



STATES OF JERSEY ORDER PAPER

21st MAY 2019

SUMMARY

- 9.30 a.m. Communications by the Presiding Officer and other announcements
- Appointments, matters of privilege, petitions
- Nomination of two members of the Legal Aid Guidelines Advisory Committee.
- 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 Education
 - Chief Minister
- Statements (if any)*
- Approx. 12.15 p.m. **Draft Revenue Administration (Jersey) Law 201-** (P.122/2018)
- Draft Revenue Administration (Jersey) Law 201-** (P.122/2018): **amendment** (P.122/2018 Amd.)
- Cats: additional protection when involved in road traffic accidents** (P.30/2019)
- Cats: additional protection when involved in road traffic accidents (P.30/2019) – amendment** (P.30/2019 Amd.)
- Note: Because of the requirement for a one-week lodging period, the minimum lodging period of the amendment will expire on Thursday 23rd May 2019. The Deputy will therefore seek the agreement of the Assembly to reduce the lodging period in order that this matter can be debated.*
- Le Port Car Park, St. Peter: rescindment of parking restrictions** (P.33/2019)
- Le Port Car Park, St. Peter: rescindment of parking restrictions (P.33/2019): amendment** (P.33/2019 Amd.)
- Proposed merging of Liberation Square and the Weighbridge: cessation of project** (P.34/2019)
- Draft Banking Business (Amendment of Law) (Jersey) Regulations 201-** (P.36/2019)
- Draft Public Employees (Contributory Retirement Scheme) (Compensatory Added Years) (Amendments) (Jersey) Regulations 201-** (P.37/2019)



Draft Public Employees (Pension Scheme) (Transitional Provisions, Savings and Consequential Amendments) (Amendment) (Jersey) Regulations 201- (P.38/2019)

Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 7) (Jersey) Regulations 201- (P.41/2019)

Commissioners of Appeal for Taxes: appointment (P.42/2019)

Draft Motor Vehicles (Removal from Private Land) (Jersey) Regulations 201- (P.43/2019)

Note: Because of the requirement for a six-week lodging period, the minimum lodging period of the proposition will expire on Wednesday 22nd May 2019. The Minister will therefore seek the agreement of the Assembly to reduce the lodging period in order that this matter can be debated.

Greville Bathe Fund: appointment of Jurats (P.45/2019)

Assessment of Mental Health Services (S.R.4/2019)
(Consideration in-Committee)

Arrangement of public business at subsequent meetings

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 at 9.30 a.m. on Wednesday 22nd and Thursday 23rd May 2019 if necessary.



STATES OF JERSEY ORDER PAPER

21st MAY 2019

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Taxation (Implementation) (International Tax Compliance) (Common Reporting Standard) (Amendment – Participating Jurisdictions) (Jersey) Order 2019. R&O.34/2019.
Minister for External Relations.

EU Legislation (Sanctions – Republic of Maldives) (Amendment) (Jersey) Order 2019. R&O.35/2019.
Minister for External Relations.

Income Support (General Provisions) (Amendment No. 23) (Jersey) Order 2019. R&O.36/2019.
Minister for Social Security.

C. DOCUMENTS PRESENTED

Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 7) (Jersey) Regulations 201- (P.41/2019): comments. P.41/2019.
Presented: 13th May 2019, *Environment, Housing and Infrastructure Scrutiny Panel.* Com.

Draft Motor Vehicles (Removal from Private Land) (Jersey) Regulations 201- (P.43/2019): comments. P.43/2019.
Presented: 17th May 2019, *Education and Home Affairs Scrutiny Panel.* Com.

Office of the Comptroller and Auditor General: Annual Report and Accounts for the year ended 31 December 2018. R.50/2019.
Presented: 7th May 2019, *Comptroller and Auditor General.*

States Greffe Business Plan 2019. R.51/2019.
Presented: 7th May 2019, *Privileges and Procedures Committee.*

States of Jersey Law 2005: delegation of functions – Minister for Infrastructure – delegations to Assistant Minister. R.52/2019.
Presented: 8th May 2019, *Minister for Infrastructure.*

Notice in accordance with Article 29A(3) of the States of Jersey Law 2005 of the intention to make an Order to transfer legislative functions from the Chief Minister to the Minister for External Relations. R.53/2019.
Presented: 10th May 2019, *Chief Minister.*

