# STATES OF JERSEY ORDER PAPER

**Tuesday 4th December 2007** 

## A. COMMUNICATIONS BY THE PRESIDING OFFICER

### **B.** TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Airport Dues (Tariff) (Amendment No. 2) (Jersey) Order 2007. Minister for Economic Development.	R&O.161/2007.
Motor Cars (Driving Instruction) (Amendment No. 18) (Jersey) Order 2007. Minister for Transport and Technical Services.	R&O.166/2007.
Motor Vehicles (Driving Licences) (Amendment No. 8) (Jersey) Order 2007. Minister for Transport and Technical Services.	R&O.167/2007.
Motor Vehicles (Construction and Use) (Amendment No. 10) (Jersey) Order 2007. Minister for Transport and Technical Services.	R&O.168/2007.
Motor Vehicle Registration (General Provisions) (Amendment No. 16) (Jersey) Order 2007. Minister for Transport and Technical Services.	R&O.169/2007.
Motor Traffic (Public Service Vehicles) (Fees) (No. 2) (Jersey) Order 2007. <i>Minister for Transport and Technical Services.</i>	R&O.170/2007.
Diseases of Animals (Foot and Mouth – Restrictions No. 8) (Jersey) Order 2007. Minister for Transport and Technical Services.	R&O.171/2007.
DOCUMENTS PRESENTED OR LAID	

### C. DOCUMENTS PRESENTED OR LAID

Land Transactions under Standing Order 168(3) – 12 Les Cloches, Le Squez	R.108/2007.
Road, St. Clement– sale.	
Presented: 26th November 2007.	
Minister for Treasury and Resources.	

States of Jersey Law 2005: delegation of functions – Transport and TechnicalR.109/2007.Services.Presented: 29th November 2007.Minister for Transport and Technical Services.

# D. NOTIFICATION OF LODGED PROPOSITIONS

Employment Tribunal: appointment of members. Lodged: 27th November 2007. <i>Minister for Social Security</i> .	P.180/2007.
Draft Income Support (Special Payments) (Cold Weather Payments) (Jersey) Regulations 200	P.181/2007.

Lodged: 30th November 2007.

Minister for Social Security.

## 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 Minister for Health and Social Services will table an answer to a question asked by Deputy S.S.P.A. Power of St. Brelade regarding cost of MRI scans.
- 2. The Chief Minister will table an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding climate change.
- 3. The Minister for Planning and Environment will table an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding shared equity schemes for Jersey.
- 4. The Minister for Housing will table an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding shared equity schemes for Jersey.
- 5. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the promotion of independence as part of the Social Policy framework.
- 6. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding proportion of States Social renting tents paying by direct debit.
- 7. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding special payments for those falling between the Income Support and Income Tax thresholds.
- 8. The Chairman, Privileges and Procedures Committee will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the electoral register.
- 9. The Minister for Home Affairs will table an answer to a question asked by Deputy S.S.P.A. Power of St. Brelade regarding the deportation of drug trafficking offenders.
- 10. The Minister for Home Affairs will table an answer to a question asked by Deputy S.S.P.A. Power of St. Brelade regarding the removal of damaged vehicles from the scene of road traffic accidents.
- 11. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the prevention of influenza.
- 12. The Minister for Planning and Environment will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the Percentage for Art policy.

- 13. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy S. Pitman of St. Helier regarding increases in public transport services since Liberation Station was opened.
- (b) **Oral Questions** (90 minutes)
- 1. Senator S. Syvret will ask the following question of the Chief Minister:

"Will the Chief Minister give the Assembly an undertaking that any person remunerated from public funds who is shown to have committed child abuse; failed to prevent child abuse when in a position to do so; failed to report instances of child abuse; helped to conceal instances of child abuse; or failed to ensure that any person in the above categories received appropriate punishment will be dismissed?"

2. Senator S. Syvret will ask the following question of the Chief Minister -

"In the event that any person remunerated from public funds is referred to the States Employment Board for disciplinary reasons related to child abuse, could the Chief Minister inform the Assembly what definitions of child abuse will be used by the Board in determining whether any disciplinary offence has been committed?"

3. Deputy G.P. Southern of St. Helier will ask the following question of the Minister of Economic Development -

"With respect to the telecommunications industry, could the Minister inform Members whether he will use the provisions of the Regulations of Undertakings Law to protect the Island's skills and training base following the privatisation of Jersey Telecoms?"

4. Senator L. Norman will ask the following question of the Minister for Economic Development

"Would the Minister inform the Assembly of his proposed timetable for the introduction of Price Marking Regulations and will he confirm that he plans to have the Regulations in place with effect from 1st May 2008?"

5. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Transport and Technical Services -

"Now that the new transportation centre is fully operational, will the Minister be consulting with his States and Parish colleagues regarding the possible recommencement of the hopper bus service and if not, why not?"

6. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Minister for Home Affairs -

"Does the Minister have a formal policy regarding succession planning within the Departments for which she is responsible?"

7. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Treasury and Resources -

"Given that during the debate on my amendment to P169/2007, the Minister stated that the cost

of clothing a child is £150 per year, would he inform members how this figure was reached?"

8. The Deputy of St. Ouen will ask the following question of the Minister for Economic Development -

"Could the Minister inform Members when he expects the issue of telephone number portability between mobile phone operators to be resolved?"

9. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Minister for Health and Social Services -

"Would the Minister state whether his Department is receiving Value for Money in respect of nursing care purchased from the private sector?"

10. Deputy D.W. Mezbourian of St. Lawrence will ask the following question of the Minister for Health and Social Services -

"Will the Minister advise the Assembly what progress has been made in resolving the current industrial dispute involving Ambulance crews?"

11. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Economic Development -

"Would the Minister advise the Assembly whether the terms of reference for the review of the Jersey Competition Regulatory Authority by the National Audit Office have been finalised, and if so, what they are, when the review is due to start and when the States can expect to receive the findings?"

12. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Economic Development -

"Is the Minister aware that since Connex buses have started to be parked on the Albert Pier, specifically at the Albert Terminal and at the end of the pier, a number of public parking places have been extinguished, and if so, will he undertake to provide alternative parking for the local rod fishermen who have traditionally accessed and fished at the end of the Albert Pier?"

13. The Deputy of St. Martin will ask the following question of the Minister for Treasury and Resources –

"Would the Minister advise why the cul de sac at Clos du Feuvre at Maufant Village has been opened to allow access to Field 690A without ensuring that the promised parking provision for the residents is available and will he further advise when the promised reinstatement of the Village's footpaths and roads will begin and indicate whether Property Holdings has sufficient revenue to cover the total cost of the reinstatement?"

14. The Deputy of St. Martin will ask the following question of the Minister for Home Affairs -

"Would the Minister advise Members what formal written arrangements, if any, the States of Jersey Police have in place to allay a sense of grievance from people who have been detained and/or questioned and then subsequently exonerated from unsubstantiated allegations of crimes?"

15. Senator L. Norman will ask the following question of the Minister for Economic Development

"Would the Minister inform the Assembly if he has made any progress on the resolution of the fishing dispute with Guernsey?"

16. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Economic Development -

"Can the Minister inform the Assembly how many people have travelled on the Jersey-Heathrow service operated by BMI on both the outbound and inbound legs since the inception of the service on 26th March 2007, and if the service will continue as a twice a day service on certain days?"

17. The Deputy of St. Ouen will ask the following question of the Minister for Treasury and Resources -

"Given that pensioners can currently benefit from very low monthly line rental and cheap local calls under Jersey Telecom's 'Prime Talk' tariff, would the Minister undertake, as part of the sale process, to put in place measures to protect such a valuable service for pensioners after the sale?"

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

1st question period – Minister for Social Security

2nd question period – Chief Minister

### J. PERSONAL STATEMENTS

# K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

#### L. PUBLIC BUSINESS

Budget 2008. Lodged: 23rd October 2007. Minister for Treasury and Resources.	P.164/2007.
Budget 2008 (P.164/2007): amendment. Lodged: 6th November 2007. Deputy A. Breckon of St. Saviour.	P.164/2007. Amd.
Budget 2008 (P.164/2007): second amendment. Lodged: 13th November 2007. Deputy A. Breckon of St. Saviour.	P.164/2007. Amd.(2)
Budget 2008 (P.164/2007): third amendment. Lodged: 20th November 2007. Deputy of St. Ouen.	P.164/2007. Amd.(3)
Draft Finance (Jersey) Law 200 Lodged: 23rd October 2007. Minister for Treasury and Resources.	P.165/2007.
Draft Income Tax (Amendment No. 30) (Jersey) Law 200 Lodged: 23rd October 2007.	P.166/2007.

Minister for Treasury and Resources.

М.

