

STATES OF JERSEY ORDER PAPER

Tuesday 13th September 2005

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Children (Secure Accommodation) (Jersey) Order 2005. <i>Health and Social Services Committee.</i>	R&O 78/2005.
Children (Voluntary Homes) (Jersey) Order 2005. <i>Health and Social Services Committee.</i>	R&O 79/2005.
Children Rules 2005. <i>The Superior Number of the Royal Court.</i>	R&O 80/2005.
Children (Parental Responsibility Agreement) Rules 2005. <i>The Superior Number of the Royal Court.</i>	R&O 81/2005.
Children (Prescribed Classes of Applicant to vary Directions) Rules 2005. <i>The Superior Number of the Royal Court.</i>	R&O 82/2005.
Matrimonial Causes Rules 2005. <i>The Superior Number of the Royal Court.</i>	R&O 83/2005.
Battle of Britain Air Display (Jersey) Order 2005. <i>Environment and Public Services Committee.</i>	R&O 84/2005.
Education (Discretionary Grants) (Jersey) Order 2005. <i>Education, Sport and Culture Committee.</i>	R&O 85/2005.
Fire Precautions (Fees) (Jersey) Order 2005. <i>Home Affairs Committee.</i>	R&O 86/2005.
Road Racing (Hill Climbs and Sprint) (No. 3) (Jersey) Order 2005. <i>Home Affairs Committee.</i>	R&O 87/2005.
Tourism (General Provisions) (Amendment No. 12) (Jersey) Order 2005. <i>Economic Development Committee.</i>	R&O 88/2005.
Places of Refreshment (Registration) (Fees) (Jersey) Order 2005. <i>Economic Development Committee.</i>	R&O 89/2005.
Lodging Houses (General Provisions) (Amendment No. 12) (Jersey) Order 2005. <i>Housing Committee.</i>	R&O 90/2005.
Post Office (Foreign Post Provisions) (Jersey) Order 2005. <i>Committee for Postal Administration.</i>	R&O 91/2005.
Road Racing (Motor Vehicle Rally) (Jersey) Order 2005.	R&O 92/2005.

Home Affairs Committee.

Extradition (Code of Practice for Identification) (Jersey) Order 2005. R&O 93/2005.
Home Affairs Committee.

Extradition (Code of Practice for Treatment of Detained Persons) R&O 94/2005.
(Jersey) Order 2005.
Home Affairs Committee.

Extradition (Code of Practice for Treatment of Property) (Jersey) R&O 95/2005.
Order 2005.
Home Affairs Committee.

Extradition (Time Limits) (Amendment) (Jersey) Order 2005. R&O 96/2005.
Home Affairs Committee.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

Appointment of Chairman designate of the Jersey Overseas Aid Commission.
(note attached on green sheet)

D. PRESENTATION OF PAPERS

(a) Papers for information

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

Jersey Law Commission: Report for 2004. R.C.69/2005.
Legislation Committee.

Regulatory Reform: Report on the review findings. R.C.70/2005.
Policy and Resources Committee.

States Members Remuneration Review Body: recommendations for R.C.71/2005.
2006 – 2008.
Privileges and Procedures Committee.

Draft States of Jersey (Amendment No. 2) (Jersey) Law 200 P.98/2005. Com.
(P.98/2005): comments.
Policy and Resources Committee.

Draft States of Jersey (Amendment No. 3) (Jersey) Law 200 P.143/2005.
(P.143/2005): comments. Com.
Policy and Resources Committee.

Draft States of Jersey (Amendment No. 3) (Jersey) Law 200 P.143/2005.
(P.143/2005): comments. Com.(2)
Privileges and Procedures Committee.

States Business Plan 2006 – 2010 (P.151/2005): second amendment P.151/2005.
(P.151/2005 Amd.(2))– comments. Amd.(2) Com.
Environment and Public Services Committee. (2)

States Business Plan 2006 – 2010 (P.151/2005): second amendment P.151/2005.
(P.151/2005 Amd.(2))– comments. Amd.(2) Com.
Finance and Economics Committee. (3)

Sale of property: La Falaise, Fliquet, St. Martin (P.161/2005) – comments. P.161/2005.
Finance and Economics Committee. Com.

Draft Licensing (Licence Fees) (Jersey) Regulations 200- (P.173/2005): comments. P.173/2005.
Finance and Economics Committee. Com.

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

2nd August 2005

Committee of Inquiry into Tender Process and Award of Bus Services Contract: Final Report. R.C.58/2005.
Committee of Inquiry into Tender Process and Award of Bus Services Contract.

9th August 2005

Lord Portsea Gift Fund: report and accounts for 2004. R.C.59/2005.
Education, Sport and Culture Committee.

Jèrriais: provision in Jersey Schools. R.C.60/2005.
Education, Sport and Culture Committee.

Criminal Injuries Compensation Board: report and accounts for 2004. R.C.61/2005.
Home Affairs Committee.

Waterfront Enterprise Board: renewal of ten-year working limit (P.114/2005) – comments. P.114/2005.
Environment and Public Services Committee. Com.(2)

23rd August 2005

Development of a Cultural Strategy for the Island (P.154/2005): comments. P.154/2005.
Finance and Economics Committee. Com.

30th August 2005

International Conventions and Agreements: Progress Report for period 1st October 2004 to 31st March 2005. R.C.62/2005.
Policy and Resources Committee.

Planning for Homes 2005. R.C.63/2005.
Environment and Public Services Committee.

Committee of Inquiry into Tender Process and Award of Bus Services Contract: response. R.C.64/2005.
Environment and Public Services Committee.

Development of a Cultural Strategy for the Island (P.154/2005): comments. P.154/2005.
Economic Development Committee. Com.(2)

6th September 2005

Jersey Dental Scheme: Annual Report for the year ended 31st December 2004. <i>Employment and Social Security Committee.</i>	R.C.65/2005.
Jersey Advisory and Conciliation Service: Board members' report and financial statements for 2004. <i>Employment and Social Security Committee.</i>	R.C.66/2005.
Ecology Fund: report for 2004. <i>Environment and Public Services Committee.</i>	R.C.67/2005.
Members' Conduct: proposed disciplinary procedures. <i>Privileges and Procedures Committee.</i>	R.C.68/2005.
Proposed Goods and Services Tax: Shadow Scrutiny Panel Report. <i>Deputy R.C. Duhamel of St. Saviour.</i>	S.R.6/2005.
Waterfront Enterprise Board: renewal of ten-year working limit (P.114/2005): amendment – (P.114/2005 Amd.)– comments. <i>Policy and Resources Committee.</i>	P.114/2005. Amd.Com.(2)
Draft Public Finances (Amendment) (Jersey) Law 200- (P.133/2005) – comments. <i>Policy and Resources Committee.</i>	P.133/2005. Com.
States Business Plan 2006 – 2010 (P.151/2005): amendment (P.151/2005 Amd.)– comments. <i>Economic Development Committee.</i>	P.151/2005. Amd.Com.
States Business Plan 2006 – 2010 (P.151/2005): amendment (P.151/2005 Amd.)– comments. <i>Policy and Resources Committee.</i>	P.151/2005. Amd.Com.(2)
States Business Plan 2006 – 2010 (P.151/2005): second amendment (P.151/2005 Amd.(2))– comments. <i>Policy and Resources Committee.</i>	P.151/2005. Amd.(2)Com.
Development of a Cultural Strategy for the Island (P.154/2005): comments. <i>Policy and Resources Committee.</i>	P.154/2005. Com.(3)
St. Helier Waterfront Development: height of buildings (P.158/2005) – comments. <i>Policy and Resources Committee.</i>	P.158/2005. Com.
St. Helier Waterfront Development: directions to W.E.B. Ltd. (P.159/2005) – comments. <i>Policy and Resources Committee.</i>	P.159/2005. Com.

(b) Notification of Standing Order decisions

6th July, 28th July, 11th and 25th August 2005

Decisions under delegated functions.

Finance and Economics Committee.

28th July 2005

Committee decisions.
Finance and Economics Committee.

(c) Notification of acceptance of tenders

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

Draft Standing Orders of the States of Jersey (P.162/2005): amendment. P.162/2005.
Amd.
Deputy J.L. Dorey of St. Helier.

