



STATES OF JERSEY ORDER PAPER

Tuesday 3rd February 2015

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Road Traffic (Public Parking Places – Charges) (Amendment No. 6) (Jersey) Order 2015. R&O.10/2015.
Minister for Transport and Technical Services.

C. DOCUMENTS PRESENTED OR LAID

Jersey Bank Depositors Compensation Board: Annual Report and Audited Financial Statements for the period ended 31st January 2014. R.6/2015.
Presented: 23rd January 2015.
Chief Minister.

States of Jersey Law 2005: delegation of functions – Treasury and Resources – revised delegations January 2015. R.7/2015.
Presented: 30th January 2015.
Minister for Treasury and Resources.

Council of Ministers' Proposed Strategic Priorities 2015–2018. R.8/2015.
Presented: 30th January 2015.
Council of Ministers.

D. NOTIFICATION OF LODGED PROPOSITIONS

Draft Criminal Justice (Insane Persons) (Amendment) (Jersey) Law 201-(P.160/2014): amendment. P.160/2014.
Lodged: 29th January 2015. Amd.
Chief Minister.

Draft Employment (Amendment No. 8) (Jersey) Law 2014 (Appointed Day) Act 201-. P.9/2015.
Lodged: 26th January 2015.
Minister for Social Security.

Draft Video Recordings (Amendment) (Jersey) Law 201-. P.10/2015.
Lodged: 28th January 2015.
Minister for Economic Development.

E. WITHDRAWAL OF LODGED PROPOSITIONS



F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

Nomination of the following 3 persons as unelected members of the Public Accounts Committee –

Mr. Gary Drinkwater
Mr. Robert John Parker
Mr. Michael John Robinson.

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

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

1. The Minister for Social Security will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the increased use of food banks on the Island.
2. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding population levels and the number of applicants for registration cards under the Control of Housing and Work (Jersey) Law 2012 during the final quarter of 2014.
3. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the numbers imprisoned at H.M.P. La Moye with mental health issues since 2009.
4. The Chief Minister will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the publication of the list of actions proposed by Ministers to address the requirement to reduce their budgets by 2% in 2015.
5. The Minister for Treasury and Resources will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the resolution of the JT/Gigabit dispute.
6. The Chief Minister will table an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding measures to reduce poverty in the Island.
7. The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the number of licensed or registered posts created by inward investment.
8. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the terms of reference for the appraisal of the site options for the new hospital.
9. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding tests used to assess the level of impairment suffered by applicants for medical components of income support.
10. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the acceptance of an economy ‘where only a few do spectacularly well’.



11. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding limits on recharges applied by Andium Homes and other social housing trusts.

(b) – Oral Questions

(120 minutes)

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

“What action, if any, has the Minister, as the shareholder representative of JT, taken to bring about a solution to the Gigabit dispute and what further measures does he have under consideration to deliver progress?”

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

“What statistical information, if any, does the Minister have to support the statement on page 11 of the Council of Ministers’ Strategic Priorities document that ‘the Island has been overtaken’ in GCSE results by England?”

3. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –

“Will the Minister inform members of the number of sanctions imposed on job seekers for leaving a job without sufficient reason or failing a task by quarter since the adoption of P.101/2013 (Income Support (Miscellaneous Provisions) (Jersey) Regulations 2013) and detail the measures, if any, which have been put in place to assess the impact of these sanctions on the behaviour or well-being of those sanctioned?”

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

“Will the Minister inform members why there is a delay in implementing the ‘draft Road Works and Events (Jersey) Law 201-’?”

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

“What consideration, if any, has the Chief Minister given to reforming the administrative structure of the Parish of St. Helier in order to move more towards a Council system as part of the ‘new deal’ for St. Helier?”

6. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –

“Does the Minister consider that any of the criticisms of the administration of the Work Capability Assessment/Employment Support Allowance system run by ATOS on behalf of the Department for Work and Pensions in the UK could equally be applied to the similar tests run by her department to assess impairment components of Income Support and, if not, why not?”

7. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Housing –

“Does the Minister support the introduction of an empty property tax as a method to help alleviate the housing shortage and bring down rental prices?”



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

1st question period – Minister for Housing

2nd question period – Minister for Planning and Environment

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Draft Public Elections (Amendment No. 5) (Jersey) Regulations 201-. P.174/2014.
Lodged: 11th December 2014.
Comité des Connétables.

H.M.S. Iron Duke: authority to march ‘with Colours flying, drums beating and P.177/2014.
bayonets fixed’ in Jersey.
Lodged: 22nd December 2014.
Minister for Home Affairs.