New Hospital project: next steps. R.54/2019.
Presented: 13th May 2019, *Chief Minister.*

Director of Civil Aviation: Annual Report 2018. R.55/2019.
Presented: 13th May 2019, *Minister for External Relations.*



D. NOTIFICATION OF LODGED PROPOSITIONS

- Cats: additional protection when involved in road traffic accidents (P.30/2019) – amendment. P.30/2019.
Lodged: 16th May 2019, *Deputy J.M. Maçon of St. Saviour.* Amd.
- Green Street: proposal to make one-way. P.50/2019.
Lodged: 10th May 2019, *Deputy R. Labey of St. Helier.*
- Draft International Co-operation (Protection from Liability) (Jersey) Law 2018 (Appointed Day) Act 201-. P.51/2019.
Lodged: 14th May 2019, *Chief Minister.*
- Bus services: proposals to make free of charge. P.52/2019.
Lodged: 14th May 2019, *Deputy R.J. Ward of St. Helier.*
- Housing developments for first-time buyers: allocation criteria. P.53/2019.
Lodged: 15th May 2019, *Deputy I. Gardiner of St. Helier.*

E. WITHDRAWAL OF LODGED PROPOSITIONS

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS *(Explanatory note attached)*

Nomination of two members of the Legal Aid Guidelines Advisory Committee.

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

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

Note: An answer to Question 1 (WQ.162/2019) was initially tabled on 26th March 2019; the Chief Minister has tabled an updated answer.

- WQ.162/2019** 1. The Chief Minister will table an answer to a question asked by Deputy J.H. Perchard of St. Saviour regarding the diversity of States boards.
- WQ.206/2019** 2. The Minister for Children and Housing will table an answer to a question asked by Deputy K.F. Morel of St. Lawrence regarding the appointment of Altair as consultants to the Housing Policy Development Board.
- WQ.207/2019** 3. The Minister for Economic Development, Tourism, Sport and Culture will table an answer to a question asked by Deputy K.F. Morel of St. Lawrence regarding the appointment of Metro-Dynamics Limited as consultants to the Government.
- WQ.208/2019** 4. The Chairman of the States Employment Board will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding job losses within the public sector.



- WQ.209/2019 5. The Chief Minister will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the implementation of 'Justice and Home Affairs: cessation of restructure' (P.24/2019).
- WQ.210/2019 6. The Minister for the Environment will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the monitoring of air pollution levels.
- WQ.211/2019 7. The Chairman of the States Employment Board will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the application of pay protection in respect of the new Target Operating Model.
- WQ.212/2019 8. The Minister for Education will table an answer to a question asked by Deputy J.H. Perchard of St. Saviour regarding the average earnings of teachers.
- WQ.213/2019 9. The Chairman of the States Employment Board will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the ongoing dispute over teachers' pay and conditions.
- WQ.214/2019 10. The Minister for Home Affairs will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding Road Traffic Accidents involving dogs.
- WQ.215/2019 11. The Minister for Health and Social Services will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the staffing levels at the General Hospital.
- WQ.216/2019 12. The Minister for the Environment will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the Minister's input into proposals for a new hospital.
- WQ.217/2019 13. The Minister for Education will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding mental health support within the Island's schools.
- WQ.218/2019 14. The Minister for Infrastructure will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the proposed merging of Liberation Square and Weighbridge Place.
- WQ.219/2019 15. H.M. Attorney General will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the legal duties of the States of Jersey and Government of Jersey in respect of mental health facilities.
- WQ.220/2019 16. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the payment of defence costs in cases where the client is acquitted or where no evidence is offered.
- WQ.221/2019 17. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the action taken to encourage witnesses to the Independent Jersey Care Inquiry to provide evidence to the States of Jersey Police.
- WQ.222/2019 18. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the legal representation of the States of Jersey Police before the Independent Jersey Care Inquiry.
- WQ.223/2019 19. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the legal representation of the Health and Community Services Department before the Independent Jersey Care Inquiry.
- WQ.224/2019 20. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the prescription of opioids.



