

STATES OF JERSEY ORDER PAPER

Tuesday 26th October 2004

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Shipping (Fees) (Amendment) (Jersey) Order 2004.
Harbours and Airport Committee.

R&O 128/2004.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

Resignation of Deputy J.L. Dorey of St. Helier as one of the Chairman, Shadow Scrutiny Panels.

(note attached on lilac)

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)

Draft Education (Amendment) (Jersey) Law 200-.
Education, Sport and Culture Committee.

P.179/2004.

Draft Public Finances (Jersey) Law 200-.
Finance and Economics Committee.

P.180/2004.

Meetings of the States in 2005.
Privileges and Procedures Committee.

P.181/2004.

(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 9th November 2004 –

Speed Limits: revised policy.
Lodged: 20th January 2004.
Environment and Public Services Committee.

P.1/2004.

Modernisation of Jersey's Gambling Legislation.
Lodged: 20th April 2004.
Economic Development Committee.

P.62/2004.
(re-issue)

Modernisation of Jersey's Gambling Legislation (P.62/2004):

P.62/2004.

comments. Presented: 11th May 2004. <i>Finance and Economics Committee.</i>	Com.
Draft States of Jersey Law 200- Lodged: 29th June 2004. <i>Privileges and Procedures Committee.</i>	P.124/2004. (re-issue)
Draft States of Jersey Law 200- (P.124/2004): comments. Presented: 28th September 2004. <i>Finance and Economics Committee.</i>	P.124/2004. Com.
Draft States of Jersey Law 200- (P.124/2004): amendments. Lodged: 19th October 2004. <i>Deputy S.C. Ferguson of St. Brelade.</i>	P.124/2004. Amd.
Draft Dogs (Licence Duty) (Jersey) Regulations 200- Lodged: 12th October 2004. <i>Legislation Committee.</i>	P.169/2004.
States Auditors: further extension of contract. Lodged: 19th October 2004. <i>Finance and Economics Committee.</i>	P.178/2004.
Meetings of the States in 2005. Lodged: 26th October 2004. <i>Privileges and Procedures Committee.</i>	P.181/2004.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

(a) Written Questions

The Vice-President of the Emergencies Council will table an answer to a question asked by the Deputy of St. John regarding Parish Civil Emergency Liaison Officers.

The President of the Policy and Resources Committee will table an answer to a question asked by the Deputy of St. John regarding the possibility of a new Emergencies Council structure.

The Connétable of St. Martin, as Chairman of the Comité des Connétables, will table an answer to a question asked by the Deputy of St. John regarding Parish Civil Emergency Liaison Officers.

The President of the Harbours and Airport Committee will table answers to questions asked by the Deputy of St. John regarding the hosting of the British Ports Administrators' Conference, employment policies and entertainment costs.

The President of the Policy and Resources Committee will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding immigration proposals.

The President of the Harbours and Airport Committee will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the Tanker berth forward gangway, and amalgamation of Jersey Radio with Port Control and Pilotage/other services.

(b) Oral Questions

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

K. PUBLIC BUSINESS

Field 812A, Bagot Manor Farm, St. Saviour: rezoning. P.155/2004.
Lodged: 14th September 2004.
Environment and Public Services Committee.

Draft The Law Society of Jersey Law 200-. P.162/2004.
Lodged: 28th September 2004.
Legislation Committee.

Draft The Law Society of Jersey Law 200- (P.162/2004): comments. P.162/2004.
Presented: 28th September 2004. Com.
Finance and Economics Committee.

Draft The Law Society of Jersey Law 200- (P.162/2004): P.162/2004.
amendments. Amd.
Lodged: 28th September 2004.
Deputy R.G. Le Hérisier of St. Saviour.

Court and Case Costs: investigation. P.138/2004.
Lodged: 20th July 2004.
Deputy A. Breckon of St. Saviour.

Court and Case Costs: investigation (P.138/2004) – comments. P.138/2004.
Presented: 28th September 2004. Com.
Finance and Economics Committee.

Draft Education (Revocation of Provided School) (Jersey) P.161/2004.
Regulations 200-. (re-issue)
Lodged: 28th September 2004.
Education, Sport and Culture Committee.

Bellozanne Scrap Metal Yard, Bellozanne Valley, St. Helier: lease to P.170/2004.
Picot and Rouille Limited.
Lodged: 12th October 2004.
Environment and Public Services Committee.