Draft Public Finances (Amendment No. 2) (Jersey) Law 200 Lodged: 23rd October 2007. <i>Minister for Treasury and Resources</i> .	P.167/2007.
Draft Places of Refreshment (Jersey) Regulations 200 Lodged: 4th October 2007. <i>Minister for Economic Development.</i>	P.148/2007.
Draft Harbours (Administration) (Amendment No. 7) (Jersey) Law 200. Lodged: 16th October 2007. <i>Minister for Economic Development</i> .	P.160/2007.
Draft Amendment (No. 8) of the Standing Orders of the States of Jersey. Lodged: 23rd October 2007. Senator M.E. Vibert.	P.162/2007.
Draft Amendment (No. 32) to the Tariff of Harbour and Light Dues. Lodged: 23rd October 2007. <i>Minister for Economic Development</i> .	P.163/2007.
Draft Community Provisions (Wire Transfers) (Amendment) (Jersey) Regulations 200 Lodged: 15th November 2007. <i>Minister for Treasury and Resources</i> .	P.172/2007.
Flu pandemic funding. Lodged: 20th November 2007. <i>Minister for Treasury and Resources</i> .	P.176/2007.
Inquiry by Mr. Andrew Williamson: removal of administrative involvement of the Chief Minister's Department. Lodged: 20th November 2007. <i>Senator S. Syvret</i> .	P.177/2007.
ARRANGEMENT OF PUBLIC BUSINESS	
15th January 2008	
Island Plan 2002: H4 Site No. 15, Samarès Nursery, St. Clement and future amendments to the Island Plan. Lodged: 20th July 2007. Deputy I.J. Gorst of St. Clement.	P.95/2007.
Island Plan 2002: H4 Site No. 15, Samarès Nursery, St. Clement and future amendments to the Island Plan (P.95/2007): comments. Presented: 23rd October 2007. <i>Minister for Planning and Environment.</i>	P.95/2007. Com.
JT Group Limited ("Jersey Telecom"): proposed sale. Lodged: 9th October 2007. <i>Minister for Treasury and Resources</i> .	P.153/2007.
JT Group Limited ("Jersey Telecom"): proposed sale (P.153/2007) – amendment.	P.153/2007. Amd.

Lodged: 26th October 2007. Senator B.E. Shenton.	
Draft Gambling (Remote Gambling Disaster Recovery) (Jersey) Regulations 200 Lodged: 31st October 2007. <i>Minister for Economic Development.</i>	P.170/2007.
Goods and Services Tax: de minimis waiver. Lodged: 14th November 2007. <i>Minister for Treasury and Resources.</i>	P.171/2007.
Draft States of Jersey (Amendment No. 4) (Amendment) (Jersey) Law 200. Lodged: 19th November 2007. <i>Chief Minister</i> .	P.173/2007.
Draft Companies (Amendment No. 2) (Jersey) Regulations 200. Lodged: 19th November 2007. <i>Minister for Economic Development.</i>	P.175/2007.
Draft Companies (Amendment No. 9) (Jersey) Law 200. Lodged: 19th November 2007. <i>Minister for Economic Development</i> .	P.174/2007.
Employment Tribunal: appointment of members. Lodged: 27th November 2007. <i>Minister for Social Security</i> .	P.180/2007.
Draft Income Support (Special Payments) (Cold Weather Payments) (Jersey) Regulations 200 Lodged: 30th November 2007. <i>Minister for Social Security</i> .	P.181/2007.
<u>29th January 2008</u>	
Draft Health and Safety at Work (Asbestos - Licensing) (Jersey) Regulations 200 Lodged: 25th October 2007. <i>Minister for Social Security</i> .	P.168/2007.
Draft Employment (Amendment No. 4) (Jersey) Law 200. Lodged: 21st November 2007. <i>Minister for Social Security.</i>	P.178/2007.
Draft Employment (Minimum Wage) (Amendment No. 4) (Jersey) Regulations 200 Lodged: 22nd November 2007. <i>Minister for Social Security.</i>	P.179/2007.
12th February 2008	
Draft Proceeds of Crime (Substitution of Schedule 2) (Jersey) Regulations 200. Lodged: 24th September 2007.	P.127/2007.

Lodged: 24th September 2007. *Minister for Treasury and Resources.* 

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

29th November 2007

Note – In accordance with the meeting dates fixed for 2007 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 5th December and Thursday 6th December 2007.

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

(See Item B)

#### R&O.161/2007.

This Order splits the existing airport dues for each passenger carried on an aircraft into a passenger charge element of £4.28 and a security charge element of £1.60 (making a total charge for both elements of £5.88). The previous charge was £5.50 per passenger.

The Order was made on 20th November 2007 and comes into force on 1st January 2008.

#### R&O.166/2007.

This Order increases the fees for examination and registration of driving instructors. The fees are increased by 2.5%, from 1st January 2008. They were last increased on 1st February 2007.

The Order was made on 23rd November 2007 and comes into force on 1st January 2008.

