



## STATES OF JERSEY ORDER PAPER

Tuesday 26th April 2016  
CONSOLIDATED

### A. COMMUNICATIONS BY THE PRESIDING OFFICER

### B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

Firearms (General Provisions) (Amendment No. 2) (Jersey) Order 2016. R&O.43/2016.  
*Minister for Home Affairs.*  
*Chief Minister.*

Immigration (Fees) (Amendment No. 6) (Jersey) Order 2016. R&O.44/2016.  
*Minister for Home Affairs.*  
*Chief Minister.*

EU Legislation (Veterinary and Zootechnical Checks – Trade with Member States) R&O.45/2016.  
(Fees and Expenses) (Jersey) Order 2016.  
*Minister for the Environment.*

Building Bye-laws (Amendment No. 5) (Jersey) 2016. R&O.46/2016.  
*Minister for the Environment.*

\* EU Legislation (Aquatic Animal Health – Fees) (Jersey) Order 2016. R&O.47/2016.  
*Minister for the Environment.*

\* EU Legislation (Aquatic Animal Health – Supplementary Notifiable Diseases) R&O.48/2016.  
(Jersey) Order 2016.  
*Minister for the Environment.*

### C. DOCUMENTS PRESENTED OR LAID

\* Draft Discrimination (Age) (Jersey) Regulations 201- (P.37/2016): comments. P.37/2016.  
Presented: 25th April 2016. Com.  
*Health and Social Security Scrutiny Panel.*

States of Jersey Police: Annual Performance Report 2015. R.34/2016.  
Presented: 18th April 2016.  
*Minister for Home Affairs.*

Jersey Advisory and Conciliation Service: Board Members' Report and Financial R.35/2016.  
Statements for the year ended 31st December 2015.  
Presented: 18th April 2016.  
*Minister for Social Security.*

States of Jersey Law 2005: delegation of functions – Chief Minister to Assistant R.36/2016.  
Minister – Digital, Competition and Innovation.  
Presented: 19th April 2016.  
*Chief Minister.*

States of Jersey Prison Service: H.M. Prison La Moye – Annual Report 2015. R.37/2016.  
Presented: 19th April 2016.  
*Minister for Home Affairs.*



Jersey Police Complaints Authority: report for 2015. R.38/2016.  
Presented: 19th April 2016.  
*Minister for Home Affairs.*

Land Transactions under Standing Order 168(3) – 1 Bel Horizon, La Route des R.39/2016.  
Côtils, Grouville – lease.  
Presented: 19th April 2016.  
*Minister for Infrastructure.*

Jersey Multi-Agency Public Protection Arrangements (JMAPP) Annual Report R.40/2016.  
2015.  
Presented: 21st April 2016.  
*Minister for Home Affairs.*

States of Jersey Complaints Panel: report for 2015. R.41/2016.  
Presented: 22nd April 2016.  
*Privileges and Procedures Committee.*

Jersey Electricity: Report and Accounts 2015 – Sustaining Life and Growth, R.42/2016.  
Investing for the Future.  
Presented: 22nd April 2016.  
*Minister for Treasury and Resources.*

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

Rate Appeal Board: appointment of members. P.41/2016.  
Lodged: 21st April 2016.  
*Minister for Treasury and Resources.*

\* Financial institutions registered in Jersey: links to Panamanian legal firm Mossack P.42/2016.  
Fonseca.  
Lodged: 26th April 2016.  
*Deputy G.P. Southern of St. Helier.*

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

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

#### **G. MATTERS OF PRIVILEGE**

#### **H. PETITIONS**

#### **I. QUESTIONS**

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

1. The Chief Minister will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the publication of a report into higher education.



2. The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the time allowed to answer oral questions.
3. The Chief Minister will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the cost of civil servants' flights.
4. The Minister for Treasury and Resources will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding Corporation Tax.
5. The Minister for Treasury and Resources will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding tax agreements reached with High Value Residents.
6. The Chief Minister will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding requests from UK enforcement agencies for information held on the Central Register of beneficial ownership.
7. 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 measurement of nursing vacancies.
8. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding housing poverty.
9. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding consultation on the minimum wage.
10. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding action taken by the Jersey Financial Services Commission following the release of the 'Panama papers'.
11. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding Jersey's future housing needs.
12. The Minister for Infrastructure will table an answer to a question asked by Deputy L.M.C. Doublet of St. Saviour regarding future plans for the Police Station site at Rouge Bouillon.