Migration policy: political responsibility (P.168/2005) – amendment. P.168/2005.
Amd.
Deputy of St. Ouen.

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

2nd August 2005

Draft Sea Fisheries (Trawling, Netting and Dredging) (Amendment) (Jersey) Regulations 200-. P.157/2005.
Environment and Public Services Committee.

St. Helier Waterfront Development: height of buildings. P.158/2005.
Deputy A. Breckon of St. Saviour.

St. Helier Waterfront Development: directions to W.E.B. Ltd. P.159/2005.
Senator R.J. Shenton.

9th August 2005

States Business Plan 2006 – 2010 (P.151/2005): amendment. P.151/2005.
Amd.
Deputy A. Breckon of St. Saviour.

Draft Terrorism (Amendment) (Jersey) Law 200-. P.160/2005.
Home Affairs Committee.

Sale of property: La Falaise, Fliquet, St. Martin. P.161/2005.
Housing Committee.

Draft Standing Orders of the States of Jersey. P.162/2005.
Privileges and Procedures Committee.

16th August 2005

Jersey Employment Tribunal: appointment of member. P.163/2005.
Employment and Social Security Committee.

Draft Petroleum (Amendment No. 2) (Jersey) Law 200-. P.164/2005.
Home Affairs Committee.

Goods and Services Tax: exempt or zero rated items. P.165/2005.
Senator S. Syvret.

23rd August 2005

Development of Fostering and Adoption Services in Jersey. P.166/2005.
Senator R.J. Shenton.

St. Helier Waterfront: telephone poll – Committee of Inquiry. P.167/2005.
Deputy G.C.L. Baudains of St. Clement.

30th August 2005

States Business Plan 2006 – 2010 (P.151/2005): second amendment. P.151/2005.
Deputy C.J. Scott Warren of St. Saviour. Amd.(2)

Migration policy: political responsibility. P.168/2005.
Policy and Resources Committee.

Millennium Town Park: establishment of a Trust. P.169/2005.
Deputy R.C. Duhamel of St. Saviour.

Draft Rates (Jersey) Law 200-. P.170/2005.
Policy and Resources Committee.

Jersey Financial Services Commission: appointment of P.171/2005.
Commissioners.
Economic Development Committee.

Draft Bankruptcy (Désastre) (Amendment No. 5) (Jersey) Law 200. P.172/2005.
Economic Development Committee.

Draft Licensing (Licence Fees) (Jersey) Regulations 200-. P.173/2005.
Economic Development Committee.

Strategic Travel and Transport Plan. P.174/2005.
Environment and Public Services Committee.

6th September 2005

Draft Housing (Amendment No. 12) (Jersey) Law 200. P.175/2005.
Housing Committee.

Draft Data Protection (Jersey) Law 2005 (Appointed Day) Act 200-. P.176/2005.
Finance and Economics Committee.

Draft Data Protection (Corporate Finance Exemption) (Jersey) P.177/2005.
Regulations 200-.
Finance and Economics Committee.

Draft Data Protection (Credit Reference Agency) (Jersey) Regulations P.178/2005.
200-.
Finance and Economics Committee.

Draft Data Protection (Fair Processing) (Jersey) Regulations 200-. P.179/2005.
Finance and Economics Committee.

Draft Data Protection (International Co-operation) (Jersey) P.180/2005.
Regulations 200-.

Finance and Economics Committee.

Draft Data Protection (Notification) (Jersey) Regulations 200-. <i>Finance and Economics Committee.</i>	P.181/2005.
Draft Data Protection (Sensitive Personal Data) (Jersey) Regulations 200-. <i>Finance and Economics Committee.</i>	P.182/2005.
Draft Data Protection (Subject Access Exemptions) (Jersey) Regulations 200-. <i>Finance and Economics Committee.</i>	P.183/2005.
Draft Data Protection (Subject Access Miscellaneous) (Jersey) Regulations 200-. <i>Finance and Economics Committee.</i>	P.184/2005.
Draft Data Protection (Subject Access Modification – Education) (Jersey) Regulations 200-. <i>Finance and Economics Committee.</i>	P.185/2005.
Draft Data Protection (Subject Access Modification – Health) (Jersey) Regulations 200-. <i>Finance and Economics Committee.</i>	P.186/2005.
Draft Data Protection (Subject Access Modification – Social Work) (Jersey) Regulations 200-. <i>Finance and Economics Committee.</i>	P.187/2005.
Draft Data Protection (Transfer in Substantial Public Interest) (Jersey) Regulations 200-. <i>Finance and Economics Committee.</i>	P.188/2005.
Draft Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 10) (Jersey) Regulations 200. <i>Policy and Resources Committee.</i>	P.189/2005.
Draft Public Employees (Retirement) (Additional Contributions – Amendments) (Jersey) Regulations 200-. <i>Policy and Resources Committee.</i>	P.190/2005.
La Récolte des Fruits, St. Martin: removal of agricultural occupancy restriction. <i>Senator R.J. Shenton.</i>	P.191/2005.
Ecology Fund: appointment of Chairman and Trustees. <i>Environment and Public Services Committee.</i>	P.192/2005.
Draft States of Jersey (Amendment No. 4) Law 200. <i>Senator S. Syvret.</i>	P.193/2005.
Driver and Vehicle Standards: proposed transfer to transport and technical services. <i>Policy and Resources Committee.</i>	P.194/2005.

(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 Deputy of Grouville will seek the leave of the States to defer consideration of the following matter set down for consideration at the present meeting, until a later date –

Field 571, La Rue du Puits Mahaut, Grouville: petition. P.147/2005
Lodged : 12th July 2005.
Deputy of Grouville.

Field 571, La Rue du Puits Mahaut, Grouville: petition (P.147/2005) – P.147/2005.
comments. Com.
Presented : 19th July 2005.
Environment and Public Services Committee.

THE STATES are asked to agree that the following matter lodged “au Greffe” be considered at the present meeting –

St. Helier Waterfront Development: directions to W.E.B. Ltd. P.159/2005.
Lodged: 2nd August 2005.
Senator R.J. Shenton.

St. Helier Waterfront Development: directions to W.E.B. Ltd. P.159/2005.
(P.159/2005) – comments. Com.
Presented: 6th September 2005.
Policy and Resources Committee.

The President of the Policy and Resources Committee has given notice that he will propose that the following matter lodged “au Greffe” be taken as the first item of public business at the present meeting –

States Business Plan 2006-2010. P.151/2005.
Lodged: 19th July 2005.
Policy and Resources Committee.

States Business Plan 2006 – 2010 (P.151/2005): amendment. P.151/2005.
Lodged: 9th August 2005. Amd.
Deputy A. Breckon of St. Saviour.

States Business Plan 2006 – 2010 (P.151/2005): amendment P.151/2005.
(P.151/2005 Amd.)– comments. Amd.Com.
Presented: 6th September 2005.
Economic Development Committee.

States Business Plan 2006 – 2010 (P.151/2005): amendment P.151/2005.
(P.151/2005 Amd.)– comments. Amd.Com.(2)
Presented: 6th September 2005.
Policy and Resources Committee.

States Business Plan 2006 – 2010 (P.151/2005): second amendment. P.151/2005.
Lodged: 30th August 2005. Amd.(2)
Deputy C.J. Scott Warren of St. Saviour.

