

STATES OF JERSEY ORDER PAPER

Tuesday 25th and Wednesday 26th May 2004

- A. COMMUNICATIONS BY THE BAILIFF
- B. TABLING OF SUBORDINATE LEGISLATION
- C. MATTERS RELATING TO COMMITTEE MEMBERSHIP
- D. PRESENTATION OF PAPERS

(a) **Papers for information**

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

Commission Amicale: report for 2003. R.C.24/2004.
Commission Amicale.

Draft Competition (Jersey) Law 200- (P.37/2004): amendment P.37/2004.
(P.37/2004 Amd.)– comments. Amd.Com.
Economic Development Committee.

Machinery of Government: relationship between the Parishes and the P.40/2004. Com.
Executive (P.40/2004) – comments. (2)
Finance and Economics Committee.

Equalisation of Welfare (P.57/2004): comments. P.57/2004. Com.
Policy and Resources Committee.

Code of Practice on Public Access to Official Information: measures P.80/2004. Com.
to improve implementation (P.80/2004) – comments.
Policy and Resources Committee.

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)**

Bus Service Tendering Process: Committee of Inquiry - terms of P.99/2004.
reference and membership.
Policy and Resources Committee.

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

(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” be considered at their next meeting on 8th June 2004 -

Draft Drainage (Jersey) Law 200-. P.193/2003.
Lodged: 16th December 2003.
Environment and Public Services Committee.

Draft Drainage (Jersey) Law 200- (P.193/2003): amendments. P.193/2003.
Lodged: 20th April 2004. Amd.
Environment and Public Services Committee.

Draft Stamp Duties and Fees (No. 3) (Jersey) Regulations 200. P.53/2004.
Lodged: 6th April 2004.
Finance and Economics Committee.

Elizabeth Harbour Phase I Warehouse: lease to Commodore Express P.54/2004.
(Jersey) Limited.
Lodged: 6th April 2004.
Harbours and Airport Committee.

Draft Public Employees (Contributory Retirement Scheme) (Existing P.60/2004.
Members) (Amendment No. 7) (Jersey) Regulations 200.
Lodged: 20th April 2004.
Policy and Resources Committee.

Draft Public Employees (Contributory Retirement Scheme) (New P.61/2004.
Members) (Amendment No. 9) (Jersey) Regulations 200-.
Lodged: 20th April 2004.
Policy and Resources Committee.

Modernisation of Jersey’s Gambling Legislation. P.62/2004.
Lodged: 20th April 2004. (re-issue)
Economic Development Committee.

Modernisation of Jersey’s Gambling Legislation (P.62/2004): P.62/2004.
comments. Com.
Presented: 11th May 2004.
Finance and Economics Committee.

Royal Court House/States Building: allocation of accommodation. P.69/2004.
Lodged: 20th April 2004.
Environment and Public Services Committee.

Royal Court House/States Building: allocation of accommodation P.69/2004.
(P.69/2004) – amendment. Amd.
Lodged: 27th April 2004.
Privileges and Procedures Committee.

Draft Data Protection (Jersey) Law 200-. Lodged: 20th April 2004. <i>Finance and Economics Committee.</i>	P.70/2004.
Draft Data Protection (Jersey) Law 200- (P.70/2004): amendments. Lodged: 11th May 2004. <i>Deputy J.L. Dorey of St. Helier.</i>	P.70/2004. Amd.
Code of Practice on Public Access to Official Information: measures to improve implementation. Lodged: 27th April 2004. <i>Privileges and Procedures Committee.</i>	P.80/2004.
D'Hautrée Gardens, St. Saviour's Hill, St. Saviour– proposed deed of arrangement. Lodged: 11th May 2004. <i>Education, Sport and Culture Committee.</i>	P.84/2004.
Draft Privileges and Immunities (Diplomatic, Consular, etc.) (Amendment) (Jersey) Law 200-. Lodged: 11th May 2004. <i>Legislation Committee.</i>	P.86/2004.
Jersey Community Relations Trust: appointment of Chairman and a Trustee. Lodged: 11th May 2004. <i>Policy and Resources Committee.</i>	P.87/2004.
Draft Waste Management (Jersey) Law 200-. Lodged: 11th May 2004. <i>Environment and Public Services Committee.</i>	P.88/2004.
Draft Honorary Police (Parochial Domicile) (Amendment) (Jersey) Law 200-. Lodged: 11th May 2004. <i>Legislation Committee.</i>	P.89/2004.
Draft Community Provisions (Ship and Port Facility – Security) (Jersey) Regulations 200-. Lodged: 18th May 2004. <i>Harbours and Airport Committee.</i>	P.90/2004.
Draft Amendment (No. 26) of the Standing Orders of the States of Jersey. Lodged: 18th May 2004. <i>Privileges and Procedures Committee.</i>	P.92/2004.
Jersey Heritage Trust: appointment of Chairman. Lodged: 18th May 2004. <i>Education, Sport and Culture Committee.</i>	P.94/2004.