Bellozanne Scrap Metal Yard, Bellozanne Valley, St. Helier: lease to P.170/2004.
Picot and Rouille Limited (P.170/2004) – amendment. Amd.
Lodged: 12th October 2004.
Deputy R.C. Duhamel of St. Saviour.

Draft Amendment (No. 27) to the Standing Orders of the States of Jersey. Lodged: 12th October 2004. <i>Privileges and Procedures Committee.</i>	P.171/2004.
Draft Amendment (No. 27) to the Standing Orders of the States of Jersey (P.171/2004): amendment. Lodged 12th October 2004. <i>Senator P.F. Routier.</i>	P.171/2004. Amd.
Draft Amendment (No. 27) to the Standing Orders of the States of Jersey (P.171/2004): amendment (P.171/2004 Amd.) – comments. Presented: 19th October 2004. <i>Privileges and Procedures Committee.</i>	P.171/2004. Amd.Com.
Draft Amendment (No. 27) to the Standing Orders of the States of Jersey (P.171/2004): second amendments. Lodged: 12th October 2004. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.171/2004. Amd.(2)
Draft Amendment (No. 27) to the Standing Orders of the States of Jersey (P.171/2004): second amendments (P.171/2004 Amd.(2)) – comments. Presented: 19th October 2004. <i>Privileges and Procedures Committee.</i>	P.171/2004. Amd.(2) Com.
Draft Amendment (No. 27) to the Standing Orders of the States of Jersey (P.171/2004): third amendments. Lodged: 12th October 2004. <i>Deputy G.P. Southern of St. Helier.</i>	P.171/2004. Amd.(3)
Draft Amendment (No. 27) to the Standing Orders of the States of Jersey (P.171/2004): third amendments (P.171/2004 Amd.(3)) – comments. Presented: 19th October 2004. <i>Privileges and Procedures Committee.</i>	P.171/2004. Amd.(3) Com.
Draft Amendment (No. 27) to the Standing Orders of the States of Jersey (P.171/2004): fourth amendment. <i>Deputy of St. Martin.</i> <i>(attached)</i>	P.171/2004. Amd.(4)

M.N. DE LA HAYE
Greffier of the States

21st October 2004

Explanatory Note regarding subordinate legislation tabled at this meeting.

R&O 128/2004.

This Order increases, by 4.8%, the amounts payable for the registration of, the renewal of registration of, and the issue of duplicate certificates of registration in relation to, vessels under 24 metres in length that are used for recreational purposes. The fees were first introduced in June 2004.

This Order was made on 20th October 2004, and shall come into force on 1st January 2005.

WRITTEN QUESTION PAPER

(See Item G)

The Vice-President of the Emergencies Council will table an answer to the following question asked by the Deputy of St. John –

“Would the President inform members –

- (a) whether the rôle of Parish Civil Emergency Liaison Officer (PCELO), in some parishes, if any, has been disbanded, and, if so –
 - (i) the reasons why?
 - (ii) what alternative arrangements have been put in place to cover this rôle? and
 - (iii) whether full details of any changes will be put before the States?
- (b) whether responsibility for PCELO’s has been handed over to the Home Affairs Committee, and whether discussions have taken place with the Comité des Connétables regarding the disbandment of PCELO’s?”

The President of the Policy and Resources Committee will table an answer to the following question asked by the Deputy of St. John –

“Would the President inform members whether the Policy and Resources Committee intends to bring to the States a new Emergencies Council structure given the onset of ministerial government, and, if so, will this be in the next three months?”

The Connétable of St.Martin will table an answer to the following question asked by the Deputy of St. John –

“Would the Connétable, as Chairman of the Comité des Connétables, inform members, in respect of Parishes that still have Parish Civil Emergency Liaison Officers (PCELO) in place, –

- (i) whether such officers have to have ID cards?
- (ii) how does the Data Protection Law encompass the officers’ duties?
- (iii) what are the insurance implications, if any, when an officer uses his/her own vehicle for civil emergency duties?
- (iv) is the PCELO or his/her successor permitted to travel in the parish police vehicle when on active civil emergency duty?
- (v) what accidental or other insurance cover exists for the officer whilst performing his/her duties? and,
- (vi) is there a separate budget for civil emergency purposes? If not, how is it funded?”

