



STATES OF JERSEY ORDER PAPER

29th NOVEMBER 2016

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 Home Affairs
 - Minister for Treasury and Resources
- Statements (if any)*
- Approx. 11.45 a.m. **Ministerial Government: referendum (P.94/2016)**
Ministerial Government: referendum (P.94/2016) – amendment (P.94/2016 Amd.)
Draft United Nations Financial Sanctions (Jersey) Law 201- (P.108/2016)
Note: Because of the requirement for a six-week lodging period, the following proposition cannot be debated before Wednesday 30th November 2016 unless the Assembly agrees to reduce the lodging period to allow the debate to take place on Tuesday 29th November 2016.
Future Hospital: preferred site (P.110/2016)
Future Hospital: preferred site (P.110/2016) – amendment (P.110/2016 Amd.)
Greville Bathe Fund: appointment of Jurat (P.112/2016)
Draft Road Works and Events (Jersey) Law 2016 (Appointed Day) Act 201- (P.114/2016)
Minimum Wage: revised hourly rate from 1st April 2017 (P.115/2016)
Draft Employment (Minimum Wage) (Amendment No. 13) (Jersey) Regulations 201- (P.107/1016)
Arrangement of public business at subsequent sittings

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, if necessary, at 11.15 a.m. on Wednesday 30th November, following a special meeting to mark the departure of His Excellency the Lieutenant Governor, and at 9.30 a.m. on Thursday 1st December 2016.



STATES OF JERSEY ORDER PAPER

29th NOVEMBER 2016

CONSOLIDATED

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

- * EU Legislation (Geographical Indications – Wines and Spirits) (Jersey) Order 2016. R&O.120/2016.
Minister for External Relations.

C. DOCUMENTS PRESENTED

- * Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016): fifth addendum. P.68/2016.
Presented: 29th November 2016, *Council of Ministers.* Add.(5)
- * Ministerial Government: referendum – comments. P.94/2016.
Presented: 28th November 2016, *Council of Ministers.* Com.
- * Future Hospital: preferred site (P.110/2016) – amendment (P.110/2016 Amd.) – comments. P.110/2016.
Presented: 28th November 2016, *Council of Ministers.* Amd.
Com.
- * Draft Finance (2017 Budget) (Jersey) Law 201- (P.113/2016): comments. P.113/2016.
Presented: 28th November 2016, *Comité des Connétables.* Com.
- * Minimum Wage: revised hourly rate from 1st April 2017 (P.115/2016) – comments. P.115/2016.
Presented: 29th November 2016, *Minister for Social Security.* Com.
- Land Transactions under Standing Order 168(3) – R.119/2016.
(a) Astral House, 74 Great Union Road, St. Helier – Sale;
(b) Apartment No. 6, Block H, Les Quennevais Park – transfer of the Public’s flying-freehold ownership and cancellation of existing 99-year lease.
Presented: 18th November 2016, *Minister for Infrastructure.*
- Land Transactions under Standing Order 168(3) – Imladris, 19 Clos de Devant, St. Lawrence – Assisted House Purchase Scheme – sale. R.120/2016.
Presented: 23rd November 2016, *Minister for Infrastructure.*
- * States of Jersey Law 2005: delegation of functions – Treasury and Resources – revised delegations November 2016. R.121/2016.
Presented: 29th November 2016, *Minister for Treasury and Resources.*
- * Future Hospital: preferred site – stakeholder engagement report. R.122/2016.
Presented: 29th November 2016, *Minister for Health and Social Services.*
- Future Hospital Project: Report of the Sub-Panel. S.R.7/2016.
Presented: 24th November 2016, *Health and Social Security Scrutiny Panel.*