- WQ.225/2019 21. The Minister for the Environment will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the blood tests performed on cats and dogs in relation to pet travel.
- WQ.226/2019 22. The Minister for Home Affairs will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the reporting of complaints about noise.
- WQ.227/2019 23. The Minister for Infrastructure will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the requirement for drivers to apply for an international driving permit post-Brexit.
- WQ.228/2019 24. The Chairman of the States Employment Board will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the turnover of teaching staff.
- WQ.229/2019 25. The Minister for Social Security will table an answer to a question asked by Deputy L.M.C. Doublet of St. Saviour regarding the prospect of ‘religion or belief’ being added as a protected characteristic under the Discrimination (Jersey) Law 2013.

(b) – Oral Questions

(120 minutes)

- OQ.121/2019 1. Deputy M.R. Le Hegarat of St. Helier will ask the following question of the Chairman of the States Employment Board –
- “How many States employees, if any, have an application for voluntary redundancy pending at present; in which departments do they work; and what is the age range of any such employees?”
- OQ.134/2019 2. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Chief Minister –
- “Further to the consultation which was undertaken on the future of civil partnerships, will the Chief Minister outline when proposals to allow mixed-sex couples the option of a civil partnership will be brought to the Assembly?”
- OQ.129/2019 3. Deputy M. Tadier of St. Brelade will ask the following question of the Chief Minister –
- “Does the Chief Minister accept in full the four key recommendations in the report of the Jersey Citizens Panel 2018 and will he advise whether the Panel’s recommendations will receive the Government’s full support, both politically and financially?”
- OQ.120/2019 4. Deputy J.M. Maçon of St. Saviour will ask the following question of the Minister for Infrastructure –
- “In light of the fact that I have yet to receive a response to an e-mail I sent to the Minister’s department on 31st July 2018, regarding a constituent’s concerns in respect of Rue des Prés, will the Minister advise what action he will take to ensure that States members receive timely responses from the department?”
- OQ.133/2019 5. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –
- “Following the recent report from Statistics Jersey on taxation, what measures, if any, does the Council of Ministers have under consideration to add to the progressivity of the current tax and contributions systems?”



- OQ.126/2019 6. Deputy S.M. Ahier of St. Helier will ask the following question of the Chief Minister –
“Will the Chief Minister update the Assembly on the establishment of a Public Service Ombudsman to deal with complaints of maladministration by Government departments?”
- OQ.129/2019 7. Deputy K.F. Morel of St. Lawrence will ask the following question of the Chief Minister –
“Further to the release of e-mails following a Freedom of Information request, will the Chief Minister explain why he expressed concern about the fact that an e-mail from Deputy Tadier regarding the continuing employment status of an officer could be “*subject to an FOI request*” and then suggested that Deputy Tadier “*do a new e-mail*” but “*do not include this, or any other part of that chain, in this e-mail*”?”
- OQ.125/2019 8. Deputy I. Gardiner of St. Helier will ask the following question of the Minister for Infrastructure –
“Will the Minister advise whether the preparatory work on new improvements to St. John’s Road will start in November this year?”
- OQ.122/2019 9. Deputy J.H. Perchard of St. Saviour will ask the following question of the Chairman of the States Employment Board –
“Will the Chairman update the Assembly on the negotiations with unions over public sector pay?”
- OQ.127/2019 10. Deputy K.G. Pamplin of St. Saviour will ask the following question of the Minister for Home Affairs –
“Will the Minister advise whether the additional funding requested for Dewberry House has been agreed and, if so, when that budget will be made available to the service; and if it has not been agreed, will he explain why not?”
- OQ.130/2019 11. Deputy K.F. Morel of St. Lawrence will ask the following question of the Minister for External Relations –
“Given the risk that the increasing cost of financial services regulation is leading the Island’s financial advisers to raise the minimum level of income and assets on which they are able to advise, will the Minister describe what work, if any, he is doing to ensure that all Islanders are able to access quality independent financial advice?”
- OQ.128/2019 12. Deputy K.G. Pamplin of St. Saviour will ask the following question of the Chief Minister–
“Will the Chief Minister advise what action, if any, the Government has taken following the meeting he had with me and other Ministers at Orchard House on 26th April 2019 regarding the current state of that facility?”
- OQ.132/2019 13. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Home Affairs –
“Will the Minister advise whether baggage checks for cannabis (or other illegal drugs) are carried out as a matter of course in St. Malo for passengers to Jersey, including foot passengers; and if not, at which point in a standard journey Customs officers undertake such checks?”