Ratification of the Agreement on the exchange of information relating to tax P.178/2014.
matters between the Government of Jersey and the Government of Romania.
Lodged: 22nd December 2014.
Minister for External Relations.

Draft Taxation (Exchange of Information with Third Countries) (Amendment P.179/2014.
No. 12) (Jersey) Regulations 201-.
Lodged: 22nd December 2014.
Minister for External Relations.

M. ARRANGEMENT OF PUBLIC BUSINESS

24th February 2015

Draft Criminal Justice (Insane Persons) (Amendment) (Jersey) Law 201-. P.160/2014.
Lodged: 27th October 2014.
Chief Minister.

Draft Criminal Justice (Insane Persons) (Amendment) (Jersey) Law 201- P.160/2014.
(P.160/2014): amendment. Amd.
Lodged: 29th January 2015.
Chief Minister.

Draft Amendment (No. 27) of the Standing Orders of the States of Jersey. P.1/2015.
Lodged: 13th January 2015.
Minister for Planning and Environment.

Draft Planning and Building (Amendment of Law) (Jersey) Regulations 201-. P.2/2015.
Lodged: 13th January 2015.
Minister for Planning and Environment.

Planning Appeals: fees. P.3/2015.
Lodged: 13th January 2015.
Minister for Planning and Environment.



Draft Planning and Building (Amendment No. 6) (Jersey) Law 2014 (Appointed Day) Act 201-. P.7/2015.
Lodged: 16th January 2015.
Minister for Planning and Environment.

Law Revision Board: appointment of member. P.8/2015.
Lodged: 20th January 2015.
Chief Minister.

Draft Employment (Amendment No. 8) (Jersey) Law 2014 (Appointed Day) Act 201-. P.9/2015.
Lodged: 26th January 2015.
Minister for Social Security.

The Chief Minister has given notice that he wishes for the following matter to be considered by the Assembly 'in Committee' at this meeting –

Council of Ministers' Proposed Strategic Priorities 2015–2018. R.8/2015.
Presented: 30th January 2015.
Council of Ministers.

10th March 2015

Draft Loi (1914) sur la Voirie (Amendment) (Jersey) Regulations 201-. P.4/2015.
Lodged: 14th January 2015.
Comité des Connétables.

Draft Proceeds of Crime (Financial Intelligence) (Jersey) Regulations 201-. P.6/2015.
Lodged: 16th January 2015.
Chief Minister.

24th March 2015

Draft Air and Sea Ports (Incorporation) (Jersey) Law 201-. P.5/2015.
Lodged: 15th January 2015.
Council of Ministers.

Draft Video Recordings (Amendment) (Jersey) Law 201-. P.10/2015.
Lodged: 28th January 2015.
Minister for Economic Development.

M.N. DE LA HAYE, O.B.E.
Greffier of the States

29th January 2015

Note –

In accordance with the meeting dates fixed for 2015 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 4th and Thursday 5th February 2015.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.10/2015.

This Order increases the parking charges set out in the Road Traffic (Public Parking Places – Charges) (Jersey) Order 2010 so as to produce an annual increase of 1.8%. For clarity a note has been added to Article 2 of that Order, where the charges appear as fractions of a penny, to set out the actual amount charged when Goods and Services Tax is added to the charge.

The Order was made on 26th January 2015 and came into force on 1st February 2015.



APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

(See Item F)

Public Accounts Committee: Appointment of unelected members

In accordance with Standing Order 124(1) the Chairman of the Public Accounts Committee gave notice on 19th January 2015 of his nominations for the positions of unelected member of the Public Accounts Committee as follows –

Mr. Gary Drinkwater
Mr. Robert John Parker
Mr. Michael John Robinson

In accordance with Standing Order 124(2) any alternative nominations for membership of the Public Accounts Committee must be received by the Greffier of the States no later than 2 clear working days before 3rd February 2015, namely no later than 29th January 2015. If alternative nominations are received a ballot will be held.

BIOGRAPHIES

Mr. Gary Drinkwater

Mr. Drinkwater's career in the banking industry with HSBC (formerly Midland Bank) spans 4 decades and a broad range of significant management roles. He is currently Deputy Head of Corporate, Channel Islands and Isle Of Man. His leadership and change management experience is considerable.

Since moving to the Island in 1992, Mr. Drinkwater has undertaken a number of external business and community roles. He is a former president of the Institute of Directors and the Jersey Banker's Association and has served as trustee of a number of charitable associations, including Help a Jersey Child. His interests include sports (notably tennis) and antique collecting.

