

STATES OF JERSEY ORDER PAPER

Tuesday 28th February 2006

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Employment (Minimum Wage) (Amendment) (Jersey) Order 2006. R&O 20/2006.
Minister for Social Security.

C. DOCUMENTS PRESENTED OR LAID

Land Transactions under Standing Order 168(3) – Broadcasting R.20/2006.
House, Rouge Bouillon, St. Helier–

- (a) Mr. Benjamin Davies – 1 Year Lease;
- (b) Miss Tracie Ward – 1 Year Lease;
- (c) Saxon Bennett Ltd. – 1 Year Lease;
- (d) Mr. Timothy Evans – 11 Month Lease.

Presented: 16th February 2006.
Minister for Treasury and Resources.

States of Jersey Law 2005: delegation of functions – signature of R.21/2006.
leases.

Presented: 22nd February 2006.
Minister for Treasury and Resources.

D. NOTIFICATION OF LODGED PROPOSITIONS

Health and Safety Tribunal: appointment of member. P.14/2006.
Lodged: 16th February 2006.
Minister for Social Security.

Draft States of Jersey (Powers, Privileges and Immunities) (Scrutiny P.15/2006.
panels, PAC and PPC) (Jersey) Regulations 200-.
Lodged: 21st February 2006.
Privileges and Procedures Committee.

Establishment of a Citizen's Panel: approval by States Assembly. P.16/2006.
Lodged: 21st February 2006.
Deputy G.C.L. Baudains of St. Clement.

Political activities by States employees. P.17/2006.
Lodged: 24th February 2006.
Council of Ministers.

Jersey Appointments Commission: appointment of Chairman and P.18/2006.
members.
Lodged: 24th February 2006.
Chief Minister.

E. WITHDRAWAL OF LODGED PROPOSITIONS

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions *(attached)*

The Minister for Home Affairs will table an answer to a question asked by Deputy J.B. Fox of St. Helier regarding the introduction of legislation to facilitate civil asset recovery.

The Minister for Economic Development will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding ferry links with the United Kingdom and France.

The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the Committee's proposals relating to the future composition of the States.

The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the sale of the Aquila Youth Club site.

The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the possible restructuring of Housing rents into a banding system.

The Minister for Economic Development will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the abolition of the economic benefit test.

(b) – Oral Questions

Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Economic Development –

“Will the Minister state what policies, if any, are in place for the regulation of the fulfilment industry, whether he intends to introduce new policies, whether consultation has taken place with representatives from the industry over current and proposed policy, and would he also set out the current status of the “pre-paid VAT” registration scheme to facilitate the speedy delivery of fulfilment goods to the UK?”

The Connétable of St. Helier will ask the following question of the Chief Minister –

“Would the Chief Minister describe the process leading up to the recent appointment of staff in the Communications Unit, state how many candidates there were for the post and indicate whether the process took account of the skills available in the private sector in local PR firms and the media?”

The Deputy of St. Martin will ask the following question of the Minister for Treasury and Resources –

“On 19th January 2005, the States approved Share Transfer Property: Stamp Duty (P.211/2004) which charged the then Finance and Economics Committee to prepare the necessary legislation for consideration by the Assembly in 2005 to give effect to the proposals. Would the Minister give an update on the progress of the legislation and when it will be presented to the States?”

The Deputy of St. Mary will ask the following question of the Minister for Planning and Environment –

“Would the Minister advise, for each of the last five years, how many new domestic developments, if any, were approved where the resultant property was to be connected to a tight tank and how many pre-existing domestic properties, if any, were disconnected from septic tanks and soakaways and connected to tight tanks as a result of planning requirements related to the development or extension of those properties?”

Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Economic Development –

“Would the Minister confirm that the Agreement with Condor Ltd. for the period 1st January 2002 to 31st December 2006 states at paragraph 5.3 that ‘the Company will offer equivalent standard car ferry fares and charges to all passengers whether they originate in the Channel Islands or the UK’ and, if so, would he inform members whether this agreement is still in force?”

Deputy R.G. Le Hérisier of St. Saviour will ask the following question of the Minister for Education, Sport and Culture –

“Would the Minister outline what formal channels, if any, exist at a policy level so that the Minister and his Department are appraised of the education and training needs of the finance industry?”

The Connétable of St. Helier will ask the following question of the Minister for Education, Sport and Culture –

“Would the Minister confirm whether he received the response provided by me on behalf of the Parish of St. Helier on 28th October 2005 in response to the consultation process on nursery care provision and, if so, would he confirm that the statement he made at the last meeting that no response had been received was incorrect and inform members of his response to the concerns raised in this submission?”

Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Economic Development –

“Table 1 of the Economic Growth Plan (P.38/2005) gives a total funding requirement of £2.7 m. Will the Minister inform members whether the entire plan has his support, whether the total funding has been agreed by the Minister for Treasury and Resources, and if not, what elements have been agreed and, in particular, whether funding has been allocated to the ‘Plan for Finance’ and to Jersey Finance Limited?”

Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Economic Development –

“In his answer to an urgent oral question on 13th December 2005 regarding Service Level Agreements for ferry operators, the Minister stated that ‘there is some sort of agreement on the southbound route’. Would the Minister give members details of this agreement?”

Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Transport and Technical Services –

“In relation to the roadworks at the Dicq, would the Minister explain the apparent contradiction between his statement that motorists could continue via Beach Road and the fact that ‘Road Closed’ notices are found as far back as La Mare, and would he explain why the road was to be closed for three weeks for drainage works followed by three weeks for resurfacing instead of the work being undertaken concurrently?”

The Deputy of St. Mary will ask the following question of the Minister for Transport and Technical Services –

“Would the Minister advise members how many domestic households are currently connected to tight tanks, how many of these are subject to the concessionary tanker rate and, for those households not on the concessionary rate, what the average annual tanker charge for emptying the tight tanks is?”

Deputy R.G. Le Hérisser of St. Saviour will ask the following question of the Minister for Economic Development –

“Would the Minister indicate whether the recent inquiry carried out by the JCRA into alleged monopolistic practices in the potato marketing sector met the objectives set for the enquiry, and would he indicate whether the Competition (Jersey) Law 2005 worked well in this instance?”

Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –

“Does the Minister accept the request contained in my letter dated 24th February 2006 that he use his powers under Articles 19 and 20 of the Employment (Jersey) Law 2003 to ask the Employment Forum, in making a recommendation for setting the minimum wage rate for 2007, to take into consideration the matters contained in the addendum to that letter and to do so by 31st October at the latest?”

**(c) – Questions to Ministers without notice -
(rota attached)**

1st question period – Minister for Housing.

2nd question period – Minister for Planning and Environment.

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Cigarette lighter refill canisters: sale to minors. P.218/2005.
Lodged: 5th October 2005.
Deputy G.P. Southern of St. Helier.

Private hospital development: Scrutiny Review. P.221/2005.
Lodged: 6th October 2005.
Deputy P.V.F. Le Claire of St. Helier, (formerly in the name of Senator P.V.F. Le Claire).

Private hospital development: Scrutiny Review (P.221/2005) – P.221/2005.
comments. Com.
Presented: 13th February 2006.
Minister for Health and Social Services.

Private hospital development: Scrutiny Review (P.221/2005) – P.221/2005.
comments. Com.(2)
Presented: 14th February 2006.
Council of Ministers.

Draft Public Elections (Jersey) Law 2002 (Appointed Day) (No. 2) P.1/2006
Act 200-.
Lodged: 13th January 2006.
Privileges and Procedures Committee.

Draft Public Elections (Amendment) (Jersey) Regulations 200-. P.2/2006.
Lodged: 13th January 2006.
Privileges and Procedures Committee.

Agent of the Impôts: appointment. P.10/2006.
Lodged: 1st February 2006.
Minister for Home Affairs.
(consideration 'in camera' in accordance with Article 4(2) of the Customs and Excise (Jersey) Law 1999)

Law Revision Board: appointment of members. P.12/2006.
Lodged: 9th February 2006.
Minister for Treasury and Resources.

M. ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

14th March 2006

Employment legislation: petition. P.214/2005.
Lodged: 4th October 2005.
Deputy G.P. Southern of St. Helier.

Employment legislation: petition (P.214/2005) – comments. P.214/2005.
Presented: 11th January 2006. Com.
Minister for Social Security.

Composting facilities. P.258/2005.
Lodged: 1st November 2005.

Deputy P.V.F. Le Claire of St. Helier, (formerly in the name of Senator P.V.F. Le Claire), and referred to the Ministers for Health and Social Services, Planning and Environment, and Transport and Technical Services, (formerly the Health and Social Services and the Environment and Public Services Committees).

Composting facilities (P.258/2005): comments. P.258/2005.
Presented: 19th December 2005. Com.
Comité des Connétables.

Draft Employment Relations (Amendment) (Jersey) Law 200-. P.5/2006.
Lodged: 30th January 2006.
Deputy G.P. Southern of St. Helier.