OQ.124/2019 14. Deputy I. Gardiner of St. Helier will ask the following question of the Minister for the Environment –

“Will the Minister advise what policy, if any, his department has to deal with the problem of feral chickens causing nuisance through noise, mess and the destruction of gardens across the Island?”

OQ.123/2019 15. Deputy J.H. Perchard of St. Saviour will ask the following question of the Chief Minister –

“Given the conflict between protecting green space and addressing the need for more housing, will the Chief Minister consider setting net migration to zero until a new population policy has been presented to the Assembly?”

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

1st question period – Minister for Education

2nd question period – Chief Minister

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Draft Revenue Administration (Jersey) Law 201- P.122/2018.
Lodged: 23rd October 2018, *Minister for Treasury and Resources.*

Draft Revenue Administration (Jersey) Law 201- (P.122/2018): addendum to report. P.122/2018.
Presented: 9th April 2019, *Minister for Treasury and Resources.* Add.

Draft Revenue Administration (Jersey) Law 201- (P.122/2018): amendment. P.122/2018.
Lodged: 12th February 2019, *Corporate Services Scrutiny Panel.* Amd.

Draft Revenue Administration (Jersey) Law 201- (P.122/2018): amendment (P.122/2018 Amd.) – comments. P.122/2018.
Presented: 25th February 2019, *Minister for Treasury and Resources.* Amd.Com.

Cats: additional protection when involved in road traffic accidents. P.30/2019.
Lodged: 12th March 2019, *Deputy J.M. Maçon of St. Saviour.*

Cats: additional protection when involved in road traffic accidents (P.30/2019) – amendment. P.30/2019.
Lodged: 16th May 2019, *Deputy J.M. Maçon of St. Saviour.* Amd.

Note: Because of the requirement for a one-week lodging period, the minimum lodging period of the amendment lodged by Deputy J.M. Maçon of St. Saviour will expire on Thursday 23rd May 2019. The Deputy will therefore 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 the meeting.

Cats: additional protection when involved in road traffic accidents (P.30/2019) – comments. P.30/2019.
Presented: 18th April 2019, *Comité des Connétables.* Com.



Cats: additional protection when involved in road traffic accidents (P.30/2019) – comments of the Ministers for Infrastructure and the Environment. Presented: 26th April 2019, <i>Minister for Infrastructure.</i>	P.30/2019. Com.(2)
Le Port Car Park, St. Peter: rescindment of parking restrictions. Lodged: 15th March 2019, <i>Senator S.W. Pallett.</i>	P.33/2019.
Le Port Car Park, St. Peter: rescindment of parking restrictions (P.33/2019): amendment. Lodged: 11th April 2019, <i>Deputy J.M. Maçon of St. Saviour.</i>	P.33/2019. Amd.
Proposed merging of Liberation Square and the Weighbridge: cessation of project. Lodged: 21st March 2019, <i>Deputy J.M. Maçon of St. Saviour.</i>	P.34/2019.
Draft Banking Business (Amendment of Law) (Jersey) Regulations 201-. Lodged: 26th March 2019, <i>Minister for External Relations.</i>	P.36/2019.
Draft Public Employees (Contributory Retirement Scheme) (Compensatory Added Years) (Amendments) (Jersey) Regulations 201-. Lodged: 1st April 2019, <i>States Employment Board.</i>	P.37/2019.
Draft Public Employees (Pension Scheme) (Transitional Provisions, Savings and Consequential Amendments) (Amendment) (Jersey) Regulations 201-. Lodged: 1st April 2019, <i>States Employment Board.</i>	P.38/2019.
Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 7) (Jersey) Regulations 201-. Lodged: 4th April 2019, <i>Minister for the Environment.</i>	P.41/2019.
Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 7) (Jersey) Regulations 201- (P.41/2019): comments. Presented: 13th May 2019, <i>Environment, Housing and Infrastructure Scrutiny Panel.</i>	P.41/2019. Com.
Commissioners of Appeal for Taxes: appointment. Lodged: 9th April 2019, <i>Minister for Treasury and Resources.</i>	P.42/2019.
Draft Motor Vehicles (Removal from Private Land) (Jersey) Regulations 201-. Lodged: 10th April 2019, <i>Minister for Home Affairs.</i>	P.43/2019.
<i>Note: Because of the requirement for a six-week lodging period, the minimum lodging period of the proposition lodged by the Minister for Home Affairs will expire on Wednesday 22nd May 2019. The Minister will therefore 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 the meeting.</i>	
Draft Motor Vehicles (Removal from Private Land) (Jersey) Regulations 201- (P.43/2019): comments. Presented: 17th May 2019, <i>Education and Home Affairs Scrutiny Panel.</i>	P.43/2019. Com.
Greville Bathe Fund: appointment of Jurats. Lodged: 16th April 2019, <i>Minister for Treasury and Resources.</i>	P.45/2019.
Assessment of Mental Health Services. Presented: 6th March 2019, <i>Health and Social Security Scrutiny Panel. (Consideration in-Committee)</i>	S.R.4/2019.