States Business Plan 2006 – 2010 (P.151/2005): second amendment (P.151/2005 Amd.(2))– comments. Presented: 6th September 2005. <i>Policy and Resources Committee.</i>	P.151/2005. Amd.(2)Com.
States Business Plan 2006 – 2010 (P.151/2005): second amendment (P.151/2005 Amd.(2))– comments. Presented: 13th September 2005. <i>Environment and Public Services Committee.</i>	P.151/2005. Amd.(2) Com. (2)
States Business Plan 2006 – 2010 (P.151/2005): second amendment (P.151/2005 Amd.(2))– comments. Presented: 13th September 2005. <i>Finance and Economics Committee.</i>	P.151/2005. Amd.(2) Com. (3)
Senator R.J. Shenton has given notice that he will propose that the following matter lodged “au Greffe” be taken as the first item of public business at the present meeting should the States agree that it be considered at the present meeting –	
St. Helier Waterfront Development: directions to W.E.B. Ltd. Lodged: 2nd August 2005. <i>Senator R.J. Shenton.</i>	P.159/2005.
St. Helier Waterfront Development: directions to W.E.B. Ltd. (P.159/2005) – comments. Presented: 6th September 2005. <i>Policy and Resources Committee.</i>	P.159/2005. Com.
THE STATES are asked to agree that the following matters lodged “au Greffe” be considered at their next meeting on 27th September 2005 –	
Draft Consumer Safety (Jersey) Law 200-. Lodged: 5th July 2005. <i>Economic Development Committee.</i>	P.137/2005.
Draft Harbour Charges (Jersey) Law 200-. Lodged: 19th July 2005. <i>Harbours and Airport Committee.</i>	P.153/2005.
Speeding fines: allocation of funds to Parishes. Lodged: 20th July 2005. <i>Deputy of St. Martin.</i>	P.156/2005.
Draft Sea Fisheries (Trawling, Netting and Dredging) (Amendment) (Jersey) Regulations 200-. Lodged: 2nd August 2005. <i>Environment and Public Services Committee.</i>	P.157/2005.
St. Helier Waterfront Development: height of buildings. Lodged: 2nd August 2005. <i>Deputy A. Breckon of St. Saviour.</i>	P.158/2005.
St. Helier Waterfront Development: height of buildings (P.158/2005) – comments. Presented: 6th September 2005. <i>Policy and Resources Committee.</i>	P.158/2005. Com.

Sale of property: La Falaise, Fliquet, St. Martin. Lodged: 9th August 2005. <i>Housing Committee.</i>	P.161/2005.
Sale of property: La Falaise, Fliquet, St. Martin (P.161/2005) – comments. Presented: 13th September 2005. <i>Finance and Economics Committee.</i>	P.161/2005. Com.
Draft Standing Orders of the States of Jersey. Lodged: 9th August 2005. <i>Privileges and Procedures Committee.</i>	P.162/2005.
Draft Standing Orders of the States of Jersey (P.162/2005): amendment. Lodged: 13th September 2005. <i>Deputy J.L. Dorey of St. Helier.</i>	P.162/2005. Amd.
Jersey Employment Tribunal: appointment of member. Lodged: 16th August 2005. <i>Employment and Social Security Committee.</i>	P.163/2005.
Draft Petroleum (Amendment No. 2) (Jersey) Law 200. Lodged: 16th August 2005. <i>Home Affairs Committee.</i>	P.164/2005.
St. Helier Waterfront: telephone poll – Committee of Inquiry. Lodged: 23rd August 2005. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.167/2005.
Migration policy: political responsibility. Lodged: 30th August 2005. <i>Policy and Resources Committee.</i>	P.168/2005.
Migration policy: political responsibility (P.168/2005) – amendment. Lodged: 13th September 2005. <i>Deputy of St. Ouen.</i>	P.168/2005. Amd.
Millennium Town Park: establishment of a Trust. Lodged: 30th August 2005. <i>Deputy R.C. Duhamel of St. Saviour.</i>	P.169/2005.
Draft Rates (Jersey) Law 200-. Lodged: 30th August 2005. <i>Policy and Resources Committee.</i>	P.170/2005.
Jersey Financial Services Commission: appointment of Commissioners. Lodged: 30th August 2005. <i>Economic Development Committee.</i>	P.171/2005.
Draft Bankruptcy (Désastre) (Amendment No. 5) (Jersey) Law 200. Lodged: 30th August 2005. <i>Economic Development Committee.</i>	P.172/2005.

Draft Licensing (Licence Fees) (Jersey) Regulations 200-. Lodged: 30th August 2005. <i>Economic Development Committee.</i>	P.173/2005.
Draft Licensing (Licence Fees) (Jersey) Regulations 200- (P.173/2005): comments. Presented: 13th September 2005. <i>Finance and Economics Committee.</i>	P.173/2005. Com.
Strategic Travel and Transport Plan. Lodged: 30th August 2005. <i>Environment and Public Services Committee.</i>	P.174/2005.
Draft Housing (Amendment No. 12) (Jersey) Law 200. Lodged: 6th September 2005. <i>Housing Committee.</i>	P.175/2005.
Draft Data Protection (Jersey) Law 2005 (Appointed Day) Act 200-. Lodged: 6th September 2005. <i>Finance and Economics Committee.</i>	P.176/2005.
Draft Data Protection (Corporate Finance Exemption) (Jersey) Regulations 200-. Lodged: 6th September 2005. <i>Finance and Economics Committee.</i>	P.177/2005.
Draft Data Protection (Credit Reference Agency) (Jersey) Regulations 200-. Lodged: 6th September 2005. <i>Finance and Economics Committee.</i>	P.178/2005.
Draft Data Protection (Fair Processing) (Jersey) Regulations 200-. Lodged: 6th September 2005. <i>Finance and Economics Committee.</i>	P.179/2005.
Draft Data Protection (International Co-operation) (Jersey) Regulations 200-. Lodged: 6th September 2005. <i>Finance and Economics Committee.</i>	P.180/2005.
Draft Data Protection (Notification) (Jersey) Regulations 200-. Lodged: 6th September 2005. <i>Finance and Economics Committee.</i>	P.181/2005.
Draft Data Protection (Sensitive Personal Data) (Jersey) Regulations 200-. Lodged: 6th September 2005. <i>Finance and Economics Committee.</i>	P.182/2005.
Draft Data Protection (Subject Access Exemptions) (Jersey) Regulations 200-. Lodged: 6th September 2005. <i>Finance and Economics Committee.</i>	P.183/2005.
Draft Data Protection (Subject Access Miscellaneous) (Jersey)	P.184/2005.

Regulations 200-. Lodged: 6th September 2005. <i>Finance and Economics Committee.</i>	
Draft Data Protection (Subject Access Modification – Education) (Jersey) Regulations 200-. <i>Finance and Economics Committee.</i>	P.185/2005.
Draft Data Protection (Subject Access Modification – Health) (Jersey) Regulations 200-. Lodged: 6th September 2005. <i>Finance and Economics Committee.</i>	P.186/2005.
Draft Data Protection (Subject Access Modification – Social Work) (Jersey) Regulations 200-. <i>Finance and Economics Committee.</i>	P.187/2005.
Draft Data Protection (Transfer in Substantial Public Interest) (Jersey) Regulations 200-. Lodged: 6th September 2005. <i>Finance and Economics Committee.</i>	P.188/2005.
Draft Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 10) (Jersey) Regulations 200-. Lodged: 6th September 2005. <i>Policy and Resources Committee.</i>	P.189/2005.
Draft Public Employees (Retirement) (Additional Contributions – Amendments) (Jersey) Regulations 200-. Lodged: 6th September 2005. <i>Policy and Resources Committee.</i>	P.190/2005.
La Récolte des Fruits, St. Martin: removal of agricultural occupancy restriction. Lodged: 6th September 2005. <i>Senator R.J. Shenton.</i>	P.191/2005.
Ecology Fund: appointment of Chairman and Trustees. Lodged: 6th September 2005. <i>Environment and Public Services Committee.</i>	P.192/2005.
Driver and Vehicle Standards: proposed transfer to transport and technical services. Lodged: 6th September 2005. <i>Policy and Resources Committee.</i>	P.194/2005.
In accordance with Standing Order 22(3), the President of the Legislation Committee has instructed the Greffier of the States to withdraw the following matter –	
Draft Shops (Regulation of Opening and Deliveries) (Jersey) Law 200- . Lodged: 19th April 2005. <i>Legislation Committee.</i>	P.78/2005.

In accordance with Standing Order 22(3), Deputy G.P. Southern of St. Helier has instructed the Greffier of the States to withdraw the following matters –

Draft Amendment (No. 29) of the Standing Orders of the States of Jersey. P.152/2005.

Lodged: 19th July 2005.

Deputy G.P. Southern of St. Helier.

Draft Amendment (No. 28) of the Standing Orders of the States of Jersey. P.122/2005.

Lodged: 21st June 2005.