Draft Employment Relations (Amendment) (Jersey) Law 200- P.5/2006.
(P.5/2006): comments. Com.
Presented: 8th February 2006.
Minister for Social Security.

Draft Postal Services (Transfer) (Jersey) Regulations 200-. P.9/2006.
Lodged: 31st January 2006.
Minister for Treasury and Resources.

Draft Postal Services (Jersey) Law 2004 (Appointed Day) (No. 2) Act P.8/2006.
200-.
Lodged: 31st January 2006.
Minister for Economic Development.

Health and Safety Tribunal: appointment of member. P.14/2006.
Lodged: 16th February 2006.
Minister for Social Security.

Establishment of a Citizen's Panel: approval by States Assembly. P.16/2006.
Lodged: 21st February 2006.
Deputy G.C.L. Baudains of St. Clement.

Jersey Appointments Commission: appointment of Chairman and P.18/2006.
members.
Lodged: 24th February 2006.
Chief Minister.

28th March 2006

Draft Sexual Offences (Jersey) Law 200-. P.196/2005.
Lodged: 13th September 2005.
Minister for Home Affairs, (formerly the Home Affairs Committee).
(debate suspended on 18.01.06 and remained such on 31.01.06 as
item referred to Scrutiny under S.O. 79(i)).

Draft Employment (Amendment No. 2) (Jersey) Law 200-. P.270/2005.
Lodged: 15th November 2005.
Deputy G.P. Southern of St. Helier.

Draft Employment (Amendment No. 2) (Jersey) Law 200- P.270/2005.
(P.270/2005): comments. Com.
Presented: 17th January 2006.

Minister for Social Security.

Draft Water Pollution (Amendment No. 2) (Jersey) Law 200.

P.11/2006.

Lodged: 2nd February 2006.

Minister for Planning and Environment.

Exclusivity of postal services within Jersey: termination of Agreement between the States of Jersey and the United Kingdom. P.13/2006.
Lodged: 14th February 2006.
Minister for Economic Development.

4th April 2006

Draft States of Jersey (Powers, Privileges and Immunities) (Scrutiny panels, PAC and PPC) (Jersey) Regulations 200-. P.15/2006.
Lodged: 21st February 2006.
Privileges and Procedures Committee.

25th April 2006

Political activities by States employees. P.17/2006.
Lodged: 24th February 2006.
Council of Ministers.

16th May 2006

Milk Subsidy for Delivery to Special Classes. P.145/2005.
Lodged: 5th July 2005.
Deputy G.P. Southern of St. Helier, and referred to the Ministers for Economic Development and Social Security, (formerly the Economic Development and the Employment and Social Security Committees).

Draft Taxation (United States of America) (Jersey) Regulations 200-. P.264/2005.
Lodged: 8th November 2005.
Chief Minister, (formerly the Policy and Resources Committee).

23rd May 2006

6th June 2006

Senators and Deputies: terms of office. P.227/2004.
Lodged: 14th December 2004.
*Deputy A. Breckon of St. Saviour.
(debate commenced and States adopted move to next item of public business on 1st Feb 2005)*

Senators and Deputies: terms of office (P.227/2004) – comments. P.227/2004.
Presented: 18th January 2005. Com.
Presented by the Minister for Treasury and Resources, (formerly the Finance and Economics Committee).

Draft Water Resources (Jersey) Law 200-. P.206/2005.
Lodged: 27th September 2005.
Minister for Planning and Environment, (formerly the Environment and Public Services Committee).

Draft Water Resources (Jersey) Law 200- (P.206/2005): comments. P.206/2005.
Presented: 1st November 2005. Com.
Minister for Economic Development, (formerly the Economic Development Committee).

Draft Water Resources (Jersey) Law 200- (P.206/2005): amendment. Lodged: 25th October 2005. <i>Deputy R.C. Duhamel of St. Saviour.</i>	P.206/2005. Amd.
Draft Water Resources (Jersey) Law 200- (P.206/2005): amendments (P.206/2005 Amd.)– comments. Presented: 22nd November 2005. <i>Minister for Planning and Environment, (formerly the Environment and Public Services Committee).</i>	P.206/2005. Amd.Com.
Draft Water Resources (Jersey) Law 200- (P.206/2005): second amendments. Lodged: 1st November 2005. <i>Deputy P.N. Troy of St. Brelade.</i>	P.206/2005. Amd.(2)
Draft Water Resources (Jersey) Law 200- (P.206/2005): second amendments (P.206/2005 Amd(2)) – comments. Presented: 29th November 2005. <i>Minister for Planning and Environment, (formerly the Environment and Public Services Committee).</i>	P.206/2005. Amd.(2) Com.
Housing Trading Organisation: establishment. Lodged: 27th September 2005. <i>Minister for Housing, (formerly the Housing Committee).</i>	P.211/2005.