M. ARRANGEMENT OF PUBLIC BUSINESS

4th June 2019

Draft Public Finances (Jersey) Law 201- P.28/2019.
Lodged: 12th March 2019, *Minister for Treasury and Resources.*

Note: The 2nd reading of the Draft Law will resume, following adoption of the principles on 30th April 2019 and the subsequent referral to the Corporate Services Scrutiny Panel under Standing Order 72(1).

Draft Public Finances (Jersey) Law 201- (P.28/2019): comments. P.28/2019.
Presented: 29th April 2019, *Corporate Services Scrutiny Panel.* Com.

Draft Taxation (Companies – Economic Substance) (Amendment) (Jersey) Law 201- P.44/2019.
Lodged: 11th April 2019, *Minister for External Relations.*

Establishment of an elected Speaker. P.47/2019.
Lodged: 30th April 2019, *Senator J.A.N. Le Fondré.*

Green Street: proposal to make one-way. P.50/2019.
Lodged: 10th May 2019, *Deputy R. Labey of St. Helier.*

Note: Because of the requirement for a four-week lodging period, the minimum lodging period of the proposition lodged by Deputy R. Labey of St. Helier will expire on Friday 7th June 2019. The Deputy will therefore 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 the meeting.

18th June 2019

Draft Employment (Amendment No. 11) (Jersey) Law 201- P.17/2019.
Lodged: 12th February 2019, *Minister for Social Security.*

Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.17/2019): amendment. P.17/2019.
Lodged: 6th March 2019, *Minister for Social Security.* Amd.

Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.17/2019): second amendment. P.17/2019.
Lodged: 10th April 2019, *Connétable of St. Mary.* Amd.(2)

Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.17/2019): third amendment. P.17/2019.
Lodged: 15th April 2019, *Minister for Social Security.* Amd.(3)

Draft Human Transplantation and Anatomy (Jersey) Law 2018 (Appointed Day) Act 201- P.48/2019.
Lodged: 1st May 2019, *Minister for Health and Social Services.*

Draft Human Transplantation and Anatomy (Jersey) Regulations 201- P.49/2019.
Lodged: 1st May 2019, *Minister for Health and Social Services.*

Draft International Co-operation (Protection from Liability) (Jersey) Law 2018 (Appointed Day) Act 201- P.51/2019.
Lodged: 14th May 2019, *Chief Minister.*



Bus services: proposals to make free of charge.

P.52/2019.

Lodged: 14th May 2019, *Deputy R.J. Ward of St. Helier.*

2nd July 2019

Housing developments for first-time buyers: allocation criteria.

P.53/2019.

Lodged: 15th May 2019, *Deputy I. Gardiner of St. Helier.*

24th September 2019

Reform of the composition and election of the States.

P.46/2019.

Lodged: 23rd April 2019, *Privileges and Procedures Committee.*

(re-issue)

DR. M. EGAN
Greffier of the States

16th May 2019

Note –

In accordance with the meeting dates fixed for 2019 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 22nd and Thursday 23rd 2019.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.34/2019.

Taxation (Implementation) (International Tax Compliance) (Common Reporting Standard) (Amendment – Participating Jurisdictions) (Jersey) Order 2019.

This Order amends the Taxation (Implementation) (International Tax Compliance) (Common Reporting Standard) (Jersey) Regulations 2015 (the “Regulations”) to make changes to the lists of participating jurisdictions that are covered by the Regulations.

