGED PROPOSITIONS

In accordance with Standing Order 34(1), the Minister for Treasury and Resources has informed the Greffier of the States that the following propositions lodged "au Greffe" are to be withdrawn –

Draft Howard Davis Farm (Removal of Covenant) (Jersey) Law 200-.

P.65/2006.

Lodged 30th May 2006.

Minister for Treasury and Resources.

Howard Davis Farm, Trinity: part of Fields 562, 827 and 828 – sale of

P.68/2006.

land.

Lodged: 5th June 2006.

Minister for Treasury and Resources.

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) - Written Questions -

1. The Minister for Planning and Environment will table an answer to a question asked by Deputy K.C. Lewis of St. Saviour regarding the administration of drugs to horses and ponies.

- 2. The Minister for Home Affairs will table an answer to a question asked by Deputy K.C. Lewis of St. Saviour regarding the blocking of mobile phone calls to inmates at H.M. Prison La Moye.
- 3. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding a review of pensions legislation.
- 4. The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the budget for event-led tourism events.
- 5. The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the additional funding granted to the Battle of Flowers Association in 2006.
- 6. The Chief Minister will table an answer to questions asked by Deputy G.P. Southern of St. Helier regarding the establishment of a population register.
- 7. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding recent changes to trust legislation.
- 8. The Minister for Home Affairs will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the States of Jersey Police Third Quarter 2006 Performance Report.
- 9. The Minister for Planning and Environment will table an answer to questions asked by Deputy G.C.L. Baudains of St. Clement regarding local weather forecasting.
- 10. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the subsidy paid to Connex in respect of the operation of the bus service.

(b) - Oral Questions (90 minutes) -

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

"Would the Minister inform members how many responses were received to the request for information (RFI) over the implementation of the GST information management system and whether the response rate was lower than anticipated? If so, what measures he has put in place to deal with this and will he give members details of the progress of the request for proposal (RFP) process now underway?"

2. Senator B.E. Shenton will ask the following question of the Minister for Transport and Technical Services –

"Would the Minister inform members whether any actions have been taken to recover the £186,802 paid to Connex in respect of shift allowance, (Recommendation 6 of the Committee of Inquiry into the tender process and award of the bus contract), and, if not, would he advise whether he intends to take any action and, if so, when, explaining the reason for the delay and whether interest will also be claimed?"

- 3. Deputy S. Pitman of St. Helier will ask the following question of the Chief Minister
 - "Would the Chief Minister inform members whether he was consulted by the Bailiff on the content of the recent speech given by the Bailiff to the Liechtenstein Dialogue on the Future of Financial Markets, and does the Chief Minister concur with the statement in that speech that "lip service is paid to tax competition?"
- 4. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Treasury and Resources
 - "Following the issue to the majority of the working population of assessment notices showing the total income tax payable for 2005, would the Minister inform members of the methods that are in place to allow taxpayers to claim back any overpayment made through ITIS?
- 5. Senator J.L. Perchard will ask the following question of the Minister for Transport and Technical Services
 - "Would the Minister inform members whether the recent tender process for the school and summer leisure bus services was conducted on a 'level playing field' basis for all tenderers and is he able to give an assurance that there will be no extra costs attached to the successful bid or a decline in the current quality of service?"
- 6. The Connétable of St. Helier will ask the following question of the Minister for Education, Sport and Culture
 - "Would the Minister explain what plans he has, if any, to mark the 200th anniversary of Fort Regent?"
- 7. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Treasury and Resources
 - "Would the Minister inform members what period of time the balance figure on the recent issued income tax assessment advice notices for 2005 referred to and whether, because of rounding up of ITIS rates, most taxpayers will have overpaid by the end of the year?
- 8. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Economic Development
 - "In view of the forthcoming introduction of goods and services tax (GST), and in light of the fact that the import of low value goods purchased via the internet shopping will not attract GST, what measures, if any, will the Minister take to assist local businesses and retailers who have to pay very high rents?"
- 9. Deputy D.W. Mezbourian of St. Lawrence will ask the following question of the Minister for Education, Sport and Culture
 - "Will the Minister advise the Assembly what plans, if any, he has to amend the minimum term of residency that is currently required before becoming eligible to receive funding towards university costs?"

