

# STATES OF JERSEY ORDER PAPER

Tuesday, 27th March 2001

## A. COMMUNICATIONS BY THE BAILIFF

## B. TABLING OF SUBORDINATE LEGISLATION

*(Explanatory note attached)*

Diseases of Animals (Foot and Mouth - Restrictions No. 4) (Jersey) Order 2001. R & O 44/2001.  
*Agriculture and Fisheries Committee*

Education (Registration of Non-provided Schools - Fee) (Jersey) Order 2001. R & O 45/2001.  
*Education Committee*

Diseases of Animals (Foot and Mouth - Restrictions No. 5) (Jersey) Order 2001. R & O 46/2001.  
*Agriculture and Fisheries Committee*

Rabies (Importation of Dogs, Cats and Other Mammals) (Amendment No. 4) (Jersey) Order 2001. R & O 47/2001.  
*Agriculture and Fisheries Committee*

Pet Travel Scheme (Pilot Arrangements) (Amendment No. 2) (Jersey) Order 2001. R & O 48/2001.  
*Agriculture and Fisheries Committee*

Diseases of Animals (Foot and Mouth - Restrictions No. 6) (Jersey) Order 2001. R & O 49/2001.  
*Agriculture and Fisheries Committee*

Diseases of Animals (Foot and Mouth - Restrictions No. 7) (Jersey) Order 2001. R & O 50/2001.  
*Agriculture and Fisheries Committee*

Diseases of Animals (Foot and Mouth - Restrictions No. 8) (Jersey) Order 2001. R & O 51/2001.  
*Agriculture and Fisheries Committee*

## C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

Nomination of President of Gambling Control Committee.

## D. PRESENTATION OF PAPERS

### (a) Papers for information

**Matters presented under Standing Order 6A(1)(a)**

**Matters presented under Standing Order 6A(1)(b)**

### (b) Notification of Standing Order decisions

### (c) Notification of acceptance of tenders

### (d) Papers to be lodged "au Greffe" under Standing Order 17A(1)(a)

Financial assistance for the cost of ophthalmic and dental care for persons aged over 65:  
proposed scheme. P.49/2001  
*Employment and Social Security Committee*

Draft Planning and Building (Jersey) Law 200-. P.50/2001  
*Planning and Environment Committee*

**(e) Notification of Papers lodged “au Greffe” under Standing Order 17A(1)(b)**

Lodged on 20th March 2001

Aircraft noise zones: revision. P.45/2001  
*Planning and Environment Committee*

Tenants and Lodgers: return of deposits. P.46/2001  
*Senator C. Stein*

Draft Milk (Sale to Special Classes) (Jersey) Regulations 200-. P.47/2001  
*Employment and Social Security Committee*

Draft Airport Dues (Amendment No. 4) (Jersey) Law 200. P.48/2001  
*Harbours and Airport Committee*

**(f) Papers for consideration by the States in Committee under Standing Order 38A**

**E. STATEMENTS AND PROPOSITIONS RELATING TO THE ARRANGEMENT OF PUBLIC BUSINESS AT THIS OR ANY SUBSEQUENT MEETING**

THE STATES are asked to agree that the following matters lodged “au Greffe” will be considered at the next meeting on 3rd April 2001 -

Aircraft noise zones: revision. P.45/2001  
Lodged: 20th March 2001  
*Planning and Environment Committee*

Draft Airport Dues (Amendment No. 4) (Jersey) Law 200. P.48/2001  
Lodged: 20th March 2001  
*Harbours and Airport Committee*

**F. PRESENTATION OF PETITIONS**

**G. QUESTIONS**

Senator C. Stein will ask questions of the President of the Employment and Social Security Committee regarding services and allowances for the over 65's.

Senator C. Stein will ask questions of the President of the Health and Social Services Committee regarding the purchase of health care services from France and hospital waiting lists.

The Deputy of St. John will ask questions of the President of the Etat Civil Committee regarding the census.

The Deputy of St. John will ask questions of the President of the Public Services Committee regarding the condition of roads and footpaths.

The Deputy of St. John will ask questions of the President of the Public Services Committee regarding the cavern and the tanker service.

Deputy R.G. Le Hérisier of St. Saviour will ask a question of the President of the Public Services Committee regarding the service level agreement with Jersey Bus.