Article 1 specifies that references to a Schedule in this Order are references to Schedules to the Regulations.

Article 2 corrects the spelling of a participating jurisdiction (Niue) listed in Schedule 3 to the Regulations.

Article 3 replaces Schedule 4 to the Regulations and, in doing so, adds new participating jurisdictions, and their relevant dates and years, to the Regulations.

Article 4 sets out the name by which this Order may be cited and provides that it comes into force on the day after it is made.

The Order was made on 7th May 2019 and came into force on 8th May 2019.

R&O.35/2019.

EU Legislation (Sanctions – Republic of Maldives) (Amendment) (Jersey) Order 2019.

This Order corrects a cross-reference in Article 5(4) of the EU Legislation (Sanctions – Republic of Maldives) (Jersey) Order 2018, which provides that certain offence provisions do not apply to the Minister, or to a delegate of the Minister, when acting as the competent authority. The cross-reference is corrected so that the dis-applied offence is the offence of contravening Article 2 or 8 of the EU Regulation to which the Order gives effect (instead of the offence of intentionally furnishing false information or a false explanation to the Minister or to an authorized person).

The Order was made on 8th May 2019 and came into force on 9th May 2019.

R&O.36/2019.

Income Support (General Provisions) (Amendment No. 23) (Jersey) Order 2019.

This Order further amends the Income Support (General Provisions) (Jersey) Order 2008 (the “2008 Order”), to specify that persons in an interdependent relationship (defined in new Article 5(4) and (5), to be inserted into the 2008 Order by *Article 1(3)(b)*) are to be treated as members of the same household for the purposes of eligibility for income support under Article 2 of the Income Support (Jersey) Law 2007. *Article 1(3)* also makes consequential amendments, for clarity, to related provisions of Articles 3, 4 and 5 of the 2008 Order, and *Article 2* makes similar minor, clarifying amendments to Schedule 2 to the 2008 Order.

Article 3 gives the title by which this Order may be cited and provides for it to come into force 7 days after it is made.

The Order was made on 16th May 2019 and comes into force on 23rd May 2019.



Note regarding appointment processes

(See Item F)

Membership of the Legal Aid Guidelines Advisory Committee is governed by Article 6 of the Access to Justice (Jersey) Law. Article 6(3)(h) states that the Committee shall include amongst its membership two members of the States, nominated by the States.

No provision is made within the Law for the appointment process. The process for appointing members to the Jersey Police Authority has therefore been proposed as a model. On that basis, the Chief Minister will be invited to nominate two elected members as members of the Committee. If no other nominations are received, the Presiding Officer will declare that the Chief Minister's nominees have been appointed. If other nominations are received, a secret ballot will be held to determine which two members will be appointed.

The Access to Justice (Jersey) Law has yet to receive Royal Assent and be registered in the Royal Court. In line with correspondence sent by the Chief Minister to all States members on 14th May 2019, the Committee will initially be constituted in shadow form pending the Law coming into force.



WRITTEN QUESTIONS

(See Item I(a))

1. The Chief Minister will table an answer to the following question asked by Deputy J.H. Perchard of St. Saviour –

“Further to the response to Written Question 231/2018, will the Chief Minister –

- (a) provide a list all States boards (including arms-length bodies such as school boards, States-owned entities and majority-owned entities);
- (b) show for all such boards where the information is collected on the percentage of male, female and other board members and, for those boards where such information is not collected, provide an indication to that effect;

and if the information cannot be provided in time for the meeting on 26th March 2019, will the Chief Minister undertake to publish this information by the beginning of May 2019?”

2. The Minister for Children and Housing will table an answer to the following question asked by Deputy K.F. Morel of St. Lawrence –

“Will the Minister provide –

- (a) the date of the meeting of the Housing Policy Development Board at which it was decided to appoint Altair as consultants to the Board;
- (b) the cost of the Altair contract;
- (c) the details of the work Altair has been contractually asked to undertake; and
- (d) whether or not a tender process was used to select Altair and, if a tender process was used, the number of companies that bid for the work and the opening and closing dates of the tender process?”