- 10. Senator J.L. Perchard will ask the following question of the Minister for Transport and Technical Services—
 - "Would the Minister advise members what the average seating capacity of the vehicles being obtained by Connex for the school bus service is and how this compares with the average capacity of the vehicles under the current contract, inform members whether the capacity of the new vehicles will be sufficient to meet demand and, if not, whether the States will be liable to meet the cost of additional vehicles?"
- 11. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Minister for Health and Social Services
 - "Would the Minister advise members what procedures, if any, are currently in place to deal with complaints made against senior officers of his Department"?
- 12. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Social Security
 - "Following his answer to a written question on 10th October 2006, in which he stated that "the computer holds about 400,000 individual records of which about a quarter are active" is the Minister able to advise members from this figure how many of these people are currently working and paying social security contributions?"
- 13. The Connétable of St. Helier will ask the following question of the Minister for Transport and Technical Services
 - "Would the Minister explain whether he has replied to the letters of 30th May and 10th August 2006 seeking his views on the Parish of St. Helier Roads Committee's Draft Cycling Strategy, and, if not, advise when his response will be forthcoming?"
- 14. Deputy C.J. Scott Warren of St. Saviour will ask the following question of the Minister for Treasury and Resources-
 - "In view of the fact that the Citizens' Fund will not be in place until next year as part of the Low Income Support Scheme, and that the Community Savings and Credit Ltd has run out of emergency funding, what action, if any, is the Minister taking to address this current gap in provision?"
- 15. Senator B.E. Shenton will ask the following question of the Minister for Economic Development
 - "Following the increase in the grant to Jersey Finance Ltd for 2007 to £1,000,000 as shown in the Annual Business Plan 2007 would the Minister inform members whether the terms of this grant have been properly recorded and defined and would he state what performance measurement criteria, if any, will be utilised to ensure that this taxpayers' money is well spent?"
- 16. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Home Affairs
 - "Would the Minister advise members whether the proposed anti-discrimination legislation currently subject to public consultation, and which proposes making it illegal, (punishable by a fine of up to £10,000) to discriminate against anyone on the grounds of race or ethnic origin, will be compatible with the fact that businesses in Jersey are currently encouraged to give priority to local applicants for employment?"

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

1st question period – Minister for Treasury and Resources.

2nd question period – Minister for Home Affairs.

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

The Minister for Treasury and Resources will make a statement concerning the withdrawal of the propositions relating to Howard Davis Farm, Trinity.

L. PUBLIC BUSINESS

Goods and Services Tax: exempt or zero-rated items. Lodged: 4th July 2006. Senator S. Syvret.	P.86/2006.
Goods and Services Tax: exempt or zero-rated items (P.86/2006) – second amendment [1]. Lodged: 13th September 2006. Senator S. Syvret.	P.86/2006. Amd.(2)
Goods and Services Tax: exempt or zero-rated items (P.86/2006) – comments. Presented: 16th October 2006. Minister for Treasury and Resources.	P.86/2006. Com.
Fields 190 and 192, Rue de la Sergente, St. Brelade: petition. Lodged: 13th June 2006. Deputy S. Power of St. Brelade.	P.75/2006.
Composting facilities at La Collette, St. Helier: cessation. Lodged: 15th June 2006. Deputy G.C.L. Baudains of St. Clement.	P.76/2006.
Composting facilities at La Collette, St. Helier: cessation (P.76/2006)-comments. Presented: 4th July 2006. Minister for Transport and Technical Services.	P.76/2006. Com.
Draft Waste Management (OECD Revised Decision) (Jersey) Regulations 200 Lodged: 1st August 2006. Minister for Planning and Environment.	P.97/2006.
Draft Waste Management (Jersey) Law 2005 (Appointed Day) Act 200 Lodged: 1st August 2006. Minister for Planning and Environment.	P.98/2006.