Deputy G.P. Southern of St. Helier.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

(a) Written Questions

The President of the Environment and Public Services Committee will table an answer to a question asked by the Deputy of St. John regarding the waiting period for pre-planning application advice.

The President of the Education, Sport and Culture Committee will table an answer to a question asked by Deputy M.F. Dubras of St. Lawrence regarding the preparation of the Cultural Strategy, the allocation of the Committee's cash limit, and business planning objectives.

The President of the Health and Social Services Committee will table an answer to a question asked by Deputy M.F. Dubras of St. Lawrence regarding the utilisation of its leased properties.

The President of the Harbours and Airport Committee will table an answer to a question asked by the Deputy of St. John regarding Airport parking charges for commercial transport providers.

The President of the Housing Committee will table answers to questions asked by the Deputy of St. Martin regarding the property La Falaise.

The President of the Overseas Aid Committee will table an answer to a question asked by the Deputy of St. John regarding grant aid.

The President of the Environment and Public Services Committee will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding sewerage pumping stations in the east of the Island.

The President of the Environment and Public Services Committee will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding that Committee's report entitled 'Planning for Homes 2005', housing development sites and the Island Plan, and the affordability of first time buyer homes.

The President of the Harbours and Airport Committee will table an answer to a question asked by the Deputy of St. John regarding matters relating to an air crash in October 2004.

The President of the Finance and Economics Committee will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding 'look-through' provisions.

The President of the Employment and Social Security Committee will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the new LTIA scheme.

The President of the Finance and Economics Committee will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding support for those on low incomes affected by GST.

The President of the Finance and Economics Committee will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding funding for Parish welfare/LTIA benefit.

(b) Oral Questions

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

The President of the Policy and Resources Committee will make a statement regarding the proposed 2006 Census.

K. PUBLIC BUSINESS

Draft States of Jersey (Amendment No. 2) Law 200. P.98/2005.
Lodged: 24th May 2005.
Privileges and Procedures Committee.

Draft States of Jersey (Amendment No. 2) (Jersey) Law 200 P.98/2005.
(P.98/2005): comments. Com.
Presented: 13th September 2005.
Policy and Resources Committee.

Waterfront Enterprise Board: renewal of ten-year working limit. P.114/2005.
Lodged: 21st June 2005.
Policy and Resources Committee.

Waterfront Enterprise Board: renewal of ten-year working limit P.114/2005.
(P.114/2005) – comments. Com.
Presented; 19th July 2005.
Finance and Economics Committee.

Waterfront Enterprise Board: renewal of ten-year working limit P.114/2005.
(P.114/2005) – comments. Com.(2)
Presented: 9th August 2005.
Environment and Public Services Committee.

Waterfront Enterprise Board: renewal of ten-year working limit P.114/2005.
(P.114-2005) – amendment. Amd.
Lodged: 5th July 2005. (re-issue)
Senator P.V.F. Le Claire.

Waterfront Enterprise Board: renewal of ten-year working limit P.114/2005.
(P.114/2005) – amendment (P.114/2005 Amd.)– comments. Amd.Com.
Presented: 19th July 2005.
Finance and Economics Committee.

Waterfront Enterprise Board: renewal of ten-year working limit (P.114/2005): amendment – (P.114/2005 Amd.)– comments. Presented: 6th September 2005. <i>Policy and Resources Committee.</i>	P.114/2005. Amd.Com.(2)
Warren Farm, Noirmont, St. Brelade. Lodged: 22nd June 2005. <i>Deputy S.C. Ferguson of St. Brelade.</i>	P.125/2005.
Draft Public Finances (Amendment) (Jersey) Law 200-. Lodged: 28th June 2005. <i>Finance and Economics Committee.</i>	P.133/2005.
Draft Public Finances (Amendment) (Jersey) Law 200- (P.133/2005) – comments. Presented: 6th September 2005. <i>Policy and Resources Committee.</i>	P.133/2005. Com.
Draft States of Jersey (Amendment No. 3) (Jersey) Law 200-. Lodged: 5th July 2005. <i>Senator S. Syvret.</i>	P.143/2005.
Draft States of Jersey (Amendment No. 3) (Jersey) Law 200 (P.143/2005): comments. Presented: 13th September 2005. <i>Policy and Resources Committee.</i>	P.143/2005. Com.
Draft States of Jersey (Amendment No. 3) (Jersey) Law 200 (P.143/2005): comments. Presented: 13th September 2005. <i>Privileges and Procedures Committee.</i>	P.143/2005. Com.(2)
Draft Public Finances (Jersey) Law 2005 (Appointed Day No. 1) Act 200-. Lodged: 12th July 2005. <i>Finance and Economics Committee.</i>	P.148/2005
Draft Public Finances (Comptroller and Auditor General) (Jersey) Regulations 200-. Lodged: 12th July 2005. <i>Finance and Economics Committee.</i>	P.149/2005
Comptroller and Auditor General: appointment. Lodged: 12th July 2005. <i>Deputy S.C. Ferguson of St. Brelade.</i>	P.150/2005
States Business Plan 2006-2010. Lodged: 19th July 2005. <i>Policy and Resources Committee.</i>	P.151/2005.
States Business Plan 2006 – 2010 (P.151/2005): amendment. Lodged: 9th August 2005. <i>Deputy A. Breckon of St. Saviour.</i>	P.151/2005. Amd.

States Business Plan 2006 – 2010 (P.151/2005): amendment (P.151/2005 Amd.)– comments. Presented: 6th September 2005. <i>Economic Development Committee.</i>	P.151/2005. Amd.Com.
States Business Plan 2006 – 2010 (P.151/2005): amendment (P.151/2005 Amd.)– comments. Presented: 6th September 2005. <i>Policy and Resources Committee.</i>	P.151/2005. Amd.Com.(2)
States Business Plan 2006 – 2010 (P.151/2005): second amendment. Lodged: 30th August 2005. <i>Deputy C.J. Scott Warren of St. Saviour.</i>	P.151/2005. Amd.(2)
States Business Plan 2006 – 2010 (P.151/2005): second amendment (P.151/2005 Amd.(2))– comments. Presented: 6th September 2005. <i>Policy and Resources Committee.</i>	P.151/2005. Amd.(2)Com.
States Business Plan 2006 – 2010 (P.151/2005): second amendment (P.151/2005 Amd.(2))– comments. Presented: 13th September 2005. <i>Environment and Public Services Committee.</i>	P.151/2005. Amd.(2) Com. (2)
States Business Plan 2006 – 2010 (P.151/2005): second amendment (P.151/2005 Amd.(2))– comments. Presented: 13th September 2005. <i>Finance and Economics Committee.</i>	P.151/2005. Amd.(2) Com. (3)
Development of a Cultural Strategy for the Island. Lodged: 19th July 2005. <i>Education, Sport and Culture Committee.</i>	P.154/2005.
Development of a Cultural Strategy for the Island (P.154/2005): comments. Presented: 23rd August 2005. <i>Finance and Economics Committee.</i>	P.154/2005. Com.
Development of a Cultural Strategy for the Island (P.154/2005): comments. Presented: 30th August 2005. <i>Economic Development Committee.</i>	P.154/2005. Com.(2).
Development of a Cultural Strategy for the Island (P.154/2005): comments. Presented: 6th September 2005. <i>Policy and Resources Committee.</i>	P.154/2005. Com.(3)
Island Plan 2002: amendment to policy H8 (Housing Development within the Built-up Area). Lodged: 3rd May 2005. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.90/2005.
Island Plan 2002: amendment to policy H8 (Housing Development within the Built-up Area) (P.90/2005) – comments. Presented: 10th May 2005.	P.90/2005. Com.

Environment and Public Services Committee.

Subject to E

St. Helier Waterfront Development: directions to W.E.B. Ltd.
Lodged: 2nd August 2005.
Senator R.J. Shenton.

P.159/2005.

St. Helier Waterfront Development: directions to W.E.B. Ltd.
(P.159/2005) – comments.
Presented: 6th September 2005.
Policy and Resources Committee.

P.159/2005.
Com.