3. The Minister for Economic Development, Tourism, Sport and Culture will table an answer to the following question asked by Deputy K.F. Morel of St. Lawrence –

“With regard to the appointment of Metro-Dynamics Limited as consultants to the Government in its work on improving productivity, will the Minister state –

- (a) the financial cost of the contract to the Government;
- (b) the length of the contract; and
- (c) whether a tender process was held to select the best-value provider and, if so, where the tender was advertised and the number of companies that tendered for the contract?”

4. The Chairman of the States Employment Board will table an answer to the following question asked by Deputy R.J. Ward of St. Helier –

“Given the ongoing process of public sector reform and the target of £30 million of savings, will the Chairman state how many posts it is proposed will be lost in the public sector by the end of 2021 and provide a breakdown by sector within the public service to show the number of proposed job losses in each sector?”



5. The Chief Minister will table an answer to the following question asked by Deputy R.J. Ward of St. Helier –

“What actions, if any, have been taken to inform and instruct Directors General to ensure the implementation of the proposition ‘Justice and Home Affairs: cessation of restructure’ (P.24/2019), as amended, in particular part (e) of the proposition?”

6. The Minister for the Environment will table an answer to the following question asked by Deputy R.J. Ward of St. Helier –

“What live monitoring of air pollution levels, if any, is currently being undertaken in and around St Helier; and what live monitoring of air pollution levels, if any, is being undertaken around schools across the Island?”

7. The Chairman of the States Employment Board will table an answer to the following question asked by Deputy R.J. Ward of St. Helier –

“How many civil service employees is it envisaged will be on pay protection following any regrading arising from implementation of the new Target Operating Models; and what is this figure as a percentage of the total workforce?”

8. The Minister for Education will table an answer to the following question asked by Deputy J.H. Perchard of St. Saviour –

“In relation to the average earnings of teachers, will the Minister state –

- (a) the mean average earnings of teachers who are currently in training (i.e. those on the Jersey Graduate Teacher Training Programme or with Newly Qualified Teacher status);
- (b) how many teachers, if any, are currently in such training but are not paid;
- (c) the mean average earnings of teachers who do not receive any additional pay for taking on extra roles of responsibility;
- (d) the mean average salary of headteachers;
- (e) the mean average salary of senior leadership teams within schools; and
- (f) the median and modal average salaries of all teachers (including those who are unpaid)?”

9. The Chairman of the States Employment Board will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Will the Chairman update members on what progress, if any, there has been in resolving the ongoing dispute over teachers’ pay and conditions; and if no agreement has been reached, what further initiatives, if any, does the Chairman propose to take?”



10. The Minister for Home Affairs will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –

“Will the Minister provide an explanation of the circumstances surrounding each of the 17 reported incidents of Road Traffic Accidents (R.T.A.s) involving a dog (as reported in the comments of the Comité des Connétables on P.30/2019); and state whether the States of Jersey Police attended all of these incidents in person and, if not, why not?”

11. The Minister for Health and Social Services will table an answer to the following question asked by Deputy K.G. Pamplin of St. Saviour –

“Will the Minister provide an update on staffing levels at the General Hospital from the past 18 months, indicating when and in which departments staffing levels were under capacity and in which departments and on which dates reduced staffing levels coincided with higher than average demand for the services provided by those departments?”

12. The Minister for the Environment will table an answer to the following question asked by Deputy K.G. Pamplin of St. Saviour –

“Will the Minister explain what input and advice he has provided to the Chief Minister in respect of the newly-presented proposals regarding a new hospital and explain whether he has any concerns in relation to those proposals from the perspective of his portfolio?”

13. The Minister for Education will table an answer to the following question asked by Deputy K.G. Pamplin of St. Saviour –

“Will the Minister confirm what plans, if any, are in place to improve the mental health support available at all levels of schooling?”

14. The Minister for Infrastructure will table an answer to the following question asked by Deputy K.G. Pamplin of St. Saviour –

“Will the Minister provide a time line, including the dates of any meetings held, of the work undertaken to date on the plans to merge Liberation Square and Weighbridge Place?”

15. H.M. Attorney General will table an answer to the following question asked by Deputy K.G. Pamplin of St. Saviour –

“Will H.M. Attorney General advise what legal duties and roles the States of Jersey and the Government of Jersey have in respect of providing facilities to support Islanders’ mental health; and what the legal consequences are in the event that any such facility is adjudged to have failed in relation to Human Rights standards or regulations?”