**(b) – Oral Questions**

(120 minutes)

1. The Deputy of St. Ouen will ask the following question of the Minister for Social Security –  
  
“With regard to the proposed Employment (Amendment No. 10) (Jersey) Law 201- (P.38/2016), what risk is there that, in asking members to approve the potential introduction of a differential rate for the minimum wage based on age, the timing of that decision could pre-empt the outcome of any public consultation process by the Employment Forum?”
2. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Housing –  
  
“What measures, if any, are in place to reduce housing poverty in the Island?”
3. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Treasury and Resources –  
  
“Will the Minister provide a breakdown of the sources of the additional £1.4 million in tax revenues that resulted from the last tax amnesty and indicate how much revenue is expected to be collected from the current tax amnesty, along with its sources?”



4. Deputy P.D. McLinton of St. Saviour will ask the following question of the Minister for Environment –

“Further to the statement of the Minister for Infrastructure on 3rd November 2015 that he would work with the Minister for Environment to bring a provision into the Animal Welfare Law to make it illegal to strike a cat with a vehicle of any description and not report it to a recommended body or organisation, what progress, if any, has the Minister made towards the drafting of legislation to date?”

5. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Education –

“Will the Minister state what plans he has to make savings from the resourcing and support provided to users of nursery care and private education?”

6. Deputy A.D. Lewis of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Further to proposals in the Medium Term Financial Plan 2016 to 2019 and the draft Budget 2016 to reach a target figure of £20 million in both 2017 and 2019 for asset disposals, making a total of £40 million, what progress has been made to date and what are the disposals likely to consist of?”

7. Deputy S.Y. Mézec of St. Helier will ask the following question of the Chief Minister –

“Can civil servants obtain personal Avios points when flying specifically on States business and, if so, what action, if any, does the Chief Minister propose to take to ensure that, in future, any such points are returned to the States?”

8. Deputy R.J. Rondel of St. Helier will ask the following question of the Minister for Health and Social Services –

“Does the Minister consider that full time consultants are preferable to using locums and if so, does he believe we are employing enough consultants to fulfil their roles and if not, why not?”

9. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Health and Social Services –

“Are kinship fostering arrangements different from other fostering and, if they are, can the Minister explain why and how?”

10. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for Home Affairs –

“Can the Minister advise whether consideration is being given to making any changes to the way in which births are registered in the Island?”

11. The Connétable of St. John will ask the following question of the Minister for Infrastructure –

“Following the trial resurfacing of La Route de Mont Mado in St. John, could the Minister provide the results of the trial and detail what studies, if any, were undertaken?”

12. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Health and Social Services –

“How many front line medical staff have reported suffering from, or have been signed off with, severe stress, how many have cited staff shortages as a stress factor, and what action, if any, is the Minister taking to address this?”



13. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Social Security –

“How does Social Security treat payments made to foster carers when considering earned income and are those arrangements different if the foster child is in a kinship foster care placement?”

14. Deputy A.D. Lewis of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Further to the economic assumptions in the draft 2016 Budget which forecast a growth in average earnings of 3% in 2016 and 4% in 2017, what assessment was made of the likelihood of such growth levels being achieved; do economic indicators suggest that such growth will occur; and if this level of wage growth is not achieved, what impact will this have on income tax receipts?”

15. Deputy S.Y. Mézec of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Why has the Minister not asked for the substantial States underspend of last year to be redirected towards providing support to those Islanders in the poorest quintile of Jersey society to compensate for the cuts to support which were approved last year?”

16. Deputy R.J. Rondel of St. Helier will ask the following question of the Minister for Health and Social Services –

“With regard to possible sites for the future hospital, would the Minister advise under what, if any, circumstances, he would support building on Green Zone land?”

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

“Has the Chief Minister, or the Council of Ministers, received an explanation from the Jersey Financial Services Commission as to the reasons for the establishment of Panamanian companies through Mosack Fonseca by Jersey registered companies, detailed in the documents known as the Panama Papers?”

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

1st question period – Minister for Economic Development, Tourism, Sport and Culture

2nd question period – Chief Minister

**J. PERSONAL STATEMENTS**

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

**L. PUBLIC BUSINESS**

Draft Former La Motte Street School (Validation and Abrogation of Covenants)  
(Jersey) Law 201-  
Lodged: 17th February 2016.  
*Minister for Infrastructure.*

P.9/2016.