M.N. DE LA HAYE
Greffier of the States

8th September 2005

Note –

In accordance with a decision of the States on 16th November 2004, this meeting will continue, if necessary, on Wednesday 14th September and Tuesday 20th September 2005.

Explanatory Note regarding subordinate legislation tabled at this meeting.

R&O 78/2005

This Order makes further provision with respect to the keeping of children in secure accommodation under Article 22 of the Law, defined to mean the Children (Jersey) Law 2002 *Article 1*).

Article 2 prescribes the maximum period beyond which a child may not be kept in secure accommodation as an aggregate of 72 hours in 28 days. If application is made to the Court, which may only be made by the Health and Social Services Committee (*Article 4*), the court may authorize the child to be kept in such accommodation for up to 3 months, and for a further period of up to 6 months. Where the child has been remanded to secure accommodation the period is the period of the remand and any period of authorization in respect of such a child shall not exceed 28 days without further court authorization (*Article 3*).

Article 5 exempts children detained under the Mental Health (Jersey) Law 1969 or in respect of whom an order has been made under Article 5 of the Criminal Justice (Young Offenders) (Jersey) Law 1994 from the provision of Article 22 of the Law.

Article 6 modifies the effect of Article 22 of the Law in relation to certain children who are detained or remanded *Article 7* modifies that Article in respect of children accommodated by the Education, Sport and Culture Committee or in certain types of nursing or residential home.

Article 8 creates a duty to inform the child's parents and others of an intended application to the court to keep the child in secure accommodation.

Article 9 requires the Committee to appoint at least 3 persons to review the keeping of the child in secure accommodation and *Article 10* provides for such persons to review the matter.

Article 11 and the *Schedule* make changes consequential on the move to Ministerial government and *Article 12* contains the citation provision and provides for the Order to come into force on 1st August 2005, the day when the Children (Jersey) Law 2002 comes into force.

The Order was made on 21st July 2005.

R&O 79/2005

This Order regulates the placement of children in voluntary homes and the running of such homes.

Part 1 sets out the definitions (*Article 1*) and provides for the Children (Placement) Regulations 200- to apply to placements in voluntary homes (*Article 2*).

Part 2 is concerned with the conduct of the homes. The voluntary organization that carries on the home is required to compile and maintain a written statement of the particulars set out in Part 1 of *Schedule 1* and to make it available for inspection by the persons referred to in Part 2 of the *Schedule* (*Article 3*). There are provisions relating to staffing (*Article 4*), accommodation (*Articles 5 and 6*) and control and discipline (*Article 7*). *Article 8* provides for the storage of medicinal products and *Article 9* requires the voluntary organization to help with the arrangement for the education and employment of older children. *Article 10* requires the voluntary organization to facilitate religious observance by the child. *Article 11* requires the provision of food and cooking facilities and *Article 12* provides for the purchase of clothes. *Article 13* sets out the requirements in respect of fire precautions.

Part 3 covers administration. *Article 14* provides for the keeping of confidential records covering the information set out in *Schedule 2* and the child's guardian *ad litem* is to have access to the records (*Article 15*). The voluntary organization must also keep the records referred to in *Schedule 3* (*Article 16*). A copy of the Order has to be kept in the home and made available for staff, the children and their parents (*Article 17*). *Article 18* requires the notification to parents, the Committee and in certain circumstances the police of specified events involving the child that relate to the child's health and safety. *Article 19* requires the establishment of a procedure to be followed when a child goes absent without permission. *Article 20* sets out what is to happen if the person in charge of the home is away for 4 weeks or more and *Article 21* provides for visiting on behalf of the voluntary organization.

Part 4 provides for changes consequential on the move to Ministerial government (*Article 22*) and provides for the title of the Order and for it to come into force on 1st August 2005, the same day as the Children (Jersey) Law

2002 comes into force.

The Order was made on 21st July 2005.

R&O 80/2005

The Children Rules consist of 7 Parts and 2 Schedules. They set out details of how certain court proceedings under the Children (Jersey) 2002 are to be undertaken and give details relating to commencing child proceedings, preparing for the hearing, rules of evidence, hearings and determination of cases, appeals, and miscellaneous provisions.

The Rules were made by the Superior Number of the Royal Court on 25th July 2005 to come into force on the same day as the Children Law comes into force, namely, 1st August 2005.

R&O 81/2005

The Children (Jersey) Law 2002 introduces the concept of “parental responsibility”. The expression means, according to Article 1(1) of the Law –

“ . . . all the rights, duties, powers, responsibilities and authority which the father of a legitimate child had in relation to the child and his property prior to the commencement of Part 1 [of the Children Law] save that rights in respect of custody shall not be exclusive.”

These Rules prescribe the form in which a parental responsibility agreement is to be made and the manner in which it is to be recorded.

The Rules were made by the Superior Number of the Royal Court on 25th July 2005 and come into force on 1st August 2005 which is the same day as the Children (Jersey) Law 2002 comes into force.

R&O 82/2005

These Rules prescribes the class of person for the purposes of Article 30(6)(b) of the Children (Jersey) law 2002 as the parties to proceedings in which directions are given under Article 30(4) and any person named in such a direction. They also prescribe the class of persons for the purposes of Article 37(6)(b) of the law who can apply to vary directions given on the making of an emergency protection order. The Rules come into force of the Children (Jersey) Law 2002, that is to say, on 1st August 2005.

The Rules were made by the Superior Number of the Royal Court on 25th July 2005 to come into force on the same day as the Children Law comes into force, namely, 1st August 2005.

R&O 83/2005

These Rules consist of eight Parts and two Schedules and replace the Matrimonial Causes (General) (Jersey) Rules 1979. They set out new provisions relating to matrimonial causes including the initiation of proceedings, preparation for trial, arrangements for children, decrees and orders after decree nisi, ancillary relief, and miscellaneous provisions. They also set out the forms to be used.

The Rules were made by the Superior Number of the Royal Court on 25th July 2005 to come into force on the same day as the Matrimonial Causes (Amendment No. 11) (Jersey) Law 2003, namely, 1st August 2005.

R&O 84/2005

This Order allows Jersey International Air Display a.r.l. to control access to certain public roads and beaches, on 14th and 15th September 2005, in connection with the viewing of the Battle of Britain Air Display.

The Order was made on 25th July 2005, and came into force on being made.

R&O 85/2005

This Order updates the amounts that appear in the Order to take account of increases in the cost of living in Jersey and, where appropriate, the United Kingdom.

The Order was made on 25th July 2005, and applies for the academic year commencing on the first day of September 2005, and ensuing years.

R&O 86/2005

The object of this Order is to increase the fees associated with applications for fire certificates and the amendment, and issue of copies, of those certificates. The increases amount to less than 2.5% per year since they were last set in September 2002.

The Order was made on 28th July 2005, and comes into force on 1st January 2006.

R&O 87/2005

The purpose of this Order is to authorize the Classic and Vintage Motor Racing Club of Jersey Ltd to hold road races on 26th August 2005 around the Five Mile Road and on 27th August 2005 around Grève de Lecq and to close roads for that purpose.

The Order was made on 28th July 2005, and came into force on being made.

R&O 88/2005

The effect of this Order is to increase the fees payable under the Tourism (Jersey) Law 1948 for the registration or the renewal of the registration of premises listed in the Schedule to this Order. The increase will take effect on 1st October 2005. The increase is approximately 2.5%. The fees were last increased on 1st October 2004.

The Order was made on 25th August 2005 and comes into force on 1st October 2005.

R&O 89/2005

The effect of this Order is to increase the fee for registration, or renewal of a registration, of a place of refreshment as required under the Places of Refreshment (Jersey) Law 1967. The increase will take effect on 1st January 2006. The fee was last increased on 1st January 2005. The fee represents an increase of approximately 2.5%.

The Order was made on 25th August 2005 and comes into force on 1st January 2006.

R&O 90/2005

This Order increases the fee payable per lodger on registration or renewal of registration of a lodging house from £10.66 in 2005 to £10.93 in 2006, an increase of 2.5%.

This Order was made on 26th August 2005 and comes into force on 1st January 2006.

R&O 91/2005

This Order provides for the withdrawal of the European and International Printed Paper, Small Packet and Surface Mail Services.