16. H.M. Attorney General will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Further to the response to Written Question 244/2018, will H.M. Attorney General advise members how a decision not to pay defence costs in full in criminal cases where the client has either been acquitted of the offence(s) charged, or the prosecution does not offer any evidence, is compatible with the European Convention of Human Rights, in particular Article 6?”



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

“Further to the response to Written Question 197/2019, will the Minister advise what action, if any, was taken to encourage the named and anonymous witnesses to the Independent Jersey Care Inquiry to come forward to give their evidence to the States of Jersey Police in the case of the alleged physical abuse at Les Chênes children’s home?”

18. 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 of the reasons why the States of Jersey Police were legally represented before the Independent Jersey Care Inquiry and of the cost of such representation; and is it his assessment that the cost of this representation was value for money?”

19. The Minister for Health and Social Services will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister advise members of the reasons why the Health and Community Services Department was legally represented at the Independent Jersey Care Inquiry and the cost of such representation; and is it his assessment that the cost of this representation was value for money?”

20. The Minister for Health and Social Services will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister advise members of the number of opioids prescribed by (a) the General Hospital and (b) general practitioners for each year from 2014 to 2018, as well as the respective costs; and will he also advise whether any assessment has been undertaken of the incentives being offered by pharmaceutical companies to doctors to prescribe their products and what steps, if any, he is taking to avoid a repetition in Jersey of the ‘opioid crisis’ that has arisen in the United States and that is also reportedly starting to occur in the United Kingdom?”

21. The Minister for the Environment will table an answer to the following question asked by Deputy C.S. Alves of St. Helier –

“Given that the current advice (available on www.gov.je) regarding pet travel after Brexit states that cats or dogs should have a “*blood test after the rabies vaccination to confirm that the pet is adequately protected*”, will the Minister provide the percentage of cats and dogs which have failed the blood test but which were vaccinated with the rabies vaccine prior to 2019 and were still within the 3 years vaccination validity period?”

22. The Minister for Home Affairs will table an answer to the following question asked by Deputy C.S. Alves of St. Helier –

“How many noise complaint reports in the last three years, if any, have resulted in no action being taken due to the requirement to have three separate complainants regarding the incident before any action is taken?”



23. The Minister for Infrastructure will table an answer to the following question asked by Deputy C.S. Alves of St. Helier –

“Given that the current advice regarding driving abroad post-Brexit (available on www.gov.je) is that drivers may have to apply for an international driving permit to drive in European Union (E.U.) countries, will the Minister advise whether this will be applicable to people who originally obtained their driving licence within the E.U. and –

- (a) if that is the case, explain why that is so; or
 - (b) if that is not the case, explain how any such individuals will be able either to obtain their original driving licence or to prove that they have such an E.U. licence?”
24. The Chairman of the States Employment Board will table an answer to the following question asked by Deputy C.S. Alves of St. Helier –

“Given that, at the last meeting of the Assembly, the Chairman spoke of the current turnover in teaching staff in schools, will he publish, in terms of the number of teaching staff involved, the turnover of each school per year for the last 5 years; and will he also provide a breakdown of –

- (a) how many such staff went on to work in other schools in Jersey;
 - (b) how many went on to work in schools off-Island; and
 - (c) how many went to work in a different sector?”
25. The Minister for Social Security will table an answer to the following question asked by Deputy L.M.C. Doublet of St. Saviour –

“Will the Minister advise whether it is proposed that ‘religion or belief’ will be added as a protected characteristic under the Discrimination (Jersey) Law 2013; if so, will she set out a timeline for the work to implement this measure and give details of any consideration of this area or work carried out so far; and if not, will she explain why not?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

Questions without notice 2019		
<u>1st Session 2019</u>		
June 4th	Economic Development, Tourism, Sport and Culture	Environment
June 18th	External Relations	Chief Minister
July 2nd	Children and Housing	Treasury and Resources
July 16th	Social Security	Chief Minister
<u>2nd Session 2019</u>		
September 10th	Home Affairs	International Development
September 24th	Health and Social Services	Chief Minister
October 8th	Education	Economic Development, Tourism, Sport and Culture
October 22nd	Environment	Chief Minister
November 12th	Treasury and Resources	Children and Housing
November 26th	External Relations	Chief Minister
December 10th	Social Security	Home Affairs