D. NOTIFICATION OF LODGED PROPOSITIONS

Draft Budget Statement 2017 (P.109/2016): amendment. Lodged: 25th November 2016, <i>Deputy R. Labey of St. Helier.</i>	P.109/2016. Amd.
* Draft Budget Statement 2017 (P.109/2016): second amendment. Lodged: 28th November 2016, <i>Deputy of St. Ouen.</i>	P.109/2016. Amd.(2)
* Draft Budget Statement 2017 (P.109/2016): third amendment. Lodged: 29th November 2016, <i>Deputy S.Y. Mézec of St. Helier.</i>	P.109/2016. Amd.(3)
* Draft Budget Statement 2017 (P.109/2016): fourth amendment. Lodged: 29th November 2016, <i>Senator S.C. Ferguson.</i>	P.109/2016. Amd.(4)
* Draft Budget Statement 2017 (P.109/2016): fifth amendment. Lodged: 29th November 2016, <i>Deputy of St. John.</i>	P.109/2016. Amd.(5)
Millennium Town Park: additional open space and public parking. Lodged: 22nd November 2016, <i>Connétable of St. Helier.</i>	P.123/2016.
Draft Public Elections (Amendment No. 7) (Jersey) Law 201-. Lodged: 23rd November 2016, <i>Privileges and Procedures Committee.</i>	P.124/2016.
Draft Public Elections (Amendment No. 8) (Jersey) Law 201-. Lodged: 23rd November 2016, <i>Privileges and Procedures Committee.</i>	P.125/2016.
Draft Amendment (No. 30) of the Standing Orders of the States of Jersey. Lodged: 24th November 2016, <i>Privileges and Procedures Committee.</i>	P.126/2016.
Taxation of High Value Residents. Lodged: 24th November 2016, <i>Deputy G.P. Southern of St. Helier.</i>	P.127/2016.
Draft Sea Fisheries (Amendment No. 3) (Jersey) Law 201-. Lodged: 25th November 2016, <i>Minister for the Environment.</i>	P.128/2016.
Draft Animal Health (Jersey) Law 2016 (Appointed Day) Act 201-. Lodged: 25th November 2016, <i>Minister for the Environment.</i>	P.129/2016.

E. WITHDRAWAL OF LODGED PROPOSITIONS

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS



I. QUESTIONS

(a) – Written Questions

(attached)

- 9721 1. The Minister for Home Affairs will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the taking of breath samples from people aged under 18.
- 9722 2. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the funding of Family Nursing and Home Care.
- 9723 3. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding a grant from the Jersey Innovation Fund in the case of the Logfiller proposal.
- 9724 4. The Minister for Social Security will table an answer to a question asked by the Deputy of St. John regarding disability claims under the Income Support system.
- 9725 5. The Minister for Home Affairs 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 overseeing police investigations.
- 9726 6. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding reports produced by the States of Jersey Police following a complaint against one or more of its officers.
- 9727 7. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Human Rights compliance of dégrèvement provisions.
- 9728 8. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Human Rights compliance of Remise des Biens provisions.
- 9729 9. The Minister for Home Affairs will table an answer to a question asked by the Deputy of St. John regarding the detention of dogs by customs officers.
- 9730 10. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. John regarding companies held within the portfolio of Jersey Telecom.
- 9731 11. The Chief Minister will table an answer to a question asked by the Deputy of St. John regarding the impact of Control of Housing and Work legislation.
- 9732 12. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact of benefit changes on low-income families.
- 9733 13. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding Ministerial control over the operational decisions of Andium Homes.

(b) – Oral Questions

(120 minutes)

- 9739 1. Deputy S.Y. Mézec of St. Helier will ask the following question of the Minister for Housing –
- “Following the announcement of the U.K. Government in the Autumn Budget that it intends to ban letting agent fees for tenants, will the Minister consider implementing such a policy in Jersey?”