Draft Education (Provided Schools – Amendment of Law) (Jersey) Regulations 201-. P.14/2016.  
Lodged: 29th February 2016.  
*Minister for Education.*

Draft Education (Amendment No. 3) (Jersey) Law 201-. P.15/2016.  
Lodged: 29th February 2016.  
*Minister for Education.*

Draft Protection of Children (Nicotine Inhaling Products) (Jersey) Regulations 201-. P.23/2016.  
Lodged: 11th March 2016.  
*Minister for Health and Social Services.*

Draft Dormant Bank Accounts (Jersey) Law 201-. P.25/2016.  
Lodged: 15th March 2016.  
*Chief Minister.*

Draft Extradition (Amendment) (Jersey) Law 201-. P.26/2016.  
Lodged: 15th March 2016.  
*Chief Minister.*

Westaway Donations Council: appointment of member. P.31/2016.  
Lodged: 22nd March 2016.  
*Minister for Health and Social Services.*

## **M. ARRANGEMENT OF PUBLIC BUSINESS**

### **10th May 2016**

Draft Motor Vehicle Registration (Amendment No. 5) (Jersey) Law 201-. P.24/2016.  
Lodged: 14th March 2016.  
*Minister for Infrastructure.*

Draft Connétables (Miscellaneous Provisions – Consequential Amendments) (No. 2) P.27/2016.  
(Jersey) Regulations 201-.  
Lodged: 16th March 2016.  
*Comité des Connétables.*

Draft Rates (Amendment) (Jersey) Law 201-. P.28/2016.  
Lodged: 17th March 2016.  
*Comité des Connétables.*

Draft Financial Regulation (Miscellaneous Provisions No. 4) (Jersey) Law 201-. P.30/2016.  
Lodged: 22nd March 2016.  
*Chief Minister.*

Channel Islands Lottery: allocation of proceeds from 2015. P.32/2016.  
Lodged: 6th April 2016.  
*Minister for Economic Development, Tourism, Sport and Culture.*

Law Society of Jersey Disciplinary Panel: re-appointment of lay member. P.35/2016.  
Lodged: 11th April 2016.  
*Chief Minister.*

Nursery funding: implementation of proposed changes. P.39/2016.  
Lodged: 12th April 2016.  
*Deputy M. Tadier of St. Brelade.*



Collective Responsibility Statements: propositions, amendments, comments or statements lodged or submitted by a Minister. P.40/2016.  
Lodged: 12th April 2016.  
*Deputy S.M. Wickenden of St. Helier.*

**24th May 2016**

- \* Outsourcing. P.29/2016.  
Lodged: 18th March 2016.  
*Deputy G.P. Southern of St. Helier.*
- Draft Criminal Justice (Young Offenders) (No. 2) (Jersey) Law 201-. P.33/2016.  
Lodged: 6th April 2016.  
*Minister for Home Affairs.*
- Draft Licensing (No. 18) (Jersey) Regulations 201-. P.34/2016.  
Lodged: 11th April 2016.  
*Minister for Economic Development, Tourism, Sport and Culture.*
- Draft Removal of Vehicles (Private Land) (Jersey) Regulations 201-. P.36/2016.  
Lodged: 11th April 2016.  
*Minister for Housing.*
- Draft Discrimination (Age) (Jersey) Regulations 201-. P.37/2016.  
Lodged: 12th April 2016.  
*Minister for Social Security.*
- \* Draft Discrimination (Age) (Jersey) Regulations 201- (P.37/2016): comments. P.37/2016.  
Presented: 25th April 2016. Com.  
*Health and Social Security Scrutiny Panel.*
- Draft Employment (Amendment No. 10) (Jersey) Law 201-. P.38/2016.  
Lodged: 12th April 2016.  
*Minister for Social Security.*
- Rate Appeal Board: appointment of members. P.41/2016.  
Lodged: 21st April 2016.  
*Minister for Treasury and Resources.*
- \* Financial institutions registered in Jersey: links to Panamanian legal firm Mossack Fonseca. P.42/2016.  
Lodged: 26th April 2016.  
*Deputy G.P. Southern of St. Helier.*

**DR. M. EGAN**  
**Greffier of the States**

25th April 2016

**Note –**

**An asterisk \* in the left-hand margin denotes either a new item added to this Order Paper since the principal Order Paper was published on 21st April 2016, or an item which has been altered or moved.**



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

(See Item B)

### **R&O.47/2016.**

This Order prescribes fees under the EU Legislation (Aquatic Animal Health) (Jersey) Regulations 2016 (the “Regulations”).