P.103/2006.

Draft Weights and Measures (Amendment) (Jersey) Law 200-.

Lodged: 31st August 2006.

Minister for Economic Development.

Draft Amendment (No. 5) of the Standing Orders of the States of Jersey. P.104/2006. Lodged: 5th September 2006.

Privileges and Procedures Committee.

Draft Maintenance Orders (Enforcement) (Amendment No. 2) (Jersey) P.105/2006. Law 200-.

Lodged: 8th September 2006.

Chief Minister.

Draft Lois sur la Société de Bienfaisance de la Marine Marchande P.106/2006. de Jersey (Repeals) (Jersey) Law 200.

Lodged: 8th September 2006.

Chief Minister.

Draft Data Protection (Appeals) (Jersey) Regulations 200-.

Lodged: 12th September 2006.

Minister for Treasury and Resources.

Draft Customs and Excise (Jersey) Law 1999 (Appointed Day) (No. 2) P.120/2006.

P.108/2006.

Act 200-.

Lodged: 29th September 2006.

Minister for Home Affairs.

Draft Consumer Safety (Jersey) Law 2006 (Appointed Day) Act 200-. P.122/2006.

Lodged: 5th October 2006.

Minister for Economic Development.

M. ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

7th November 2006

Provision of Pedestrian Crossings. P.60/2006.

Lodged: 23rd May 2006. *Connétable of St. Helier.*

Provision of Pedestrian Crossings (P.60/2006): comments.

Presented: 20th June 2006.

Presented: 20th June 2006.

Minister for Transport and Technical Services.

Code of Practice for Scrutiny Panels and the Public Accounts Committee. P.101/2006.

Lodged: 15th August 2006. *Chairmen's Committee*.

Code of Practice for Scrutiny Panels and the Public Accounts Committee (P.101/2006): comments. P.101/2006.

Presented: 1st September 2006.

H.M. Attorney General.

Code of Practice for Scrutiny Panels and the Public Accounts Committee (P.101/2006): amendment. P.101/2006.

Lodged: 6th September 2006.

Chairmen's Committee.

Code of Practice for Scrutiny Panels and the Public Accounts Committee (P.101/2006): second amendment. Lodged: 13th September 2006. Council of Ministers.	P.101/2006. Amd.(2)
Draft Housing (General Provisions) (Amendment No. 23) (Jersey) Regulations 200 Lodged: 13th September 2006. <i>Minister for Housing</i> .	P.109/2006.
Draft Rates (Apportionment) (Jersey) Regulations 200 Lodged: 13th September 2006. Comité des Connétables.	P.110/2006.
Draft Electronic Communications (Amendment) (Jersey) Law 200 Lodged: 14th September 2006. Minister for Economic Development.	P.111/2006.
St. Aubin: proposed land reclamation and improvements—impact assessment. Lodged: 21st September 2006. Deputy S.C. Ferguson of St. Brelade.	P.113/2006.
Draft Amendment (No. 6) of the Standing Orders of the States of Jersey. Lodged: 25th September 2006. Privileges and Procedures Committee.	P.116/2006
Draft Public Employees (Retirement) (Amendment No. 6) (Jersey) Law 200–. Lodged: 26th September 2006. <i>Chief Minister</i> .	P.118/2006.
Waterfront Enterprise Board: appointment of Chairman – publication of transcript of <i>in camera</i> debate. Lodged: 29th September 2006. Deputy P.V.F. Le Claire of St. Helier.	P.119/2006.
21st November 2006	
Ministerial Government: review of first 12 months. Lodged: 20th June 2006. Senator B.E. Shenton.	P.77/2006.
Policing commercial and profit-making events: new 'user pays' charge. Lodged: 21st July 2006. Minister for Home Affairs.	P.94/2006.
Draft Restriction on Smoking (Workplaces) (Jersey) Regulations 200 Lodged: 22nd September 2006. Minister for Health and Social Services.	P.114/2006.
Wireless Telegraphy Act 2006: extension to Jersey. Lodged: 26th September 2006. <i>Chief Minister</i> .	P.117/2006.
Le Marais Low Rise Redevelopment Phase 2: redefinition of boundaries. Lodged: 3rd October 2006. Minister for Housing.	P.121/2006.