The Order was made on 30th August 2005, and comes into force on 1st January 2006, apart from Article 8, which comes into force on the same date as Article 42(3) of the States of Jersey Law 2005.

R&O 92/2005

This Order allows the Jersey Motor Cycle and Light Car Club to hold motor races on public roads in the parishes of St. John, Trinity, Grouville, St. Martin, St. Clement, St. Saviour, St. Helier, St. Brelade, St. Peter and St. Ouen on Friday and Saturday 14th and 15th October 2005.

The roads, and the dates and times at which they may be closed as specified in the Schedule to the Order.

The Order was made by the Home Affairs Committee on 8th September 2005, after consultation with the Environment and Public Services Committee.

R&O 93/2005

By this Order, the Home Affairs Committee has made a code of practice for the identification of persons under the Extradition (Jersey) Law 2004.

The code of practice is set out in the Schedule to the Order, and has effect from 15th September 2005.

The Order was made on 8th September 2005.

R&O 94/2005

By this Order, the Home Affairs Committee has made a code of practice for the treatment of persons under the Extradition (Jersey) Law 2004.

The code of practice is set out in the Schedule to the Order, and has effect from 15th September 2005.

The Order was made on 8th September 2005.

R&O 95/2005

By this Order, the Home Affairs Committee has made a code of practice for the treatment of property under the Extradition (Jersey) Law 2004.

The code of practice is set out in the Schedule to the Order, and has effect from 15th September 2005.

The Order was made on 8th September 2005.

R&O 96/2005

This Order amends the Extradition (Time Limits) (Jersey) Order 2004 by decreasing from 90 to 65 days the time limit within which extradition documents are to be sent to the Jersey Magistrate when a person is arrested here under a provisional warrant on a request by Chile for his or her extradition.

It also imposes, in such circumstances, a time limit of 65 days in respect of extradition requests by Argentina, Brazil, Colombia, El Salvador, Guatemala, the Hong Kong Special Administrative Region and Mexico.

The time limits do not apply where a provisional warrant has been issued before this Order commences.

The Order was made on 8th September 2005, and comes into force on the seventh day after it was made.

JERSEY OVERSEAS AID COMMISSION

Appointment of Chairman Designate

The Jersey Overseas Aid Commission (Jersey) Law 2005 was registered in the Royal Court on 19th August 2005. The Law establishes the Jersey Overseas Aid Commission which, when the Law is brought fully into force, will replace the present Overseas Aid Committee.

Part 1 of Schedule 2 of the Law sets out the provisions relating to the initial membership of the Commission. Paragraph 2(2) of Schedule 1 reads as follows –

“(2) The States shall, by ballot, appoint an elected member of the States to be the Chairman Designate of the Commission on and from the date of the appointment until the commencement day.”

In order to meet the proposed timetable for the transfer of the Committee’s functions to the Commission before the end of the present States it is necessary to make the appointment of the Chairman Designate at this meeting.

In the absence of any detailed procedure in the Law on the method of appointment it is proposed to follow the procedure used for the election of Committee Presidents as set out in Standing Order 41. Nominations will therefore be invited from the floor and, if there is more than one nomination, candidates will be invited to address the States for up to 5 minutes. A secret ballot will then be held. If there are more than 2 candidates, and no candidate obtains an overall majority of votes in the ballot, the candidate with the lowest number of votes will withdraw and a further ballot will be held. The process will be repeated until one candidate obtains an overall majority in a ballot.

Paragraph 2(8) of Schedule 2 provides that the person selected as Chairman will hold office until the next elections after 2005 (namely 2008) unless he or she leaves office for any reason before that date.

Once the Chairman Designate is selected he or she will begin the selection process for the States and non-States Commissioners and will in due course seek the approval of the States to these nominations. Once the appointments have been made the Law will be brought fully into force and the Commission will be established.

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

6th July 2005

- (a) as recommended by the Education, Sport and Culture Committee, the entering into of a Deed of Arrangement with D'Houet Limited, the owners of The Convent of the Faithful Companions of Jesus R.C. Primary School (FCJ), which enjoyed a right of way over the existing access road, so as to facilitate the requirement arising from the redevelopment of Phase 3 of Granville School to realign the said access road, on the basis that the public would be responsible for both parties' reasonable legal fees arising from the transaction;

28th July 2005

- (a) as recommended by the Environment and Public Services Committee, the assignment to Mr. Orlando Rodrigues De Gouveia of the lease of premises at Nos. 8689 Central Market, St. Helier (presently occupied by Mr. Giovanni Fassetta), on the same terms as the existing lease, to continue trading as a delicatessen, with effect from the signing of the relevant documentation;
- (b) as recommended by the Environment and Public Services Committee, the assignment to Mrs. Priscilla Irene Minchinton, née Khoo, of the lease of premises at Nos. 101-102 Central Market, St. Helier (presently occupied by Mr. Pierre Le Miere, trading as 'Garlands'), on the same terms as the existing lease, to continue trading as a florist, with effect from the signing of the relevant documentation;
- (c) as recommended by the Environment and Public Services Committee, the assignment to Mrs. Ahmie Kent, née Curammeng, of the lease of premises at No. 50 Central Market, St. Helier (presently occupied by Miss Marquerite Yvonne Allain), on the same terms as the existing lease, to continue trading in clothing with Mr. Alan Kent acting as guarantor to the lessee company, with effect from the signing of the relevant documentation;
- (d) as recommended by the Environment and Public Services Committee, the entering into of a Deed of Arrangement with Mr. Colin Richard Walker and Mrs. Margaret Walker, née Ratcliffe, owners of the property known as La Rocque Cottage, Grouville, in order to ratify the boundary with the adjacent Grouville Bay Promenade, on the basis of details contained in a report, dated 15th August 2002, prepared by the Director of Property Services, including that Mr. and Mrs. Walker would be responsible for both parties' reasonable legal fees and expenses arising from the transaction;
- (e) as recommended by the Environment and Public Services Committee, the sale to Terence Doak Holdings Limited of land (measuring approximately 485 square feet) situated immediately to the north of the property formerly known as "Sands" but now referred to as the "Discovery Bay Apartments", for a consideration of £865 in respect of the land to be conveyed together with the public's reasonable legal costs arising from the transaction, the sale to be subject to a restrictive covenant effectively preventing any further development of that area of land to be conveyed other than that allowed under Planning permission 1943X dated 24th August 1999, with the deed of sale also to clarify the westerly contractual boundary towards the adjacent public land;
- (f) as recommended by the Education, Sport and Culture Committee –
- (i) the lease to Quest Holdings Limited, owners of Halcyon House, of part of Field No. 1243, West Hill, St Helier (measuring 1,320 square feet), to be utilised for 6 car parking spaces, for a period of 9 years from 1st January 2005, at an annual rent of £3,000 subject to 3-yearly rent increases in line with review in accordance with the Jersey Retail Price Index, with Quest Holdings Limited to pay back-rent of £4,500 from 2002 - half at the commencement of the lease, with the remaining half over years 2 and 3 of the lease agreement (i.e. 1st January 2006 and 2007)- and also to be responsible for both parties' reasonable legal fees arising from the transaction (the public's fees being capped at £500 and the Department of Property Services fees of £350);