Jersey Consumer Council: appointment of Chairman.
Lodged: 18th May 2004.
Economic Development Committee.

P.96/2004.

Draft Jersey Legal Information Board (Incorporation) Law 200-.
Lodged: 18th May 2004.
Finance and Economics Committee.

P.98/2004.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

Senator R.J. Shenton will ask a question of the President of the Economic Development Committee regarding advertisements relating to the appointment of an Executive Director, Jersey Competition Regulatory Authority.

Deputy R.G. Le Hérisier of St. Saviour will ask a question of the President of the Environment and Public Services Committee regarding costs relating to the occupancy of the Howard Davis Farm by the Environmental Services Department.

Deputy G.P. Southern of St. Helier will ask a question of the President of the Finance and Economics Committee regarding the report of Mr. John Whiting on proposed tax reforms.

Deputy G.C.L. Baudains of St. Clement will ask a question of the President of the Policy and Resources Committee regarding the Les Pas settlement.

The Deputy of St. John will ask a question of the President of the Policy and Resources Committee regarding the work of the Legislation Committee under ministerial government.

Deputy R.G. Le Hérisier of St. Saviour will ask a question of the President of the Health and Social Services Committee regarding the cost of employing consultants.

Deputy G.P. Southern of St. Helier will ask a question of the President of the Finance and Economics Committee regarding the collection of tax.

Deputy G.C.L. Baudains of St. Clement will ask a question of the President of the Education, Sport and Culture Committee regarding current and future capacity at schools in St. Clement.

Deputy G.P. Southern of St. Helier will ask a question of the President of the Finance and Economics Committee regarding income tax arrangements of 1(1)(k) residents.

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

The President of the Environment and Public Services Committee will make a statement regarding Field Nos. 519, 520, 524, 527, and 528 Trinity.

K. PUBLIC BUSINESS

States Members' Remuneration: increases for 2004 – rescindment. Lodged: 27th January 2004. <i>Deputy T.J. Le Main of St. Helier.</i>	P.11/2004.
States Members' Remuneration: increases for 2004 – rescindment (P.11/2004) – comments. Presented: 30th March 2004. <i>Privileges and Procedures Committee.</i>	P.11/2004. Com.
States Members' Remuneration: increases for 2004 – rescindment (P.11/2004) – comments. Presented: 13th April 2004. <i>Finance and Economics Committee.</i>	P.11/2004. Com.(2)
States Members' Remuneration: increases for 2004 – rescindment (P.11/2004) – amendment. Lodged: 24th February 2004. <i>Senator J.A. Le Maistre.</i>	P.11/2004. Amd.
States Members' Remuneration: increases for 2004 – rescindment (P.11/2004) – second amendment. Lodged: 30th March 2004. <i>Senator R.J. Shenton.</i>	P.11/2004. Amd.(2)
States Members' Remuneration: increases for 2004 – rescindment (P.11/2004) – second amendment (P.11/2004 Amd.(2))– comments. Presented: 27th April 2004. <i>Privileges and Procedures Committee.</i>	P.11/2004. Amd.(2) Com.
Draft The Law Society of Jersey Law 200-. Lodged: 11th November 2003. <i>Legislation Committee.</i>	P.154/2003.
Draft The Law Society of Jersey Law 200- (P.154/2003): amendments. Lodged: 27th April 2004. <i>Legislation Committee.</i>	P.154/2003. Amd.
Travelling and entertaining costs: provision of information. Lodged: 6th April 2004. <i>Senator R.J. Shenton.</i>	P.51/2004.
Travelling and entertaining costs: provision of information (P.51/2004) – comments. Presented: 4th May 2004. <i>Privileges and Procedures Committee.</i>	P.51/2004. Com.
Travelling and entertaining costs: provision of information (P.51/2004) – comments. Presented: 11th May 2004. <i>Finance and Economics Committee.</i>	P.51/2004. Com.(2)