Draft Family Allowances (Jersey) Regulations 200 Lodged: 5th October 2006. <i>Minister for Social Security</i> .	P.123/2006.
Draft Bankruptcy (Désastre) (Pensions) (Jersey) Regulations 200 Lodged: 10th October 2006. Minister for Economic Development.	P.124/2006.

5th December 2006

Draft The Law Society of Jersey Law 2005 (Appointed Day) Act 200-. P.115/2006. Lodged: 25th September 2006. *Chief Minister.*

16th January 2007

Deputy G.P. Southern of St. Helier.

Draft States of Jersey (Amendment No. 3) Law 200 Lodged: 20th October 2006. Privileges and Procedures Committee.	P.126/2006.
Draft Administrative Decisions (Review) (Amendment No. 2) (Jersey) Law 2006 (Appointed Day) Act 200 Lodged: 20th October 2006. Privileges and Procedures Committee.	P.127/2006.
Draft Employment (Amendment No. 2) (Jersey) Law 200 Lodged: 20th October 2006.	P.128/2006.

M.N. DE LA HAYE Greffier of the States

19th October 2006

Note -

In accordance with a decision of the States on 25th October 2005, this meeting will continue, if necessary, on Wednesday 25th and Thursday 26th October 2006.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O 101/2006

This Order permits the holding of a sand race on part of the beach in St. Aubin's Bay in the vicinity of West Park on 28th October 2006 from 5 p.m. to 8 p.m.

The Order was made on 13th October 2006 and comes into force on 20th October 2006.

R&O 102/2006

This Order increases by, on average, 2.5% the fees in respect of registration of residential homes. The fees were last increased one year ago.

The Order was made on 16th October 2006 and comes into force on 1st January 2007.

R&O 103/2006

This Order increases by 2.5% the fee for a licence to sell ice-cream from a van or stall. The fee was last increased one year ago.

The Order was made on 16th October 2006 and comes into force on 1st January 2007.

R&O 104/2006

This Order increases by, on average, 2.5% the fees payable for a licence to carry on a nursing agency. The fees were last increased one year ago.

The Order was made on 16th October 2006 and comes into force on 1st January 2007.

R&O 105/2006

This Order increases by, on average, 2.5% the fees in respect of registration of nursing homes and mental nursing homes. The fees were last increased one year ago.

The Order was made on 16th October 2006 and comes into force on 1st January 2007.

WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Planning and Environment will table an answer to the following question asked by Deputy K.C. Lewis of St. Saviour –

"Following the recent show-jumping event at which some person or persons gave a sedative drug to at least four ponies, does the Minister intend to bring forward for approval proposals to make it illegal to administer drugs to horses and ponies unless this is done or authorised by a veterinary surgeon to ensure that no injuries to riders can occur as a result of a sedative being administered by an unauthorised person and, if not, why not?"

2. The Minister for Home Affairs will table an answer to the following question asked by Deputy K.C. Lewis of St. Saviour –

"Following recent reports concerning mobile phones in the possession of inmates at H.M. Prison La Moye would the Minister inform members whether it would be possible, and lawful, for mobile phone signals to prisoners to be blocked by the prison authorities and, if not, does the Minister intend to take any action to bring forward amendments to relevant legislation to address this issue?"

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

"In answer to a question on 10th October 2006 on pensions, the Minister stated that he will review the need for regulation as part of the preparation of 'a co-ordinated plan' on the ageing population 'by 2010'. Will the Minister inform members when this review will commence and when members will see any initial terms of reference or consultation documents?"

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

"Would the Minister inform members what budgets have been allocated to support events to promote 'event-led tourism' over the years 2005 to 2007 and would he set out which events have been, or will be, supported and to what amount?"

