

STATES OF JERSEY ORDER PAPER

Tuesday, 29th January 2002

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Diseases of Animals (Foot and Mouth - Restrictions No. 1G)
(Jersey) Order 2002. R & O 4/2002.
Agriculture and Fisheries Committee.

Jersey Potato Export Marketing (Polls) (Jersey) Order 2002. R &
O 5/2002.
Agriculture and Fisheries Committee.

Civil Service (Exclusion) (No. 4) (Jersey) Order 2002. R & O
6/2002.
Human Resources Committee.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

Appointment of President of the Public Services Committee.

D. PRESENTATION OF PAPERS

(a) Papers for information

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

Sport, Leisure and Recreation: Five Year Strategic
Plan 2002 - 2006.
Sport, Leisure and Recreation Committee.

Births, Marriages and Deaths in 2001: statement. R.C.3/2002.
Etat Civil Committee. (re-issue)

States of Jersey Law 1966: delegation of functions - Gambling (Jersey) Law 1964. *Gambling Control Committee.* R.C.4/2002.

Machinery of Government: the composition and election of the States Assembly (P.179/2001): comments. *Finance and Economics Committee.* P.179/2001. Com.(2)

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

Presented on 22nd January 2002

Manpower report for the period 1st July 2001 to 30th September 2001. *Industries Committee.* R.C.2/2002.

(b) Notification of Standing Order decisions

23rd January 2002

Decision under delegated functions. *Finance and Economics Committee.*

(c) Notification of acceptance of tenders

23rd January 2002

Renal Dialysis Unit - relocation to the Gwyneth Huelin Wing, General Hospital. *Health and Social Services Committee.*

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

Draft Petroleum (Amendment) (Jersey) Law 200-. *Home Affairs Committee.* P.9/2002.

Draft Fire Precautions (Amendment) (Jersey) Law 200-. <i>Home Affairs Committee.</i>	P.10/2002.
Draft Banking Business (Amendment No. 3) (Jersey) Law 2002 (Appointed Day) Act 200-. <i>Finance and Economics Committee.</i>	P.11/2002.
Draft Collective Investment Funds (Amendment No. 3) (Jersey) Law 2002 (Appointed Day) Act 200-. <i>Finance and Economics Committee.</i>	P.12/2002.
Draft Financial Services (Amendment) (Jersey) Law 2002 (Appointed Day) Act 200-. <i>Finance and Economics Committee.</i>	P.13/2002.
Draft Insurance Business (Amendment No. 3) (Jersey) Law 2002 (Appointed Day) Act 200-. <i>Finance and Economics Committee.</i>	P.14/2002.
Waterfront Enterprise Board Limited: appointment of States director. <i>Policy and Resources Committee.</i>	P.15/2002.

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

Lodged on 22nd January 2002

Projet de Loi (200-) concernant la Police Honorifique de St. Martin. <i>Comité de Législation.</i>	P.7/2002.
Projet de Loi (200-) concernant la Police Honorifique de St. Ouen. <i>Comité de Législation.</i>	P.8/2002.

(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 12th February 2002 -

Agriculture and Fisheries: policy report 2001. Lodged: 14th August 2001. <i>Agriculture and Fisheries Committee.</i>	P.126/2001.
Agriculture and Fisheries: policy report 2001 (P.126/2001) - comments. Presented: 25th September 2001. <i>Human Resources Committee.</i>	P.126/2001. Com.
Agriculture and Fisheries: policy report 2001. (P.126/2001) - amendments.	P.126/2001. Amd.

Lodged: 18th December 2001.

Agriculture and Fisheries Committee.

Machinery of Government: composition and role of Privileges and Procedure and Scrutiny Committees. P.175/2001.

Lodged: 13th November 2001.

Senator S. Syvret.

Machinery of Government: composition and role of Privileges and Procedure and Scrutiny Committees (P.175/2001): comments. P.175/2001.
Com.

Presented: 27th November 2001.

Finance and Economics Committee.

Machinery of Government: composition and role of Privileges and Procedure and Scrutiny Committees (P.175/2001) - comments. P.175/2001.
Com.(2).

Presented: 11th December 2001.

Human Resources Committee.

Draft Housing (General Provisions) (Amendment No. 16) (Jersey) Regulations 200. P.199/2001.

Lodged: 11th December 2001.

Housing Committee.