The fee for an authorization application is £211.

The fee for a surveillance inspection is £94, if the surveillance relates to fish, or £164 otherwise.

The fee for an application to amend an authorization is £96.

The fee for a registration application is £141.

An amount, charged to the Minister by a third party, can be re-charged to the operator if it is for an inspection, test or official examination that falls within Regulation 38(1)(b) of the Regulations (including a surveillance inspection, in which case the £94 or £164 fee will not apply).

A fee can be refunded (wholly or partly) if it is for an application for authorization, for amendment of an authorization, or for registration, and the application is withdrawn (rather than refused).

A licence fee, paid in the previous year under Article 4 of the Animal Welfare (Licence Fee) (Jersey) Order 2008, is to be set off against an authorization application fee, if the applications are connected. Similarly a fee, paid in the previous 5 years under the Community Provisions (Welfare of Animals during Transport) (Fees) (Jersey) Order 2014, is to be set off against the registration fee for a specialist transport business, if the applications are connected.

The Order comes into force on 26th April 2016, which is the date on which most of the Regulations come into force. Regulation 3(1) (the offence of operating when not authorized) does not come into force until 24th May 2016, and Regulation 10(1) (the offence of operating when not registered) does not come into force until 12th July 2016. However, applications for authorization or registration can be made, and fees paid, before those dates. Also under Regulation 3(8) a pre-existing operation that applies for authorization before 24th May 2016 may be treated as having an interim authorization if its application has not been determined by that date.

The Order was made on 22nd April 2016 and comes into force on 26th April 2016.

### **R&O.48/2016.**

This Order prescribes infectious pancreatic necrosis (IPN) as a supplementary notifiable disease, for the purpose of Part 5 of the EU Legislation (Aquatic Animal Health) (Jersey) Regulations 2016 (the “Regulations”). The Regulations will come into force on 26th April 2016, and the Order would come into force at the same time.

The Order is made under Regulation 19(2) of the Regulations, which gives the Minister power to prescribe a disease so as to control that disease in Jersey (subject to the requirements of the EU Directive implemented by the Regulations), on the ground that it constitutes a significant risk to the health of aquaculture animals or wild aquatic animals in Jersey.

The effect of the Order is to add infectious pancreatic necrosis to the other diseases that are made notifiable by Regulation 19(1) of the Regulations. The diseases set out in paragraphs (a) to (m) below are notifiable under Regulation 19(1)(a), because they are currently listed in Part II of Annex IV to Council Directive 2006/88/EC of 24 October 2006 (OJ L 328, 24.11.2006, p. 14). The diseases set out in paragraphs (n) to (p) below are notifiable under Regulation 19(1)(b), because Jersey is currently listed as having disease-free status in respect of them in Annex I to Commission Decision 2010/221/EU of 15 April 2010 (OJ L 98, 20.4.2010, p. 7). The ambulatory provision in Regulation 1(2) of the Regulations means any changes to the relevant EU lists will have effect in Jersey automatically, but as at the date on which this Order is proposed to be made the diseases that are notifiable by virtue of being so listed are –





- (a) epizootic haematopoietic necrosis;
- (b) infection with *Bonamia exitiosa*;
- (c) infection with *Perkinsus marinus*;
- (d) infection with *Microcytos mackini*;
- (e) taura syndrome;
- (f) yellowhead disease;
- (g) viral haemorrhagic septicaemia (VHS);
- (h) infectious haematopoietic necrosis (IHN);
- (i) koi herpes virus (KHV) disease;
- (j) infectious salmon anaemia (ISA), in respect of infection with genotype HPR-deleted of the genus Isavirus (ISAV);
- (k) infection with *Marteilia refringens*;
- (l) infection with *Bonamia ostreae*;
- (m) white spot disease;
- (n) spring viraemia of carp (SVC);
- (o) bacterial kidney disease (BKD); and
- (p) infection with *Gyrodactylus salaris* (GS).

The Order was made on 22nd April 2016 and comes into force on 26th April 2016.