Having made Jersey his home, Mr. Drinkwater is keen to further increase his contribution to Island life through an honorary role that makes constructive use of his skills, knowledge and experience.

Mr. Robert John Parker

Mr. Parker's early accounting career included periods with the audit divisions of both Coopers and Lybrand and Gulf and Western. During his time with the latter company, Mr. Parker spent a year working for Paramount Pictures International. He then returned to the Island as an employee of the Hotel de France Group Limited, holding the posts of Finance Director, Managing Director and, latterly, Chairman.

Mr. Parker serves as Treasurer of the Jersey Conference Bureau, having previously served as its founding Chairman. He has also fulfilled senior roles for the Jersey Hotel and Guest House Association and he has served on a number of other boards including the Shadow Tourism Board and the Airport Advisory Board.

In June 2013 Mr. Parker joined the PAC as previously constituted. He played an active part in a number of reviews including, but not exclusive to, the review of the complex integrated care records programme commissioned by the Health and Social Services Department. Having formed a constructive working relationship with the Comptroller and Auditor General and having enhanced his understanding of how the States of Jersey is structured and managed under ministerial government, Mr. Parker is well placed to continue serving the Island as an independent member. His reappointment would provide the new committee with a helpful degree of continuity as it develops a work programme for 2015 and beyond.



Mr. Michael John Robinson

Mr. Robinson was born in the Island and was educated at De La Salle College and Highlands College.

After having spent the first year of his working life as an Articled Clerk at Coopers and Lybrand, Mr Robinson embarked upon a 39 year public service career, commencing with a 2 year period at the Social Security Department. He transferred to the Customs and Excise Department in 1976 and rose progressively through the ranks. In 2006 he commenced an 8 year term as Head of the Customs and Immigration Service. He retired in January 2014.

Mr. Robinson's considerable investigative and managerial experience includes first-hand experience of change management at the senior level as a consequence of the merging of the then separate Customs and Immigration Departments through 2005 and 2006. During his time with Customs he was awarded a number of commendations from the Agent of the Impôts, HM Solicitor General and the Royal Court for his contribution to a number of successful operations.

Having enjoyed the first year of his retirement, Mr. Robinson now has both the inclination and the time available to meet the demands of this important honorary role. His relevant and recent knowledge of the workings of the States of Jersey should prove invaluable to the committee as its programme of work develops.

Mr. Robinson's interests include golf, boating and the theatre.

PROCESS

The above nominations were arrived at following a recruitment and selection process based on the States of Jersey Appointments Commission Recruitment Code. In this regard, the Chairman adopted a similar process to that used by his predecessor, Deputy T.A. Vallois. A recruitment advertisement was placed in the Gazette section of the Jersey Evening Post newspaper on 28th and 29th November 2014. Following a number of initial enquiries, six applications were received. A recruitment panel consisting of Deputy A.D. Lewis, Deputy S.M. Wickenden and the Greffier of the States shortlisted 5 candidates before the Christmas break. Interviews were held in the week beginning 12th January 2015 and the recruitment panel members scored candidates' performance independently against pre-agreed criteria. The nominated candidates received the highest scores.



WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Social Security will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier -

“What information, if any, does the Minister have as a result of her investigations into the increased use of food banks on the Island and, if none, will she investigate this issue and report progress to members and, in particular, will she agree to investigate the impact of the Income Support sanctions regime on the need for food banks and other charitable support to alleviate hardship?”

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

“Will the Chief Minister advise members:

- (a) the current estimated size of the Jersey working population;
- (b) the number of people who applied for registration cards under the Control of Housing and Work (Jersey) Law 2012 during the period 1 October 2014 to December 2014 breaking down the numbers into the nationality and country of origin of applicants;
- (c) the total number of people who have been issued with registration cards under the Control of Housing and Work (Jersey) Law 2012, to date since the law came into effect breaking down the numbers into the nationality and country of origin of those registered?”

3. The Minister for Home Affairs will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier -

“Will the Minister advise members:

- (a) the numbers and percentage of those convicted and imprisoned at H.M.P. La Moye in each year between 1st January 2009 to 31st December 2014 who were diagnosed as having mental health issues –
 - (i) at the time of their admission;
 - (ii) when they were released from prison; and,
 - (iii) the percentage of the total prison population during these periods these people represented?
- (b) the number of staff and facilities available to treat these prisoners whilst in prison, together with the actual sums spent on dealing with prisoners with mental health issues during the periods set out above together with the percentages of the total prison budget;
- (c) what provision is put in place to assist those prisoners who are released from prison with mental health issues, detailing the number of people involved, the facilities made available and monies allocated during the time period set out above; and,
- (d) what liaison/cooperation, if any, takes place with the mental health service of the Health and Social Services Department and how effective this liaison/cooperation is considered to be?”