Deputy G.C.L. Baudains of St. Clement will ask questions of the President of the Finance and Economics Committee regarding the Jersey Heritage Trust.

Deputy G.C.L. Baudains of St. Clement will ask questions of the Public Services Committee regarding traffic in St. Helier.

The Deputy of St. Peter will ask questions of H.M. Attorney General regarding the Report of the Review Panel on the

Machinery of Government in Jersey.

**H. MATTERS OF PRIVILEGE**

**I. PERSONAL STATEMENTS**

**J. COMMITTEE STATEMENTS**

**K. PUBLIC BUSINESS**

Draft Criminal Justice (International Co-operation) (Jersey) Law 200- P.21/2001

Lodged: 13th February 2001

*Finance and Economics Committee*

Draft Housing (Amendment No. 15) (Jersey) Regulations 200-. P.30/2001  
Lodged 27th February 2001  
*Housing Committee*

Draft Unlawful Public Entertainments (Jersey) Regulations 200-. P.31/2001  
Lodged: 6th March 2001  
*Home Affairs Committee*

Draft Petroleum (Jersey) Law 1984 (Appointed Day) Act 200-. P.32/2001  
Lodged: 6th March 2001  
*Home Affairs Committee*

Draft Petroleum-Spirit (Carriage by Road) (Jersey) Regulations 200-. P.17/2001  
Lodged: 30th January 2001 (re-issue)  
*Home Affairs Committee*

Draft Petroleum Spirit (Storage) (Jersey) Regulations 200-. P.18/2001  
Lodged: 30th January 2001 (re-issue)  
*Home Affairs Committee*

Draft Currency Offences (Amendment) (Jersey) Law 200-. P.33/2001  
Lodged: 6th March 2001 (re-issue)  
*Finance and Economics Committee*

Projet de Règlements (200-) sur l'Etat Civil. P.34/2001  
Logé au Greffe: le 6 mars 2001 (re-issue)  
*Comité d'Etat Civil*

Overdale Assessment and Rehabilitation Unit: approval of drawings. P.35/2001  
Lodged: 6th March 2001 (re-issue)  
*Health and Social Services Committee*

Commissioners of Appeal for Income Tax: re-appointment. P.36/2001  
Lodged: 6th March 2001 (re-issue)  
*Finance and Economics Committee*

Ann Alice Rayner Fund: objects, purpose and administration. P.38/2001  
Lodged: 13th March 2001  
*Finance and Economics Committee*

Draft Aerodromes (Amendment No. 5) (Jersey) Regulations 200. P.40/2001  
Lodged: 13th March 2001  
*Harbours and Airport Committee*

Beaumont Warehouse, St. Peter: lease from Channel Islands Co-operative Society Ltd. P.43/2001  
Lodged: 13th March 2001  
*Committee for Postal Administration*

Draft Social Security (Amendment No. 14) (Jersey) Law 2000 (Appointed Day) Act 200-  
P.44/2001  
Lodged: 13th March 2001  
*Employment and Social Security Committee*

**C.M. NEWCOMBE**

**Greffier of the States**

22nd March 2001

**Explanatory Note regarding subordinate legislation  
tabled at this Meeting**

(See Item B)

**R & O 44/2001**

The purpose of this Order is to prohibit the importation of certain animals and products from France during the present outbreak of foot-and-mouth disease and requires other measures to be taken.

The Order was made on 13th March 2001 and came into force forthwith.

**R & O 45/2001**

The purpose of this Order is to prescribe the fee payable on applying to register a non-provided school as £100.

The Order was made on 14th March 2001 and came into force forthwith.

**R & O 46/2001**

The purpose of this Order is to prohibit the importation of certain animals and products from Argentina during the present outbreak of foot-and-mouth disease.

The Order was made on 16th March 2001 and came into force forthwith.

**R & O 47/2001**

The purpose of this Order is to make amendments to the Rabies (Importation of Dogs, Cats and Other Mammals (Jersey) Order 1976 that are consequential on changes to the Pet Travel Scheme (Pilot Arrangements) (Jersey) Order. These amendments are all of a drafting nature only and the opportunity has been taken to make other minor changes in drafting. There are no changes of substance.

The Order was made on 15th March 2001 and came into force forthwith.