- 9742 2. Deputy M.R. Higgins of St. Helier will ask the following question of the Chief Minister –
- “Will the Chief Minister advise members what tangible outcomes have come from the Access to Justice Review and, in particular, what assistance is being given to litigants in person as a result of the Review?”
- 9734 3. Deputy J.M. Maçon of St. Saviour will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –
- “Will the Minister activate the break clause in the contract with Condor Ferries and put operation of the ferry route out to tender, and, if so, when; and if not, why not?”
- 9741 4. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Education –
- “Will the Minister update the Assembly on what progress, if any, has been made regarding the provision of student loans, student grants or any other form of assistance provided to people in higher education?”
- 9735 5. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –
- “Will the Chief Minister provide the written report submitted to the Jersey Innovation Fund Board regarding the Logfiller proposal resulting from the full economic assessment conducted by the Economic Adviser, as required by Section 8.1 of P.124/2012 as amended; and if not, why not?”
- 9738 6. The Deputy of St. John will ask the following question of the Minister for Education –
- “Following approval of the amendment to the Medium Term Financial Plan Addition regarding nursery education funding, will the Minister advise what the position with nursery education funding will be from next year and what effect changes introduced under the MTFP have had on the early years partnership agreement?”
- 9736 7. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –
- “What measures, if any, is the Minister considering to assist Jersey’s ‘Just about managing’ working households that would be equivalent to the U.K. Chancellor’s decisions to allow those on Universal Credit to keep an additional 2p in the pound of their earnings and to raise the National Living Wage to £7.50; and, if none, why is she not considering such measures?”
- 9740 8. Deputy S.Y. Mézec of St. Helier will ask the following question of the Chief Minister –
- “Will the Chief Minister inform members why, in his statement to the Assembly of 16th November 2016, the Assistant Chief Minister described the position of existing loans from the Jersey Innovation Fund as “delicate”; and state what professional support – now required from Grant Thornton who are to assume operational management of the loan book – was missing from the original decision-making structure of the Fund?”
- 9743 9. Deputy M.R. Higgins of St. Helier will ask the following question of the Chief Minister –
- “Will the Chief Minister advise members how many complaints from members of the public, if any, are currently being heard by the States Employment Board and summarise the nature of those complaints?”



9737 10. Deputy J.M. Maçon of St. Saviour will ask the following question of the Minister for the Environment –

“Will the Minister explain what action, if any, he or his Department have taken regarding the masterplan for Five Oaks that was proposed in the Island Plan?”

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

1st question period – Minister for Home Affairs

2nd question period – Minister for Treasury and Resources

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Ministerial Government: referendum.

Lodged: 16th September 2016, *Deputy J.A. Martin of St. Helier.*

P.94/2016.

* Ministerial Government: referendum – comments.
Presented: 28th November 2016, *Council of Ministers.*

P.94/2016.
Com.

Ministerial Government: referendum (P.94/2016) – amendment.

Lodged: 1st November 2016, *Deputy J.A. Martin of St. Helier.*

P.94/2016.
Amd.

Draft United Nations Financial Sanctions (Jersey) Law 201-.

Lodged: 18th October 2016, *Minister for External Relations.*

P.108/2016.

Note: Because of the requirement for a six-week lodging period the following proposition cannot be debated before Wednesday 30th November 2016. If other business on the Order Paper for the 29th November 2016 is completed before the 30th November, the Chief Minister has indicated that he will 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 that meeting.

Future Hospital: preferred site.

Lodged: 19th October 2016, *Council of Ministers.*

P.110/2016.

Future Hospital: preferred site (P.110/2016) – amendment.

Lodged: 16th November 2016, *Connétable of St. John.*

P.110/2016.
Amd.

* Future Hospital: preferred site (P.110/2016) – amendment (P.110/2016 Amd.) – comments.
Presented: 28th November 2016, *Council of Ministers.*

P.110/2016.
Amd.
Com.

Greville Bathe Fund: appointment of Jurat.

Lodged: 25th October 2016, *Minister for Treasury and Resources.*

P.112/2016.

Draft Road Works and Events (Jersey) Law 2016 (Appointed Day) Act 201-.

Lodged: 1st November 2016, *Minister for Infrastructure.*

P.114/2016.