#### R&O.167/2007.

This Order increases fees for road practice tests and for the provision of a duplicate compulsory basic training certificate. The fees are increased by 2.5%, from 1st January 2008. They were last increased on 4th April 2007.

The Order was made on 23rd November 2007 and comes into force on 1st January 2008.

#### R&O.168/2007.

This Order increases the fees for an application for a licence to use a vehicle that does not comply with the construction and use requirements under the Road Traffic (Jersey) Law 1956. The fees are increased by 2.5%, from 1st January 2008. They were last increased on 1st February 2007.

The Order was made on 23rd November 2007 and comes into force on 1st January 2008.

#### R&O.169/2007.

This Order increases various fees connected with the registration of motor vehicles and the issue of trade licences. The fees are increased by up to 2.6%, from 1st January 2008. They were last increased on 1st February 2007.

The Order was made on 23rd November 2007 and comes into force on 1st January 2008.

### R&O.170/2007.

This Order increases fees, related to public service vehicles, for the examination of a vehicle, for the issue of a replacement licence plate and for an application for a badge to drive a vehicle. The fees are increased by, approximately, 2.5%, from 1st January 2008. They were last increased on 1st February 2007.

The Order was made on 23rd November 2007 and comes into force on 1st January 2008.

### R&O.171/2007.

This Order continues the restrictions on importation of certain animals and animal products, having regard to the latest amendments (21 November 2007) to Commission Decision 2007/554/EC concerning certain protection measures against foot-and-mouth disease in the United Kingdom.

The Order was made on 26th November 2007 and came into force forthwith.

## WRITTEN QUESTIONS

### (See Item I(a))

1. The Minister for Health and Social Services will table an answer to the following question asked by Deputy S.S.P.A. Power of St. Brelade –

"Would the Minister explain to Members how the MRI scanner is funded and what proportion of a scan's charge is devoted to consultant/staff/premises costs? How much profit has been made from the 8,332 private scans charged at £650 per scan and what proportion has been set aside to fund a replacement MRI scanner?"

2. The Chief Minister will table an answer to the following question asked by Deputy P.V.F. Le Claire of St. Helier –

"Following recent publication of a new report by the official Intergovernmental Panel on Climate Change (IPCC) -

- (a) what are the Island's current environmental commitments in terms of international agreements, how are they applied in Jersey and are they voluntary or legally binding?
- (b) What penalties, if any, could the Island face if it failed to maintain any of these agreements?
- (c) What are Jersey's current emissions by category as they are contained and identified in these agreements for the last three years?
- (d) What targets, if any, are we legally bound to achieve in any of these categories?
- (e) What intentions does the Minister have, if any, for committing Jersey to carbon reductions in the future?
- (f) Would the Minister consider an even greater cut than the United Kingdom's long term aim of a 60 per cent reduction in CO2 emissions by 2050?
- (g) Does the UK's decision to set legally binding limits have any impact on Jersey and has the Department sought legal advice in this regard?
- (h) What proposals does the Minister have to respond to the quickening pace of global warming?"
- 3. The Minister for Planning and Environment will table an answer to the following question asked by Deputy P.V.F. Le Claire of St. Helier –

"In relation to the proposals on shared equity being brought forward in conjunction with the Minister for Housing, would the Minister advise -

- (a) what progress, if any, has been made in bringing forward for debate a shared equity scheme or schemes for Jersey?
- (b) whether any difficulties have been identified and, if so, when does the Minister expect that they will be resolved?
- (c) what work has been done, if any, in comparing existing U.K. schemes with the proposals for Jersey?

- (d) whether legal advice has been sought on the proposals and, if so, what legal difficulties, if any, have been identified?"
- 4. The Minister for Housing will table an answer to the following question asked by Deputy P.V.F. Le Claire of St. Helier -

"In relation to the proposals on shared equity being brought forward in conjunction with the Minister for Planning and Environment would the Minister advise members whether it is proposed that the schemes which will be introduced will allow for private sector tenants to have access to them?"

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

"Given that the first Key Principle of the Social Policy Framework is that of 'Promoting Independence', and that the Framework also states that all major policy initiatives should be assessed against the Aim and Key Principles of the Framework, what assessment, if any, has been made of the Minister's decision to take control of rental payments to the Housing Department away from tenants and how does this decision rate in terms of 'Promoting Independence'?"

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

"Will the Minister inform members what proportion of States social renting tenants currently have agreed to have their rents paid directly from their income source (employer, Social Security or welfare departments) and what proportion does he anticipate will do so under the Income Support Scheme?"