The President of the Harbours and Airport Committee will table answers to the following questions asked by the Deputy of St. John –

- “1. From 5th to 8th October 2004, Jersey hosted the British Port Administrators’ Conference. Would the President advise members –
 - (a) when the original invitation to hold the conference in Jersey was sent to the British Port Administrators?
 - (b) of the total cost of hosting the Conference?
 - (c) of the cost of Jersey Harbours hosting a dinner at the Jersey Pottery? and,
 - (d) of the remuneration paid to the main co-ordinator of the Conference?
2. Would the President inform members of the Committee’s policy on re-employing former staff members after retirement?
3. Would the President inform members of the Committee’s policy on entertainment given that the Committee does not return unspent amounts of its budget to the Treasury?”

The President of the Policy and Resources Committee will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement.

“The Committee has stated that its immigration proposals have been supported by almost all of the 200+ individuals and groups that have been consulted.

Would the President inform members –

- (a) whether the Committee will be publishing details of the support it has received, including attendance figures, at public meetings it has held, together with methods used to capture the views of those meetings and whether those methods excluded persons who may have attended multiple meetings?
- (b) whether there is currently emigration from Jersey due to a number of factors such as over-regulation and concern regarding Jersey’s economic future, and whether inward migration would serve any useful purpose in the present climate?”

The President of the Harbours and Airport Committee will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement.

“Will the President supply –

- (a) a chronology of events covering the maintenance, repair and replacement of the Tanker berth forward gangway over the last five years, together with the cost of those works, including any temporary measures used? and,
- (b) details of the safety analysis made in regard to the proposed amalgamation of Jersey Radio with Port Control and Pilotage with other services, and further advise whether the ‘Portfolio Risk Programme’ was used for the process?”

DRAFT AMENDMENT (No. 27) OF THE STANDING ORDERS OF THE STATES OF JERSEY
(P.171/2004): FOURTH AMENDMENT

PAGE 14, INSERTED STANDING ORDER 14B(8) –

For the words “(apart from any supplementary questions)” substitute the words “and the answers given”.

DEPUTY OF ST. MARTIN

Report

The written questions and answers at States Sittings have been recorded in the States Minutes for many years. However since the recent introduction of the Oral Question Time, only the questions have been recorded. It seems illogical to include the answers to one set of questions but to exclude the other. The reason for the exclusion may well be because the introduction of Oral Question Time was for a trial period. Alternatively the reason may have been financial. In my opinion neither reason is acceptable.

The Privileges and Procedures Committee has reviewed the operation of the trial and concluded that the new procedure should be made permanent. It is also proposing that no more than one hour should be permitted at any meeting of the Assembly for the asking of oral questions and the giving of answers.

As questions may only be asked at scheduled States sittings of which there are approximately 25 a year, there should be no more than 25 hours of question time. Therefore it is unreasonable for the oral and supplementary questions and answers not to be recorded. They should be recorded in the States Minutes, not only for recorded purposes, but also for easier access and more efficient scrutiny.

Had the funding been approved for the introduction of our Hansard style of recording my amendment may not have been necessary. Question Time is a vital component of good government and it is for this reason that the recording of question time in its entirety should not be delayed further, particularly when so little cost is involved.

I am advised that if oral questions are asked at all of the 25 scheduled sittings the cost of the transcription is estimated to cost approximately £5,500 per annum. There will also be Greffe staff time to arrange the transcription, check it and correct it. I am advised that this will take approximately 2 hours for every sitting.

MATTERS RELATING TO COMMITTEE MEMBERSHIP

Election of Shadow Scrutiny Chairman –

Deputy J.L. Dorey of St. Helier has tendered his resignation as Chairman of one of the Shadow Scrutiny Panels with effect from 22nd October 2004.

In accordance with paragraph (b) of P.186/2003 of the Privileges and Procedures Committee, adopted by the States on 27th January 2004, the appointment of the Chairman will take place by ballot. Presidents of Committees and members of the Privileges and Procedures Committee are precluded from this position.

Subject to the approval of the States the appointment of a replacement Shadow Scrutiny Chairman will take place at this meeting.

In accordance with the method used for the initial appointments the process for the appointment of a replacement Shadow Scrutiny Chairman will be based on the normal procedures and arrangements for the election of a Committee President. Following the nomination process, candidates will be invited to address members for a maximum of five minutes (denoted by the sounding of a bell), subsequent to which a secret ballot will take place before the results are declared by the Bailiff. If no candidate obtains an overall majority of votes cast a further ballot will be held with the candidate who has obtained the least number of votes being withdrawn from the ballot.