	Minimum Wage: revised hourly rate from 1st April 2017. Lodged: 1st November 2016, <i>Deputy S.Y. Mézec of St. Helier.</i>	P.115/2016.
*	Minimum Wage: revised hourly rate from 1st April 2017 (P.115/2016) – comments. Presented: 29th November 2016, <i>Minister for Social Security.</i>	P.115/2016. Com.
	Draft Employment (Minimum Wage) (Amendment No. 13) (Jersey) Regulations 201-. Lodged: 17th October 2016, <i>Minister for Social Security.</i>	P.107/2016.
M. ARRANGEMENT OF PUBLIC BUSINESS		
<u>12th December 2016</u>		
	Draft Budget Statement 2017. Lodged: 18th October 2016, <i>Minister for Treasury and Resources.</i>	P.109/2016.
	Draft Budget Statement 2017 (P.109/2016): amendment. Lodged: 25th November 2016, <i>Deputy R. Labey of St. Helier.</i>	P.109/2016. Amd.
*	Draft Budget Statement 2017 (P.109/2016): second amendment. Lodged: 28th November 2016, <i>Deputy of St. Ouen.</i>	P.109/2016. Amd.(2)
*	Draft Budget Statement 2017 (P.109/2016): third amendment. Lodged: 29th November 2016, <i>Deputy S.Y. Mézec of St. Helier.</i>	P.109/2016. Amd.(3)
*	Draft Budget Statement 2017 (P.109/2016): fourth amendment. Lodged: 29th November 2016, <i>Senator S.C. Ferguson.</i>	P.109/2016. Amd.(4)
*	Draft Budget Statement 2017 (P.109/2016): fifth amendment. Lodged: 29th November 2016, <i>Deputy of St. John.</i>	P.109/2016. Amd.(5)
	Draft Finance (2017 Budget) (Jersey) Law 201-. Lodged: 1st November 2016, <i>Minister for Treasury and Resources.</i>	P.113/2016.
*	Draft Finance (2017 Budget) (Jersey) Law 201- (P.113/2016): comments. Presented: 28th November 2016, <i>Comité des Connétables.</i>	P.113/2016. Com.
	Draft Taxation (Implementation) (International Tax Compliance) (Country-by-Country Reporting: BEPS) (Jersey) Regulations 201-. Lodged: 20th October 2016, <i>Minister for External Relations.</i>	P.111/2016.
	Jersey Police Complaints Authority: appointment of members. Lodged: 7th November 2016, <i>Minister for Home Affairs.</i>	P.118/2016.
	Ratification of the Multilateral Competent Authority Agreement on the Exchange of Country-By-Country Reports. Lodged: 7th November 2016, <i>Minister for External Relations.</i>	P.119/2016.
<u>17th January 2017</u>		
	Draft Commissioner for Standards (Jersey) Law 201-. Lodged: 23rd August 2016, <i>Privileges and Procedures Committee.</i>	P.87/2016.
	Draft Commissioner for Standards (Jersey) Law 201- (P.87/2016): amendment. Lodged: 1st November 2016, <i>Chief Minister.</i>	P.87/2016. Amd.