Draft Housing (General Provisions) (Amendment No. 16) (Jersey) Regulations 200 (P.199/2001): comments. P.199/2001.
Com.

Presented: 15th January 2002.

Finance and Economics Committee.

Machinery of Government: method of appointment of Chief Minister and Council of Ministers. P.3/2002.

Lodged: 15th January 2002.

Deputy R.C. Duhamel of St. Saviour.

Projet de Loi (200-) concernant la Police Honorifique de St. Martin. P.7/2002.

Lodged: 22nd January 2002.

Comité de Législation.

Projet de Loi (200-) concernant la Police Honorifique de St. Ouen. P.8/2002.

Lodged: 22nd January 2002.

Comité de Législation.

Draft Petroleum (Amendment) (Jersey) Law 200-. P.9/2002.

Lodged: 29th January 2002.

Home Affairs Committee.

Draft Fire Precautions (Amendment) (Jersey) Law 200-. P.10/2002.

Lodged: 29th January 2002.

Home Affairs Committee.

Draft Banking Business (Amendment No. 3) (Jersey) Law 2002 (Appointed Day) Act 200-. P.11/2002.

Lodged: 29th January 2002.

Finance and Economics Committee.

Draft Collective Investment Funds (Amendment No. 3) (Jersey) Law 2002 (Appointed Day) Act 200-. P.12/2002.
Lodged: 29th January 2002.
Finance and Economics Committee.

Draft Financial Services (Amendment) (Jersey) Law 2002 (Appointed Day) Act 200-. P.13/2002.
Lodged: 29th January 2002.
Finance and Economics Committee.

Draft Insurance Business (Amendment No. 3) (Jersey) Law 2002 (Appointed Day) Act 200-. P.14/2002.
Lodged: 29th January 2002.
Finance and Economics Committee.

Waterfront Enterprise Board Limited: appointment of States director. P.15/2002.
Lodged: 29th January 2002.
Policy and Resources Committee.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

The Deputy of St. John will ask questions of the President of the Agriculture and Fisheries Committee regarding the ban on ormer fishing and the disposal of agricultural polythene.

The Deputy of St. Martin will ask questions of the President of the Planning and Environment Committee regarding Haut de la Garenne.

The Deputy of St. John will ask a question of the President of the Tourism Committee regarding the production of the Committee's Christmas card.

Senator P.V.F. Le Claire will ask questions of the President of the Policy and Resources Committee about the offices of Senator and Connétable, and referendums.

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

K. PUBLIC BUSINESS

Compulsory purchase law review. P.205/2001.
Lodged: 18th December 2001.
Planning and Environment Committee.

Compulsory purchase law review (P.205/2001): P.205/2001.
comments. Com.
Presented: 8th January 2002.
Policy and Resources Committee.

Compulsory purchase law review (P.205/2001): P.205/2001.
comments. Com.(2).
Presented: 15th January 2002.

Finance and Economics Committee.

Jersey New Waterworks Company Limited and Jersey Electricity Company Limited: directors. P.1/2002.
Lodged: 8th January 2002.
Finance and Economics Committee.

Grands Vaux Primary School: approval of drawings. P.4/2002.
Lodged: 15th January 2002.
Education Committee.

Former Gorey Youth Centre, La Chèvre Rue, Gorey: transfer of administration. P.5/2002.
Lodged: 15th January 2002.
Education Committee.

C.M. NEWCOMBE

Greffier of the States

24th January 2002

Explanatory Note regarding subordinate legislation tabled at this meeting.

R & O 4/2002

The purpose of this Order is to abolish certain foot-and-mouth disease restrictions and to provide for the gradual relaxation of the remainder so far as they relate, in each case, to the importation of certain animals and items from other British Islands.

The Order was made on 18th January 2002 and came into force on 19th January 2002.

R & O 5/2002

The purpose of this Order is to establish the procedure to be followed when taking a poll on the question of whether the Jersey Potato Export Marketing Scheme 2001 shall remain in force, and when taking any other subsequent poll in relation to the Scheme.

The Order was made on 18th January 2002 and came into force forthwith.

R & O 6/2002

The purpose of this Order is to exclude from the definition of "officer" in the Civil Service Administration (Jersey) Law 1953 all employees occupying the post of Station Officer, Airport Rescue and Fire Fighting Service. It does not exclude an employee occupying the post when the Order comes into force who does not consent to the exclusion.