Machinery of Government: relationship between the Parishes and the Executive. Lodged: 9th March 2004. <i>Policy and Resources Committee.</i>	P.40/2004.
Machinery of Government: relationship between the Parishes and the Executive (P.40/2004) – comments. Presented: 18th May 2004. <i>Connétable of St. Martin.</i>	P.40/2004. Com.
Machinery of Government: relationship between the Parishes and the Executive (P.40/2004) – amendment. Lodged: 11th May 2004. <i>Connétable of St. Helier.</i>	P.40/2004. Amd.
Machinery of Government: relationship between the Parishes and the Executive (P.40/2004) – second amendment. Lodged: 11th May 2004. <i>Policy and Resources Committee.</i>	P.40/2004. Amd.(2)
Income Tax: allowance for children over 17 in full-time education. Lodged: 3rd February 2004. <i>Deputy of St. Martin.</i>	P.16/2004
Income Tax: allowance for children over 17 in full-time education (P.16/2004) – comments. Presented: 11th May 2004. <i>Finance and Economics Committee.</i>	P.16/2004. Com.
Income Tax: allowance for children over 17 in full-time education (P.16/2004) – comments. Presented: 18th May 2004. <i>Education, Sport and Culture Committee.</i>	P.16/2004. Com.(2)
Committee of Inquiry: construction of 76 houses at Jambart Lane, St. Clement; and public consultation procedures. Lodged: 24th February 2004. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.33/2004.
Committee of Inquiry: construction of 76 houses at Jambart Lane, St. Clement; and public consultation procedures (P.33/2004)– comments. Presented: 9th March 2004. <i>Finance and Economics Committee.</i>	P.33/2004. Com.
Committee of Inquiry: construction of 76 houses at Jambart Lane, St. Clement; and public consultation procedures (P.33/2004)– comments. Presented: 11th May 2004. <i>Environment and Public Services Committee.</i>	P.33/2004. Com.(2)
Draft Prison (Amendment No. 5) (Jersey) Law 200-. Lodged: 23rd March 2004. <i>Home Affairs Committee.</i>	P.45/2004.

Draft Christmas Bonus (Amendment No. 2) (Jersey) Law 200. Lodged: 6th April 2004. <i>Employment and Social Security Committee.</i>	P.55/2004.
Public Sector Re-organisation: Five Year Vision for the Public Sector. Lodged: 20th April 2004. <i>Policy and Resources Committee.</i>	P.58/2004.
Shadow Scrutiny Panels: appointment of member. Lodged: 20th April 2004. <i>Privileges and Procedures Committee.</i>	P.59/2004.
States Abattoir, La Route du Veulle, La Collette St Helier: transfer of administration. Lodged: 20th April 2004. <i>Harbours and Airport Committee.</i>	P.67/2004.
States Abattoir, La Route du Veulle, La Collette, St. Helier: transfer of administration (P.67/2004) – comments. Presented: 27th April 2004. <i>Environment and Public Services Committee.</i>	P.67/2004. Com.
Animal Waste Products Site, La Rue Philippe Durell, La Collette, St Helier: transfer of administration. Lodged: 20th April 2004. <i>Economic Development Committee.</i>	P.68/2004.
Animal Waste Products Site, La Rue Philippe Durell, La Collette, St. Helier: transfer of administration (P.68/2004)– comments. Presented: 27th April 2004. <i>Environment and Public Services Committee.</i>	P.68/2004. Com.
Draft Non-Contributory Pensions (Repeal) (Jersey) Law 200-. Lodged: 20th April 2004. <i>Employment and Social Security Committee.</i>	P.73/2004.
Draft Social Security (Amendment No. 17) (Jersey) Law 200. Lodged: 20th April 2004. <i>Employment and Social Security Committee.</i>	P.75/2004.
Le Squez Estate, St. Clement, Phase 1A: redevelopment– approval of drawings. Lodged: 27th April 2004. <i>Housing Committee.</i>	P.76/2004.
Le Squez Estate, St. Clement, Phase 1A: redevelopment– approval of drawings (P.76/2004) – comments. Presented: 4th May 2004. <i>Finance and Economics Committee.</i>	P.76/2004. Com.
States Assembly: improving efficiency. Lodged: 27th April 2004. <i>Privileges and Procedures Committee.</i>	P.79/2004.

Sale of properties. Lodged: 13th April 2004. <i>Housing Committee.</i>	P.52/2004.
Sale of properties (P.52/2004): comments. Presented: 11th May 2004. <i>Finance and Economics Committee.</i>	P.52/2004. Com.
Sale of properties (P.52/2004): comments. Presented: 11th May 2004. <i>Policy and Resources Committee.</i>	P.52/2004. Com.(2)
Sale of properties (P.52/2004): amendments. Lodged: 11th May 2004. <i>Deputy P.N. Troy of St. Brelade.</i>	P.52/2004. Amd.
Draft Petty Debts Court (Miscellaneous Provisions) (Jersey) Law 2000 (Appointed Day) Act 200-. Lodged: 11th May 2004. <i>Legislation Committee.</i>	P.83/2004.

M.N. DE LA HAYE
Greffier of the States

20th May 2004.