Draft Employment of States of Jersey Employees (Amendment No. 8) (Jersey) Regulations 201- Lodged: 5th October 2016, <i>States Employment Board.</i>	P.105/2016.
Ann Alice Rayner Fund: alteration of purpose. Lodged: 4th November 2016, <i>Minister for Treasury and Resources.</i>	P.116/2016.
Television Licence Fee: exemption for Jersey residents aged 75 and over. Lodged: 4th November 2016, <i>Deputy M. Tadier of St. Brelade.</i>	P.117/2016.
Draft Opticians (Registration) (Amendment No. 2) (Jersey) Law 201- Lodged: 7th November 2016, <i>Minister for Health and Social Services.</i>	P.120/2016.
Draft Opticians (Registration) (Amendment No. 2) (Jersey) Law 201-(P.120/2016): amendment. Lodged: 15th November 2016, <i>Minister for Health and Social Services.</i>	P.120/2016. Amd.
Jersey Overseas Aid Commission: re-appointment of Commissioner. Lodged: 11th November 2016, <i>Deputy of Grouville.</i>	P.121/2016.
Funding for Family Nursing and Home Care services – petition. Lodged: 15th November 2016, <i>Deputy G.P. Southern of St. Helier.</i>	P.122/2016.
Millennium Town Park: additional open space and public parking. Lodged: 22nd November 2016, <i>Connétable of St. Helier.</i>	P.123/2016.
Draft Public Elections (Amendment No. 7) (Jersey) Law 201- Lodged: 23rd November 2016, <i>Privileges and Procedures Committee.</i>	P.124/2016.
Draft Public Elections (Amendment No. 8) (Jersey) Law 201- Lodged: 23rd November 2016, <i>Privileges and Procedures Committee.</i>	P.125/2016.
Draft Amendment (No. 30) of the Standing Orders of the States of Jersey. Lodged: 24th November 2016, <i>Privileges and Procedures Committee.</i>	P.126/2016.
Taxation of High Value Residents. Lodged: 24th November 2016, <i>Deputy G.P. Southern of St. Helier.</i>	P.127/2016.
Draft Sea Fisheries (Amendment No. 3) (Jersey) Law 201- Lodged: 25th November 2016, <i>Minister for the Environment.</i>	P.128/2016.
Draft Animal Health (Jersey) Law 2016 (Appointed Day) Act 201- Lodged: 25th November 2016, <i>Minister for the Environment.</i>	P.129/2016.

DR. M. EGAN
Greffier of the States

28th November 2016

Note –

In accordance with the meeting dates fixed for 2016 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 30th November and Thursday 1st December 2016.

An asterisk * in the left-hand margin denotes either a new item added to this Order Paper since the Order Paper was first published on 24th November 2016, or an item which has been altered or moved.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.120/2016.

EU Legislation (Geographical Indications – Wines and Spirits) (Jersey) Order 2016.

Minister for External Relations.

This Order provides for the enforcement of the Geographical Indications requirements relating to wines and spirits that are contained in certain provisions of 2 EU Regulations referred to in the Order, these provisions applying to Jersey under Protocol 3 of the UK Act of Accession to what is now the European Union. The Order also ensures compliance with Article 23 of the Agreement on Trade-Related Aspects of Intellectual Property Rights (“TRIPS”), which covers Geographical Indications requirements relating to wines and spirits.

Article 1 contains the definitions, most particularly setting out the 2 EU Regulations concerned and the provisions of them designed to prevent the use of Geographical Indications being applied to wines and spirits that originate elsewhere (the EU Regulations”). Words and phrases used in the Order that are defined in the Customs and Excise (Jersey) Law 1999 have the same respective meaning as in that Law.

Article 2 places a duty on customs officers to execute and enforce the EU Regulations. It also enables the Agent of the Impôts to require persons moving wines and spirits in or out of Jersey to furnish information necessary to enable compliance with the EU Regulations and to produce documents and enables customs officers to disclose information relating to the production or movement of the wines or spirits. There is a provision allowing customs officers to disclose information to any person for the purposes of the EU Regulations or the Order, or assisting equivalent enforcement functions elsewhere.

Article 3 contains powers for customs officers to search premises, including following the issuing of a warrant and *Article 4* gives a power to search vehicles or vessels.

Article 5 gives customs officers a power of arrest in relation to offences under the Order.

Article 6 provides for the forfeiture of wines or spirits that contravene the EU Regulations and enables their seizure or detention. *Article 7* introduces the Schedule, which makes further provision for forfeiture.

Article 8 prevents a successful plaintiff in proceedings relating to the seizure or detention of wines or spirits under the Order from recovering damages or costs where the seizure or detention was reasonable.

Article 9 provides for various offences which are punishable by an unlimited fine and *Article 10* contains the standard provision for the liability of directors, etc.

Article 11 provides for the naming and commencement of the Order.

The Order was made on 28th November 2016 and comes into force on 5th December 2016.