### **R & O 48/2001**

The purpose of this Order is to amend the Pet Travel Scheme (Pilot Arrangements) (Jersey) Order 2000 so as to -

- (a) allow pets from a number of rabies-free territories to be imported under the Scheme (*Article 6 and Schedule*);
- (b) make minor changes to the requirements regarding the treatment against ticks (*Article 3*);
- (c) allow a pet to be within the Scheme if vaccinated before it has been microchipped if it has been marked and registered abroad (*Article 4*); and
- (d) provide powers of stop and search for inspectors enforcing the Scheme (*Article 5*).

The Order was made on 15th March 2001 and came into force forthwith.

### **R & O 49/2001**

The purpose of this Order is to restrict the movement of cloven hoofed animals during the present outbreak of foot-and-mouth disease.

Unless the Veterinary Officer otherwise directs cloven hoofed animals must not be moved without the permission of the Veterinary Officer.

The penalty for a breach of the Order is a fine not exceeding £5000.

The Order was made on 19th March 2001 and came into force forthwith.

### **R & O 50/2001**

The purpose of this Order is to restrict the movement of horses (and other equine animals) during the present outbreak of foot-and-mouth disease.

The penalty for a breach of the Order is a fine not exceeding £5000.

The Order was made on 19th March 2001 and came into force forthwith.

### **R & O 51/2001**

The purpose of this Order is to prohibit the importation of certain animals and products from Holland during the present outbreak of foot-and-mouth disease.

The Order was made on 21st March 2001 and came into force forthwith.

## QUESTION PAPER

(See Item G)

Senator Corrie Stein will ask the following questions of the President of the Employment and Social Security Committee -

- “1. Would the President explain to members why the £680,000, specifically budgeted to provide services to the over 65's, has not yet been committed bearing in mind that £530,000 came from the promised television licences and £150,000 has already been allocated to the Committee's Budget 2001?
2. Would the President advise members -
  - (a) how this capital sum will be allocated to each of the various services, like chiropody, dental care and optical care?
  - (b) at what level the income ceiling will be placed?
  - (c) whether he can assure members that the total amount of £680,000 will be used this year in the way it was intended?
3. Does the Committee have any concerns that a dangerous precedent could be set by allocating £680,000 towards eye, chiropody and dental care for the elderly to a non-governmental, non-professional body which may not be perceived to be independent?
4. Could the President confirm that the States' Auditors would be content with such an arrangement?
5. In the United Kingdom senior citizens receive a £200 winter allowance for heating, free health care, and those over 75 qualify for a free television licence. Would the President advise members whether the Committee is prepared to introduce these or similar benefits for the Island's senior citizens so that they will not be disadvantaged in comparison with their U.K. peer group?”

Senator Corrie Stein will ask the following questions of the President of the Health and Social Services Committee -

- “1. In answer to my question on 18th July 2000, the President advised that an approach would be made to France to investigate the purchase of some of that country's health care services. In view of the fact that the OECD announced last year that France has the best health care in the world, would the President -
  - (a) advise members of the progress the Committee has made in making enquiries of the French health service about buying some of its health care services?
  - (b) if enquiries have been made, when did he or his officers first make contact?
  - (c) advise members of the regions in France or elsewhere with which contact has been made?
2. On 18th July 2000, I asked the following questions of the President of the Health and Social Services Committee -

‘Would the President advise members -

  - (a) of the number of patients on the waiting list and the length of time they have been waiting to see the following consultants or service?
    - (i) orthopaedics
    - (ii) gynaecology
    - (iii) urology



(iv) ophthalmology

(v) physiotherapy

and would he also give the number of patients of those same specialities who are waiting for operations following their first visit and how long do they have to wait.”

Would the President -

- (a) give updated figures, calculated in the same way as for the answers to my questions on 18th July, and with the July figures shown in brackets so that direct comparison can be made?
- (b) advise what action has been taken since July to bring these figures down?”

The Deputy of St. John will ask the following question of the President of the Etat Civil Committee -

- “(a) Would the President confirm that all households had received a census form by Sunday 11th March in view of the fact that the Committee emphasized that the form had to be completed that day?
- (b) If the answer to (a) is in the negative, would the President explain why?
- (c) Given that many forms were returned prior to census day, would the President advise whether the Committee is satisfied that the information supplied in the forms will be an accurate record?
- (d) Would the President explain to members how the enumerators were recruited and confirm the remuneration offered and the number of hours’ work required, including attendance at pre-census briefings?”