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

"Would the Minister inform members what consultation, if any, took place between him and the Department's Accounting Officer in deciding to award additional funding of £50,000 and £45,000 to the Battle of Flowers Association this year? Would he inform members what advice he received and whether he over-ruled the Department's Accounting Officer in this matter?"

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

"Would the Chief Minister inform members -

- (a) what progress, if any, has been made to date in the establishment of a population register?
- (b) whether or not the future scheme will involve some form of identity card and, if so, would he advise members whether the data will be made secure and, if so, at what cost?
- (c) what information, if any, will be attached to any 'unique identifier' produced by the register?

- (d) which departments are actively engaged in working to produce the register?
- (e) what level of liaison, if any, has there been with the Data Protection Registrar?
- (f) what timescale is envisaged for law drafting and bringing this project to the States?
- (g) whether the current proposed timetable is realistic in light of progress made to date?"
- 7. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy G.P. Southern of St. Helier
 - "In an answer to a question on trusts on 10th October 2006 the Minister stated that there was 'always a risk that a Jersey trust will be attacked by a disgruntled person'. Would the Minister inform members whether discussions have taken place with the United Kingdom Treasury to ascertain whether the recent amendments giving wide reserved powers to a settlor are acceptable to the Treasury and, if so, would he give members details of the discussions that have taken place?"
- 8. The Minister for Home Affairs will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement
 - "With reference to the recently released States of Jersey Police Third Quarter Performance Report, would the Minister –
 - (a) advise whether the data contained in the report is compiled by the States of Jersey Police and, if so, whether it is independently verified?
 - (b) give details of the methodology used to determine the figures under the Customer Focus heading (Figures 9 and 10) and state whether the survey was independently carried out or verified?
 - (c) supply evidence supporting the statement 'Speed strips laid down on major routes with 30 mpt restrictions over the past couple of years identified that between one and two thousand motorists were speeding at 36 mph or more per day at each location'. In particular would she inform members
 - (i) how many routes are monitored and how often, what the daily traffic flow is on these routes, and what the percentile speeds logged were?
 - (ii) what the accident record of these routes is compared with the Island average and explain the methodology used to obtain that comparison?
 - (d) undertake to discuss the speed limits for roads where the statistics show that more than 50% of motorists are doing '36 mph or more with the Minister for Transport and Technical Services to ascertain whether the current speed limit in the areas concerned is realistic?
 - (e) with reference to Figure 13, give a comparison of those figures with the percentage that each nationality forms of the total population."

- 9. The Minister for Planning and Environment will table answers to the following questions asked by Deputy G.C.L. Baudains of St. Clement-
 - "1. Would the Minister advise members
 - (a) whether all aspects of the meteorological infrastructure, such as the weather radar, are currently fully operational and, if not, why not?
 - (b) what processes are in place to monitor the quality of local weather forecasts and compare their accuracy with other jurisdictions?
 - (c) how much of the data used in local forecasting is bought in and how much is locally generated?
 - 2. (a) Would the Minister inform members what control, if any, in is place over Jersey forecasts supplied from the United Kingdom through Jersey Met and whether local purchasers of those forecasts have any recompense when the system fails?
 - (b) Would the Minister investigate why a customer who purchased a forecast from Jersey Met for the weekend of 14th/15th October 2006 was sent a forecast for Wednesday 13th and Thursday 14th September 2006 and, having complained, was told by Jersey Met that it was nothing to do with Jersey because the fault was in the UK?"
- 10. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy R.G. Le Hérissier of St. Saviour
 - "(a) Would the Minister advise members what subsidy was paid to Connex for operating the bus service in the year 2005?
 - (b) Would the Minister inform members whether all additional routes, for example the Airport Express Service or the new No.10, are set up on the basis that any losses will be sustained by the taxpayer? If so, would the Minister state what losses, if any, were sustained on the recently terminated Airport Express Service?"

ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE ROTA

(See Item I(c))

irst 15 minute period Second 15 minute period

conomic Development Chief Minister

ransport and Technical Services Health and Social Services

ducation Sport and Culture Chief Minister

 $\underline{^{[1]}}$ The first amendment was withdrawn on 13th September 2006