- (ii) the entering into of a Deed of Arrangement with Quest Holdings Limited in order to clarify the boundaries and authorise certain encroachments towards the adjacent public land, in accordance with a report dated 8th March 2005 prepared by the Head of Estates, Education, Sport and Culture Department;
- (g) as recommended by the Harbours and Airport Committee, the lease to British Airways Plc of an area of land airside (known as Airport Letting L01) at the Airport, St. Peter, for a period of 9 years from 1st June 2005 at an initial annual rent of £875, subject to review on 1st June 2008 and 1st June 2011 in line with the Jersey Retail Price Index;
- (h) as recommended by the Harbours and Airport Committee, the lease to Jersey European Airways (UK) Limited of passenger lounge accommodation (known as Airport Letting B204) at the Airport, St. Peter, for a period of 6 years from 1st July 2005 at an initial annual rent of £22,666, subject to review on 1st July 2008;
- (i) as recommended by the Environment and Public Services Committee, the lease to Two Way Properties Limited of the first floor office accommodation at Thorp House, Rouge Bouillon, St. Helier together with 2 associated car parking spaces, for a period of 17 months from 31st July 2005, at an annual rent of £17,935 payable quarterly in advance - Mr. David John Knight to act as guarantor for the lease - with no provision for rent review. Each party would be responsible for its own legal costs arising from the transaction;
- (j) as recommended by the Environment and Public Services Committee, the lease to Messrs. Clive Phillip Le Brun Tomes and Anthony John Quinn of the second floor office accommodation at Thorp House, Rouge Bouillon, St. Helier together with 3 associated car parking spaces, for a period of 17 months from 25th July 2005, at an annual rent of £19,740 payable quarterly in advance, with no provision for rent review within the agreement. Each party would be responsible for its own legal costs arising from the transaction;
- (k) as recommended by the Education, Sport and Culture Committee, the lease to the Jersey Astronomy Club of an area of land (measuring approximately 500 square feet) including two large concrete slabs for the erection of a wooden clubhouse and a telescopic dome, at the Les Creux Millennium Country Park, St. Brelade, for a period of 9 years deemed to have commenced on 1st June 2002, at a commencing annual rent of £500, payable annually in advance with the exception of the first year for which there would be no charge, subject to rent review every 3 years in line with the Jersey Retail Price Index, on the basis that each party would be responsible for its own legal costs arising from the transaction;

11th August 2005

- (l) as recommended by the Health and Social Services Committee, the renewal of the lease from Mr. Jock Campbell Russell and Mrs. Susan Joy Russell, née Wilford, of the 2-bedroom property known as No. 3 Oakdale Cottages, La Rue des Buttes, St. John, for a period of 14 months from 1st May 2005 at an annual rent of £15,840 subject to a rent review in 2006 in line with the Jersey Retail Price Index, on the basis that each party would be responsible for its own legal fees arising from the transaction;
- (m) as recommended by the Harbours and Airport Committee, the renewal of the lease to Mr. David Andrew Chadd, Chairman of the States Airport Social Club, of accommodation known Airport Letting No. L39 for a period of nine years from 1st June 2005, at an annual rent of £500;

25th August 2005

- (a) as recommended by the Environment and Public Services Committee, the assignment to Mr. Richard Whatmore, trading as a Delicatessen, of the lease of premises at Nos. 9-10 Beresford Market, St. Helier (presently occupied by Mr. David Pison, on behalf of St. Helier Food and Wine Company Limited - Mr. Whatmore to act as guarantor to the lessee company), on the same terms as the existing lease, to continue trading as a delicatessen, with effect from the signing of the relevant documentation;
- (b) as recommended by the Education, Sport and Culture Committee –
 - (i) the lease from Mr. James Philip Mourant of an area of land (measuring 4.25 vergées) forming part of Field No. 409A, St. Saviour, for use as an outdoor recreational space in conjunction with the exterior and upgrading works to be undertaken to the adjacent Greenfields Centre to the south, for a period of 9 years from 1st January 2006, at an annual rent of £700 subject to rent reviews in line with the Jersey Retail Price Index at 3-yearly intervals, on the basis that each party would be responsible for its own legal and professional fees arising from the transaction;
 - (ii) the payment to T & R Perchard Limited of compensation for the relinquishment of part of Field No. 409a, La Grande Route de St. Martin, St. Saviour as a result of the lease by the public of 4.25 vergées of land, in the sum of £2,150 based on the loss of profit for agricultural purposes;
 - (iii) the entering into of a Deed of Arrangement with Mr. Philip John Le Sueur to formalise the visibility splay required in connection with the refurbishment and extension of the Greenfields Centre at Field No. 413, La Grande Route de St. Martin, St. Saviour, whereby the landowner was to be obligated to maintain the small area of land concerned so as not to permit any obstruction that would impede the visibility of vehicles seeking to egress from the Greenfields Centre to the north. No capital payment was to be made in respect of the proposed deed of Arrangement, although the public would be responsible for the payment of the landowner's reasonable legal fees incurred in entering into the contract;
- (c) as recommended by the Harbours and Airport Committee, the lease of the undermentioned accommodation in the old North Hangar at Jersey Airport to –
 - (i) Jersey European Airways (UK) Limited - an area of land (Letting No. B003A) for a period of one year from 1st July 2005 at an annual rent of £4,882.50;
 - (ii) Aviance UK Limited - accommodation (Letting No. B003D) for a period of one year from 1st July 2005 at an annual rent of £2,814.80;
 - (iii) VLM Limited - accommodation (Letting No. B003F) for a period of one year from 1st July 2005 at an annual rent of £1,782.50;
 - (iv) British Airways Plc - an area of land (Letting No. B003G) for a period of one year from 1st July 2005 at an annual rent of £1,395.00;
 - (v) Servisair (Jersey) Limited - an area of land (Letting No. B003B) for a period of one year from 1st July 2005 at an annual rent of £2,092.50;
- (d) as recommended by the Education, Sport and Culture Committee, the lease to the Jersey Electricity Company Limited of Electricity Substation No. 621 and Section Pillar No. 1510 situated at Les Creux, St. Brelade, for a period of 99 years from the passing of contract, at an annual rent of £1 payable in full upon commencement, and with each party being responsible for its own legal costs arising from the transaction;
- (e) as recommended by the Housing Committee, the sale to Allwood Holdings (Jersey) Limited of the boundary wall at Le Clos des Fonds, Grouville (shown in green on Drawing No. 11/288/2), for a consideration of £10

and a fair apportionment of all future costs and services associated with the repair and maintenance of the roads, pavements, services and drainage serving Le Clos des Fonds estate as currently established or as might be established in the future. For the avoidance of doubt it was noted that the wall was to be purchased in its entirety with the western face of the wall being considered as the far western extremity of the property in the ownership of Allwood Holdings (Jersey) Limited. Each party would be responsible for its own legal costs arising from the transaction;

- (f) as recommended by the Education, Sport and Culture Committee, the lease to The Sun Bowls Club Jersey of the Sun Bowls Club Pavilion and surrounding land situated at the Overseas Trading Corporation site, First Tower, St. Helier, for a period of 9 years from 1st January 2005, at an annual rent of £4,493.23 payable quarterly in advance, subject to rent review every 3 years in line with the Jersey Retail Price Index, on the basis of the terms set out in a report, dated 15th June 2005, prepared by the Director of Property Services, and with each party to be responsible for its own legal costs arising from the transaction;
- (g) as recommended by the Finance and Economics Committee, the addendum to the lease to the Jersey Electricity Company Limited of an Electricity Substation situated at the Island Site, St. Helier, for a period of 99 years from 1st January 1994, to provide that in developing the Island Site the Waterfront Enterprise Board Limited (WEB) would take into account the present use of the demised premises as a principal substation and would take all reasonable steps in the design and construction of the development so as to minimise the effect on the Island Site. WEB would confirm that neither it or its tenants or sub-tenants would have any right to claim against the Jersey Electricity Company Limited in relation to the present proper use of the demised premises;
- (h) as recommended by the Environment and Public Services Committee, the entering into of a Deed of Arrangement with Mr. Peter de Carteret Mourant in respect of Field No. 614, Ouaisné Common, St. Brelade to enable a water pipe to be laid in approximately 45 metres of land in public ownership situated within the south-eastern corner of the said field, the said water pipe to enable a maximum of 4 specific properties (La Ferme du Vaux Tocque, La Villa du Vaux Tocque, Le Pavillion and La Maison du Vaux Tocque) to have the benefit of branch supplies as opposed to existing borehole supply, for a consideration of £5,000 in addition to the payment of the Committee's professional fees of £1,500 to reflect the benefits of the rights granted, subject to consent from an adjacent landowner in connection with this matter.

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**NOTIFICATION OF STANDING ORDER DECISIONS -
FINANCE AND ECONOMICS COMMITTEE**

28th July 2005

As recommended by the Policy and Resources Committee, the sale to the Waterfront Enterprise Board Limited (WEB) of the roads known as La Rue de l'Etau and La Rue de Carteret, St. Helier and the associated footpaths and landscaping (as shaded on Drawing No. P580 91- "Lease of Land at Southern Waterfront Site (Site 6) St Helier)" for a consideration of £10, on the basis that the Committee would be responsible for both parties' legal fees arising from the transaction and that WEB would subsequently transfer ownership of the said land to the Parish of St. Helier upon completion of the Waterfront development.