4. The Chief Minister will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier -

“Will the Chief Minister undertake to publish the list of actions proposed by Ministers to address the requirement contained in the Budget 2015 to reduce their budgets by 2% and, if so, when will he do so and, if not, why not?”

5. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier -

“What progress, if any, has the Minister as shareholder representative made in resolving the Gigabit dispute and, in particular, does he and JT have fresh proposals to deliver the project before the end of 2019 and, if so, at what cost to the stakeholders?”

6. The Chief Minister will table an answer to the following question asked by Deputy S.Y. Mézec of St. Helier -

“In response to questions on 20th January 2015, the Chief Minister referred to the need for “containing prices” as part of his targeting poverty; will he inform members whether this will include measures to achieve reductions in the short term (in the first quarter of this year) to the price of gas, heating oil, and electricity and will he further produce for members the evidence that he has for his statement (as part of his answers on 20th January 2015) that ‘rent control does not work’?”

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

“Following his response to a written question on 20th January 2015 (reference 8587) and subsequent oral questions, can the Minister account for the fact that 153 (17%) of the jobs created by inward investment were registered or licensed posts, a higher proportion than is the average across employment sectors?”

Is the Minister yet in a position to provide figures for the tax paid by the 35 finance sector companies subject to the 10% rate referred to, and if not can he inform members when he will be able to do so, along with the sectoral income tax revenue generated by the 896 jobs created?

Will he also inform members what data he has for business and employment creation for Locate Jersey for the years 2012 -2014?”

8. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy G.P. Southern of St. Helier -

“Further to the response to a written question on 20th January 2015 (reference 8593) will the Minister inform members of the terms of reference under which Gleeds Management Service will appraise the four site options for the new hospital and, if not, why not?”



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

“Notwithstanding the satisfaction expressed in response to a written question on 20th January 2015 (8591) does the Minister accept that tests used to assess the level of impairment suffered by applicants for medical components of income support are similar (in 9 of 17 elements) to the Work Capability Assessment (WCA) administered by service company ATOS to determine eligibility for the UK Employment and Support Allowance (ESA)?

Given that ATOS has now abandoned its contract with the DWP to administer this test, due to extensive complaints from disability groups and others over the 40% failure rate on appeal of the assessments, does the Minister have confidence that a test designed to assess capability for work can be used to assess the very different and more complex levels of impairment?

Were the “experienced UK experts” in the design of and training in these assessments referred to by the Minister ATOS employees and were they were involved in the training of ATOS employees in what became a failed system?

Is the Minister aware of changes proposed for the UK tests following a new round of tendering for the WCA contract and, if so, are the lessons learned by the DWP appropriate for Jersey?”

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

“Has the Chief Minister considered the question posed by US President Barack Obama’s in his State of the Nation address as to how much longer we will “accept an economy where only a few of us do spectacularly well” and, if so, what is his response in relation to Jersey?

Does the Chief Minister accept the now widely held position, by such people as the Chief Executive of Unilever, Paul Polman, and the Managing Director of the IMF, Christine Lagarde, that the growth of inequality reduces economic growth and decreases social mobility to such an extent that action must be taken to reduce excessive executive pay and is he prepared to take steps to do so in Jersey?

Does the Chief Minister accept the conclusions of the report on which this is based on “inclusive prosperity” which advocates wage growth for low earners and support for effective trade unions if economic growth is to be achieved in the UK and US economies?”

11. 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 whether there is a limit that can be charged by Andium Homes and other social housing trusts on recharges for cleaning, decoration and repair at the end of a tenancy and, if so, what this is and, if not, why not?

Will she inform members what guidelines are in place to determine what constitutes “fair wear and tear” for Andium Homes and other providers with respect to kitchen and bathroom fittings in addition to paintwork and decoration issues?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

2015

1st Session 2015

February 24th	Social Security	Chief Minister
March 10th	Transport and Technical Services	Home Affairs
March 24th	External Relations	Chief Minister
April 14th	Treasury and Resources	Education, Sport and Culture
April 28th	Health and Social Services	Chief Minister