- 7. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy G.P. Southern of St. Helier -
  - "(a) Will the Minister estimate how many households/individuals fall into the 'gap' identified between Income Support and Income Tax thresholds and who will able to receive the type of special payment announced in the Assembly at the last meeting?
  - (b) Will the Minister explain when and how such numbers were identified and when and how the sums of money required were calculated?
  - (c) Will the Minister advise members how this policy 'creates and supports independence' in line with the first key principle of the Social Policy Framework and is not simply a 'quick fix' which is identified as a fault of current social policy in the Framework?"
- 8. The Chairman, Privileges and Procedures Committee will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

"Given that the St. Helier electoral register for the coming election for Connétable contains only around 14,000 names, will the Chairman advise the Assembly what actions, if any the Connétables will be taking to ensure improved registers in all parishes in time for the October/November 2008 elections?"

- 9. The Minister for Home Affairs will table an answer to the following question asked by Deputy S.S.P.A. Power of St. Brelade-
  - "(a) Following the recent Criminal Justice policy debate, will the Minister clarify for members whether a drugs offender or drug trafficker, having been arrested on arrival in Jersey and sentenced to

lengthy custodial sentence in Jersey, is also deemed to have committed an offence at the airport or port outside the Island that the he or she departed from?

- (b) Would the Minister inform members why any such drug trafficker/offender cannot be deported back to that departing airport or port before the end of any sentence imposed in Jersey and then banned from entering Jersey again for that undischarged portion of his or her sentence?"
- 10. The Minister for Home Affair will table an answer to the following question asked by Deputy S.S.P.A. Power of St. Brelade-

"Following the recent advertisement placed in the Jersey Gazette for interested parties to tender for the removal of damaged vehicles from the scene of road traffic accidents for and on behalf of the States of Jersey Police, can the Minister confirm that a fair and equitable process based on cost, efficiency, experience, availability, qualification and suitability of the recovery vehicles will be undertaken to assess tenders submitted?"

- 11. The Minister for Health and Social Services will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement -
  - "(a) In view of recent media coverage relating to influenza prevention and treatment that some may have found confusing would the Minister clarify the situation by informing members whether
    - (i) Tamiflu and Relenza are antivirals, not vaccines, and need to be taken within 48 hours of the start of the illness to be of any use?
    - (ii) Tamiflu and Relenza are primarily for use against Influenza type A and B, and whether their efficacy against avian 'flu has been quantified?
    - (iii) a vaccine to protect against avian 'flu is currently available?
  - (b) Given that drugs which fight the influenza virus, such as Tamiflu and Relenza, need to be taken at the onset of symptoms in order to be effective, would the Minister agree to implement Dr. Laver's (the 'flu vaccine co-founder) advice and make the anti-virals available 'over the counter' in the event of a major outbreak locally, thereby saving valuable time otherwise lost whilst patients wait for a doctor's appointment to get a prescription?"
- 12. The Minister for Planning and Environment will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement -

"With regard to the 'Percentage for Art' policy would the Minister -

- (a) advise why it was necessary to advertise for personnel to administer this, and what precisely the person engaged will do;
- (b) confirm that the situation as per the 2002 Island Plan still pertains, namely that the Percentage For Art contribution is entirely voluntary;
- (c) form members whether the contributions are mainly for on-site works integral to the development and that the contributions, when offered, will not exceed 0.75% of construction cost;
- (d) assure members that, despite the reference to 'strong encouragement' on page 1 of the Interim Supplementary Planning Guidance Advice Note 3 of December 2006, no pressure will be applied to developers;
- (e) advise whether he intends to undertake further consultation and debate on this new initiative before its full implementation to ascertain whether, given the Island's financial position, the public may

prefer this new levy to fund basic infrastructure rather than art?"

13. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy S. Pitman of St. Helier -

"Would the Minister inform States members whether or not public transport services have increased since the opening of the new Liberation Bus Station, and if so, state what new services have been put in place?"

# ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

1st Session 2008 -

	First 15 minute period	Second 15 minute period
	Minister	Minister
15th January	Treasury and Resources	Home Affairs
29th January	Housing	Chief Minister
12th February	Economic Development	Transport and Technical Services
26th February	Health and Social Services	Chief Minister
11th March	Education, Sport and Culture	Planning and Environment
1st April	Social Security	Chief Minister
29th April	Home Affairs	Housing
13th May	Treasury and Resources	Chief Minister
3rd June	Transport and Technical Services	Economic Development
17th June	Health and Social Services	Chief Minister
1st July	Planning and Environment	Education, Sport and Culture
15th July	Social Security	Chief Minister