The Order was made on 24th January 2002 and came into force forthwith.

**NOTIFICATION OF STANDING ORDER DECISIONS -
FINANCE AND ECONOMICS COMMITTEE
(delegated functions)**

23rd January 2002

As recommended by the Harbours and Airport Committee, the lease to the Parish of St. Brelade of an area of land (measuring 828 square metres) situated adjacent to the Parish Hall, St. Aubin, St. Brelade, for a period of 21 years, at an annual rent of £25 payable in one sum upon the date of passing contract before the Royal Court, on the basis that the Parish would be responsible for both parties' legal fees.

**NOTIFICATION OF ACCEPTANCE OF TENDER UNDER RULE 5 OF THE PUBLIC FINANCES
(GENERAL) (JERSEY) RULES 1967, AS AMENDED -
FINANCE AND ECONOMICS COMMITTEE**

23rd January 2002

The Health and Social Services Committee has, by Act dated 13th November 2001, accepted the lowest tender for the relocation of the Renal Dialysis Unit to the Gwyneth Huelin Wing of the General Hospital, namely that submitted by Mercury Construction (1996) Limited in the sum of £454,189.12 for a contract period of 24 weeks.

The other tenders received were as follows -

<u>Contractor:</u>	<u>Amount:</u>
Hacquoil and Cook Limited	£473,823.53
J. McKechnie Limited	£510,506.00

QUESTION PAPER

(See Item G)

The Deputy of St. John will ask the following questions of the President of the Agriculture and Fisheries Committee -

- “1. Several years ago a ban was placed on ormer fishing in local waters. Is the President in a position to inform members when this ban will be lifted? If the ban is not to be lifted, would he give members details of the Committee’s reason for not wishing to lift the ban?
2. As another potato planting season is well underway and many fields are being covered in polythene -
 - (a) will the President explain why many rolls of discarded polythene from previous years are still littering the countryside and what action his Committee is to take to encourage the agricultural community to clean up this unsightly mess?
 - (b) do potato growers receive subsidies either directly or otherwise to cover their potatoes with polythene, and if the answer is in the affirmative, will the President give details?

The Deputy of St. Martin will ask the following questions of the President of the Planning and Environment Committee -

1. On 8th December 1998 the States gave their approval, in principle, to the conversion and redevelopment of Haut de la Garenne, St. Martin and the establishment of a Trust for the purpose of managing and operating the new Centre on a self-financing basis.

On 5th June 2001 in answer to questions regarding Haut de la Garenne, the President stated that the current project timetable should, after tenders were obtained, enable a contractor to be appointed and commence on site at the end of September (2001). It was anticipated that the conversion would be completed by January 2003.

Would the President inform the members whether the work commenced in September and if it did, will the work be completed within the timescale and revised budget? If the work has not commenced, would he give the reasons for the delay and is it likely that the delay will incur additional costs?
2. On 5th June 2001 the President also stated that the Solicitor General had drafted the proposed constitution and it had been discussed and agreed with the Steering Group, subject to the Committee’s approval. The constitution was ready to be forwarded to the Finance and Economics Committee for assessment of the financial implications prior to lodging with the States. It was planned that this would be at the same time as the States approval was sought for the drawings. The President also stated that prior to the building contract being signed the Trust should be formally

constituted. As neither the drawings nor the constitution of the Trust have been submitted to the States, would the President give the reasons for the continued delay and when will the documents be submitted to the States?

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

In the run up to Christmas 2001 did your Committee use consultants to design and produce its Christmas card for 2001? If the answer is in the affirmative would the President advise members -

- (a) which company was used?
- (b) the cost of producing the card, including design and distribution costs?
- (c) why the Committee thought it was necessary to use consultants for this purpose?
- (d) whether the designs and the production of the Christmas cards were put out to tender, if so, to how many companies?

Senator P.V.F. Le Claire will ask the following questions of the President of the Policy and Resources Committee -

1. In the light of the overwhelming public opposition, as demonstrated at the recent parish meetings, to the proposed changes to the office of Senator and Connétable set out in P.179/2001, will the President agree to withdraw these unpopular changes and, if not, what are the Committee's reasons for not doing so?
2. In view of the public support for the holding of a referendum on the review of the machinery of government, and in particular the constitution of the States, as expressed at the parish meetings, does the President consider that this is a viable option for the Committee to support as being necessary in the interests of democracy?