The Deputy of St. John will ask the following question of the President of the Public Services Committee -

“Given that the Committee has responsibility for the maintenance of 160 miles of road and associated foot paths and that many of the roads are at the end of their useful life as they need re-surfacing, or in some cases reconstruction, would the President -

- (a) give members details of the proposed works programme for the next five years to bring our roads back into a condition that is acceptable to the tax-payer?
- (b) indicate how many miles of roads are proposed to be re-surfaced annually?
- (c) advise members whether the Committee intends to lodge ‘au Greffe’ a report and proposition on the principle of an accelerated road refurbishment programme in order that the Assembly may debate this matter?”

The Deputy of St. John will ask the following questions of the President of the Public Services Committee -

“1. In the President’s reply to my questions on 13th March 2001 as to who was responsible for cleaning unsightly mess following spills from the cavern outfall, the President claimed that the Harbour Office had specialist marine equipment. Would he give members details -

- (a) of the equipment;
- (b) on how long it has been in the Island;
- (c) of those trained as operators

and advise whether the staff at the Harbour Office are aware that this equipment is available?

2. Given the high rainfall over the recent winters would the President advise -

- (a) whether the Committee intends lodging a report and proposition on a free tanker service for the many

households unable to be connected to a mains sewer network, bearing in mind that these households may all be tax payers and should not expect to pay twice for a service when the majority of households have their sewerage removed at no extra cost?

(b) If the answer to (a) is in the negative, would he give a reason why not?"

Deputy Roy George Le Hérisier of St. Saviour will ask the following question of the President of the Public Services Committee -

"Would the President indicate when the proposed Service Level Agreement with Jersey Bus will be implemented and if the Agreement is delayed, would the President provide the reasons for the delay?"

Deputy Gerard Clifford Lemmens Baudains of St. Clement will ask the following questions of the Finance and Economics Committee -

"1. With regard to the Ancient Monument Fund, would the President advise -

(a) the balance when handed over to the Jersey Heritage Trust?

(b) the balance each year to date?

(c) in the event that the balance is materially smaller than when handed over, what major items it has been spent on?

2. Would the President confirm that a confidential letter sent to him by the Gardien of Mont Orgueil Castle was passed on to the Director of the Jersey Museum Service against the wishes of the author?"

Deputy Gerard Clifford Lemmens Baudains of St. Clement will ask the following questions of the Public Services Committee -

1. With regard to the recent widening of the pavements in Bath Street between Wests Centre and Minden Place, would the President advise members -

(a) of the details of any public consultation that took place;

(b) whether the Committee sought comments from users of large vehicles, for instance hauliers and the Fire Service;

(c) whether the Committee is aware that lorries exiting Charles Street onto Bath Street now mount the pavement to get round;

(d) why it was considered necessary to make the pavements so wide, given that they only exist for a limited length?

2. With regard to the wide ranging changes proposed for traffic in Union Street, the Parade and Broad Street, would the President -

(a) advise what public consultation is planned so that residents, traders and those who use these routes can have their concerns heard;

(b) advise whether the Committee has consulted with the Fire Service and other users of large vehicles such as cranes and plant to ensure that access is not impaired for them;

(c) inform members what research has been carried out to ensure that temporary road closures arising from a motor traffic accident or emergency road works for example, do not cause a gridlock;

(d) confirm to members that these proposals, and any others under consideration, will not increase the response times of the emergency services or adversely affect their ability to overtake traffic?

3. Would the President advise when he will be bringing proposals to the States so that members may debate the details of an integrated transport strategy?

The Deputy of St. Peter will ask the following questions of the Attorney General -

- “1. On 13th March, the Attorney General affirmed (last paragraph of his answer on constitutional issues) ‘There is no doubt in my view that the Crown will want to examine closely legislation which impacts on voters’ rights of representation.’

Regarding the recommendations in the Report of the Review Panel on the Machinery of Government in Jersey relating to a general election, the abolition of the Island-wide mandate and the election of the Connétables, would the Attorney General advise members whether, in his opinion, these recommendations are likely to be viewed by the Crown as inconsistent with the United Kingdom’s international commitments made on the Island’s behalf and if so, what aspects specifically might be so viewed?

2. On 11th October 2000, I wrote to the Attorney General asking him to advise me who he considered was the equivalent of a Minister of Justice for Jersey to whom the public can submit any grievance they may have relating to the law and its application? Would the Attorney General provide an answer to that question?”