20th June 2006

4th July 2006

18th July 2006

**M.N. DE LA HAYE
Greffier of the States**

23rd February 2006

Note –

In accordance with a decision of the States on 25th October 2005, this meeting will continue, if necessary, on Wednesday 1st and Thursday 2nd March 2006.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O 20/2006

The effect of this Order is –

- (a) to increase the minimum wage for employees who have ceased to be of compulsory school age and are not trainees from £5.08 per hour to £5.24 per hour, and
- (b) to increase the minimum wage for trainee employees who have ceased to be of compulsory school age from £3.82 per hour to £3.94 per hour.

The new rates will come into force on 1st April 2006.

The Order was made on 17th February 2006, and comes into force on 1st April 2006.

WRITTEN QUESTIONS

(See Item I(a))

The Minister for Home Affairs will table an answer to the following questions asked by Deputy J.B. Fox of St. Helier –

“On page 26 of the States of Jersey Police Annual Performance Report 2005, under the heading Financial Crime, it states that although both Guernsey and the Isle of Man ‘are now in the process of drafting legislation to facilitate civil asset recovery powers, the States of Jersey have yet to reach a decision on the issue. The introduction of such powers locally could yield significant assets in seizures of criminal assets and would pose a major deterrent to criminals.’

Would the Minister –

- (a) advise the Assembly why the States of Jersey have not yet been asked to consider this issue?
- (b) inform members whether seizures made under such powers could increase the income of the States and be used to remove or seriously reduce the current backlog of financial crime cases and, if so, will she agree to take all necessary steps to expedite the preparation of such legislation in order to alleviate the financial pressures that are being experienced at this time?”

The Minister for Economic Development will table an answer to the following questions asked by Deputy G.C.L. Baudains of St. Clement –

“With regard to ro/ro ferry services between Jersey, the U.K. and France, will the Minister advise –

- (a) whether the current service provided by the operator(s) fully meets the Service Level Agreement or other agreements that the States of Jersey have with them?
- (b) whether he is satisfied with the current timetables published by the operator(s) and what action, if any, he intends to take to ensure that accurate and up to date timetables are produced and made available to customers by the operator(s)?
- (c) what guarantees have been made regarding continuity of service?
- (d) what plans, if any, he has in the event that the current operator withdraws from service?”

The Chairman of the Privileges and Procedures Committee will table an answer to the following question asked by Deputy R.G. Le Hérissier of St. Saviour –

“Would the President inform members when the Committee is planning to lodge a proposition for debate containing revised proposals on the composition of the States?”

The Minister for Treasury and Resources will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Will the Minister explain how the figures revealed in the Ministerial Decision concerning the proposed sale of the Aquila Youth Club Site (MD-TR-2006-0014) represent good value for money?”

The Minister for Housing will table an answer to the following question asked by Deputy G.P. Southern of St.

Helier -

“Will the Minister give members further details of the possible restructuring of Housing rents into a banding system as referred to in the report accompanying Ministerial Decision MD-H-2006-0004 and provide details of its impact on Housing rents?”

The Minister for Economic Development will table an answer to the following questions asked by Deputy G.P. Southern of St. Helier –

- “(a) Will the Minister state whether he supports the decision to abolish the economic benefit test made by the former Economic Development Committee on 13th October 2004 (as referred to in a written answer tabled on 14th February 2006 by the Minister for Treasury and Resources) and will he set out for members the grounds on which his position is based?
- (b) in the absence of these economic benefit test minima, what mechanisms, if any, are available to the Minister to prevent non-local principals acquiring or setting up non-finance businesses in the Island which produce little or no tax revenue for the Island while taking up labour and office resources?
- (c) would the Minister explain whether the decision to abolish the economic benefit test supports the Fiscal Strategy to maximise tax returns to fill the tax losses resulting from the 0/10 policy?
- (d) will the Minister explain in particular how he intends to apply this decision to the fulfilment industry?”

**ORAL QUESTIONS WITHOUT NOTICE
ROTA**

(See Item I(c))

First 15 minute period

Social Security

Home Affairs

Economic Development

Education Sport and Culture

Transport and Technical Services

Housing

Social Security

Home Affairs

Second 15 minute period

Chief Minister

Treasury and Resources

Chief Minister

Health and Social Services

Chief Minister

Planning and Environment

Chief Minister

Treasury and Resources