WRITTEN QUESTION PAPER

(See Item G)

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

“Would the President inform members whether applicants are having to wait up to a period of six weeks to receive pre-planning advice, and, if so, how this impacts on the time taken for applications submitted through the planning process particularly given that a charging system for all planning applications was introduced to improve service levels to the public?”

The President of the Education, Sport and Culture Committee will table an answer to the following question asked by Deputy M.F. Dubras of St. Lawrence –

- “(a) How much has the preparation of the Cultural Strategy (P.154/2005 and P.172/2004) cost taxpayers to-date in each of the last five years?
- (b) Which consultants/advisors to the Committee and its predecessor(s), including reports to the Finance and Economics Committee, were the primary contributors together with their remuneration over five years and what has been the estimated cost and manpower allocation of departmental employees to this end during the same period?
- (c) What percentage of Committee cash limits is allocated in each of the next three years to activities related to ‘culture’, as opposed to sport and leisure, as opposed to education services and how does this compare with the equivalent percentages for 2004 actual and 2005 estimated?
- (d) In Appendix 1 (item) of the States Business Plan 2006-2010 (P.151/2005) no specific objective(s) related to sport and leisure are listed. Are they incorporated within Objective 9? If not, what strategy and/or strategic plan covers that facet of Island culture and when was it last published?”

The President of the Health and Social Services Committee will table an answer to the following question asked by Deputy M.F. Dubras of St. Lawrence –

“Will the President provide today for perusal a complete list of properties leased by the Committee in each of the last five years, showing the annual cost to the taxpayer for rental and maintenance and the percentage ‘utilization factor’ of each (for continuing staff and/or locums to be accommodated) to demonstrate how well the department has utilised such accommodation? Where utilisation is below 80 per cent, will the President please give an explanation?”

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

“Would the President inform members –

- (a) why the Committee has introduced Airport parking charges for some commercial transport providers, such as coach companies but not to others such as Connex, private hire or taxis, rather than introduce a level playing field for all?
- (b) why the Committee chose to revoke card passes to coach companies during August (2005) rather than at a time out of the main tourist season when negotiations might cause less impact on the travelling public? and,

- (c) whether the Committee will review the matter and put in place a level playing field for all commercial users at the Airport?”

The President of the Housing Committee will table an answer to the following questions asked by the Deputy of St. Martin –

- “1. During question time on 19th July 2005, the President informed members that the full cost of the clean up operation at La Falaise, St. Martin had not been fully quantified but it was in excess of £7,000. A breakdown of the contents of the 22 skips taken from the premises was given. Would the President inform members –
 - (a) whether the cost has now been quantified and, if so, give full details?
 - (b) whether the job was put out to tender, who carried out the work, and whether the work was regularly monitored/supervised by the Department?
 - (c) when the work commence and when it was finished?
 - (d) in respect of the skips, the cost per skip charged to the Committee? and,
 - (e) whether a number of trees were cut down and removed at the time, and, if so, what the cost of this work was and whether it was included in the sum of £10,000?
2. Would the President give the dates upon which any complaints about La Falaise were received by the Committee, the dates when attempts, if any, were made to address the alleged complaints, what action was taken and why these actions were unsuccessful as indicated in answer to questions on 19th July 2005?
3. Would the President inform members –
 - (a) of the dates of any exchanges of correspondence between the Housing Committee and the Environment and Public Services Committee in respect of the alleged state of the property? and,
 - (b) in respect of any exchanges of correspondence, was the Environment and Public Services Committee formally requested to take action at La Falaise, and, if so, when?
4. Would the President inform members of the dates upon which the tenant was asked to remove any rubbish from the premises and indicate whether these requests, if any, were in a verbal or written form?
5. Would the President inform members whether the Committee will be recovering all costs associated with cleaning the property, and, if so, the date on which that decision was made by the Committee?”

The President of the Overseas Aid Committee will table an answer to the following question asked by the Deputy of St. John –

“Would the President inform members whether the Committee has made a grant to the Durrell Wildlife Conservation Trust and, if so, would she explain the rationale for this and how this aligns with the use of funds for humanitarian aid.”

The President of the Environment and Public Services Committee will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Would the President –

- (a) inform members whether the Committee monitors sewerage pumping stations on the east of the Island and, if so, would he advise if any of stations located between Fauvic and Le Marais, in particular, have had any high odour levels recorded?
- (b) advise what action, if any, the Committee intends to take to resolve any identified problems with these particular stations, given the close proximity of, for example, the Jambart and Le Hocq pumping stations to nearby hotels and restaurants? and,
- (c) give an assurance that development in the Jambart area, including the new estate, will not exacerbate any identified problems?”

The President of the Environment and Public Services Committee will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Would the President inform members –

- (a) whether details and extracts from the document ‘Planning for Homes 2005’ (R.C.63/2005) were made available to the media some days prior to States members receiving a copy, in accordance with usual practice, and, if so, the reasons why?
- (b) of the details of the sites included in the “*completed parallel feasibility studies on other potential future housing sites*” carried out by the Committee in tandem with the Housing Committee appearing on page 4 of R.C. 63/2005, and whether these sites are additional to those included in H2, H3 and H4 of the Island Plan?
- (c) how many homes on the Island Plan H2 sites have been completed to-date, whether all 11 H2 sites will be developed and, if not, which ones will remain undeveloped?
- (d) whether any shortfall in the non-development of any of the 11 H2 sites is to be made up from the development of H3 and H4 sites and, if so, the magnitude of the shortfall and which sites are being considered?
- (e) whether the Committee has considered the impact of ‘planning gains’ and the 45/55 split between first time buyer and social rented homes on the affordability of first time buyer homes, and, if so, what measures, if any, the Committee will take to address the matter?”

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

“Would the President inform members –

- (a) of the measures taken, if any, to clean up any contamination arising from harmful substances found in fire fighting foam used as a result of an air crash in October 2004?
- (b) whether any domestic water supplies have been contaminated as a result of this incident and, if so, whether any affected residents are able to apply to the Committee to have a potable water supply at no cost to the respective householder? and,
- (c) whether the Committee has offered any other form of assistance to any respective householders?”

The President of the Finance and Economics Committee will table an answer to the following question asked by

Deputy G.P. Southern of St. Helier –

“Would the President inform members –

- (a) whether the ‘look-through’ provisions proposed under zero/ten will resemble the Profits Distribution Charge in the Isle of Man?
- (b) of the measures that are proposed for this tax to ensure that it is treated by the EU as personal and not company taxation?
- (c) how individual tax-payers will declare and confirm any liability to tax under ‘look-through’ and how this will be administered? and,
- (d) how many other jurisdictions use similar ‘look-through’ provisions?”

The President of the Employment and Social Security Committee will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“The President has stated that it would not be appropriate to review the working of the new LTIA scheme before it has been in place for a year. Will the President confirm whether such a review will be conducted to include –

- (a) the numbers on the scheme?
- (b) the proportions on percentage awards?
- (c) the numbers in work?
- (d) the total sums paid under this allowance in comparison with the schemes replaced by LTIA?

and, if so, inform members when he will bring this review to the Assembly?”

The President of the Finance and Economics Committee will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“In response to a question asked on 10th May 2005, regarding the reduction of support for those on low incomes affected by GST from an estimated £9-£13.5 million to £2 million, the President stated that the differing figures were ‘based on a completely different set of parameters’. Would the President give details of the change in parameters and show how they were used to produce the difference in figures and, furthermore, explain the rationale for the change?”

The President of the Finance and Economics Committee will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Would the President inform members -

- (a) whether the Committee has considered funding any shortfall experienced in the level of Parish welfare caused by the increase in claims arising from those receiving percentage awards under the new LTIA scheme?
- (b) if so, will this funding be met from taxation revenues? and,
- (c) what sums, if any, will be required to address this financial burden now and over the coming decade

under the proposed income support scheme?"