QUESTION PAPER

(See Item G)

Senator Richard John Shenton will ask the following question of Deputy Francis Gerald Voisin of St. Lawrence, President of the Economic Development Committee -

“Advertisements have appeared in the Appointments section of the Sunday Times of 2nd May 2004, and The Economist on 1st to 7th May 2004, with regard to the appointment of an Executive Director to the Jersey Competition Regulatory Authority.

Will the President inform members of –

- (a) the total cost of the advertisements in the Sunday Times?
- (b) the total cost of the advertisements in The Economist?
- (c) the total cost of any other advertisements?
- (d) the details of the “attractive packages” referred to in the advertisement?
- (e) the likely total cost of employing Veredus Executive Resourcing?
- (f) the total remuneration package of the Executive Director? and,
- (g) the total remuneration package of the non-Executive members?”

Deputy Roy George Le Hérisier of St. Saviour will ask the following question of Senator Philip Francis Cyril Ozouf, President of the Environment and Public Services Committee -

“Would the President inform members -

- (a) of the cost of refurbishing the Howard Davis Farm for occupancy by the Environmental Services Department? and,
- (b) what rent or cost is being attributed to the Environmental Services Department for the occupancy of the building?”

Deputy Geoffrey Peter Southern of St. Helier will ask the following question of Senator Terence Augustine Le Sueur, President of the Finance and Economics Committee -

“Would the President inform members –

- (a) whether the Committee has considered the report of John Whiting of PriceWaterhouseCoopers, and, if so, whether it agrees that the withdrawal of income tax allowances will have a direct impact on the Financial Services Industry (FSI), as indicated on page 13 of the report where it states ‘as many (senior members of FSI) are on some form of tax compensation’?
- (b) whether the Committee has evidence that such practice is common-place in the FSI, and, if so, to what extent? and,
- (c) whether the practice of ‘tax compensation’ is regarded as a “benefit in kind” under the rules

adopted in the 2004 Budget?”

Deputy Gerard Clifford Lemmens Baudains of St. Clement will ask the following question of Senator Frank Harrison Walker, President of the Policy and Resources Committee -

“With reference to the claim by Les Pas Holdings Limited, will the President inform members –

- (a) at what stage, if any, did the Les Pas claim include La Collette power station land and was this accepted as valid during any stage of the negotiations? and,
- (b) whether the Committee is intending to make a claim for compensation against the legal firm which represented the States in the legal action brought by Les Pas Holdings Limited?”

The Deputy of St. John will ask the following question of Senator Frank Harrison Walker, President of the Policy and Resources Committee -

“Would the President inform members what progress has been made regarding the consultation process relating to the future reallocation of the work currently undertaken by the Legislation Committee when the ministerial system is introduced at the end of 2005, as indicated in P.70/2002 of the Policy and Resources Committee adopted, as amended, by the States on 24th July 2002?”

Deputy Roy George Le Hérisser of St. Saviour will ask the following question of Senator Stuart Syvret, President of the Health and Social Services Committee -

“Would the President advise members –

- (a) of the average cost of employing a consultant in terms of a consultant’s salary and benefits and the numbers and costs of support staff needed to support a consultant’s rôle? and,
- (b) what alternatives to employing local consultants, if any, have been investigated by the Committee and what the outcome was of this examination?”

Deputy Geoffrey Peter Southern of St. Helier will ask the following question of Senator Terence Augustine Le Sueur, President of the Finance and Economics Committee -

“Figures released by the Comptroller of Income Tax show the following as the costs of collecting several forms of tax -

Income Tax (Jersey)	0.87 pence per £1
Income tax (UK)	1.64 pence per £1
Capital Gains Tax (CGT) (UK)	2.73 pence per £1.

The proposed Goods & Services Tax (GST) is estimated to cost £1.75 million to raise £45 million. This equates to -

GST (Jersey)	3.88 pence per £1.
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Will the President confirm that this estimate remains accurate and, if so, explain the reasons why the Committee continues to support this tax proposal in view of the expense in collecting it?”

Deputy Gerard Clifford Lemmens Baudains of St. Clement will ask the following question of Senator Michael

Edward Vibert, President of the Education, Sport and Culture Committee -

“Will the President advise members of the current spare capacity at Le Squez, St. Clement’s Primary and Le Rocquier schools together with the forecast spare capacity in five years’ time?”

Deputy Geoffrey Peter Southern of St. Helier will ask the following question of Senator Terence Augustine Le Sueur, President of the Finance and Economics Committee -

“Would the President inform members whether the Committee will undertake to seek a legal opinion from the Law Officers’ Department on whether existing income tax arrangements with 1(1)(k) residents can be renegotiated?”