

STATES OF JERSEY ORDER PAPER

Tuesday 12th September 2006

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Planning and Building (Planning Fees) (Jersey) Order 2006. <i>Minister for Planning and Environment.</i>	R&O 76/2006. [re-numbered]
Road Traffic (Grouville) (Amendment No. 3) (Jersey) Order 2006. <i>Minister for Transport and Technical Services.</i>	R&O 81/2006. [re-numbered]
Motor Vehicles (Driving Licences) (Amendment No. 5) (Jersey) Order 2006. <i>Minister for Transport and Technical Services.</i>	R&O 82/2006. [re-numbered]
Road Traffic (Public Parking Places) (Jersey) Order 2006. <i>Minister for Transport and Technical Services.</i>	R&O 83/2006. [re-numbered]
Jersey International Air Display (Jersey) Order 2006. <i>Minister for Transport and Technical Services.</i>	R&O 84/2006.
Weights and Measures (Ballast) (Revocation) (Jersey) Order 2006. <i>Minister for Economic Development.</i>	R&O 85/2006.
Weights and Measures (Person Weighing Machines) (Revocation) (Jersey) Order 2006. <i>Minister for Economic Development.</i>	R&O 86/2006.
Agricultural Marketing (Milk) (Revocation) (Jersey) Order 2006. <i>Chief Minister for the Minister for Economic Development.</i>	R&O 87/2006.
Road Racing (Motor Vehicle Rally) (Jersey) Order 2006. <i>Minister for Transport and Technical Services</i>	R&O 88/2006.
Inquests and Post-Mortem Examinations (Amendment No. 5) Rules 2006. <i>The Superior Number of the Royal Court.</i>	R&O 89/2006.
Advocates and Solicitors (Qualifying Examination) (Amendment No. 3) Rules 2006. <i>The Superior Number of the Royal Court.</i>	R&O 90/2006.
Diseases of Animals (Bluetongue) (Jersey) Order 2006. <i>Minister for Planning and Environment.</i>	R&O 91/2006.

C. DOCUMENTS PRESENTED OR LAID

- Land Transactions under Standing Order 168(3) – Cool Waters Limited, Sandringham Investments Limited and Dandara (Sandringham) Limited: site of Catherine Quirke House, St. Helier– assignment of Development Agreement.
Presented: 4th August 2006.
Minister for Treasury and Resources. R.61/2006.
- Land Transactions under Standing Order 168(3) –
(a) ENT (Ear, Nose and Throat), Eyes and Audiology departments of the General Hospital: approval of drawings for relocation;
(b) Field 424, Corbière, St. Brelade: sale of a road, granting of service rights and exchange and counter-exchange of land;
(c) La Chaumière, Wellington Road, St. Saviour: sale under the Assisted House Purchase Scheme;
(d) La Moye North-East Bunker, St. Brelade: proposed three year lease.
Presented: 8th August 2006.
Minister for Treasury and Resources. R.62/2006.
- Land Transactions under Standing Order 168(3) –
(a) Units A24 and A24a, Albert Pier, St. Helier: new 9-year lease to Bontour Agencies Ltd.;
(b) Unit A5, Albert Pier, St. Helier: lease to F. Battrick and Sons Food Services Ltd.;
(c) Units A17a and A17b, Albert Pier, St. Helier: new lease to Treewalk Holdings Ltd.
Presented: 16th August 2006.
Minister for Treasury and Resources. R.63/2006.
- States of Jersey Law 2005: delegation of functions – Planning and Environment.
Presented: 16th August 2006.
Minister for Planning and Environment. R.64/2006.
- Jersey Appointments Commission: annual report.
Presented: 17th August 2006.
Chief Minister. R.65/2006.
- Jersey Dental Scheme: Annual Report for the year ended 31st December 2005.
Presented: 18th August 2006.
Minister for Social Security. R.66/2006.
- Land Transactions under Standing Order 168(3) –
(a) Weighbridge, Caledonia Place, St. Helier: approval of a new plan showing the area of land to be included in the proposed lease to WEB approved by the States Assembly under P.45/2002;
(b) Units A24 and A24a, Albert Pier, St. Helier: new 5-month lease to Bontour Agencies Ltd.
Presented: 23rd August 2006.
Minister for Treasury and Resources. R.67/2006

States of Jersey Law 2005: delegation of functions – Planning and Environment – provisional listing powers. Presented: 24th August 2006. <i>Minister for Planning and Environment.</i>	R.68/2006.
Building a Safer Society: Annual Report 2005. Presented: 30th August 2006. <i>Minister for Home Affairs.</i>	R.69/2006.
Land Transactions under Standing Order 168(3) – (a) Le Douet, La Grande Route de St. Jean, St. John: sale under the Assisted House Purchase Scheme; (b) La Vallée de Saint Pierre, St. Lawrence: sale of an area of land for road-widening. Presented: 5th September 2006. <i>Minister for Treasury and Resources.</i>	R.70/2006.
International Covenant on Civil and Political Rights: 2006 Report. Presented: 8th September 2006. <i>Chief Minister.</i>	R.71/2006.
Howard Davis Farm, Trinity: part of Fields 562, 827 and 828 – sale of land (P.68/2006) – comments. Presented: 8th August 2006. <i>Public Accounts Committee.</i>	P.68/2006. Com.
Fur products: petition (P.72/2006) – comments. Presented: 30th August 2006. <i>Minister for Home Affairs.</i>	P.72/2006. Com.
Code of Practice for Scrutiny Panels and the Public Accounts Committee (P.101/2006): comments. Presented: 1st September 2006. <i>H.M. Attorney General.</i>	P.101/2006. Com.

D. NOTIFICATION OF LODGED PROPOSITIONS

Annual Business Plan 2007 (P.92/2006): amendment. Lodged: 18th August 2006. <i>Privileges and Procedures Committee.</i>	P.92/2006. Amd.
Annual Business Plan 2007 (P.92/2006): second amendment. Lodged: 24th August 2006. <i>Deputy R.G. Le Hérisssier of St. Saviour.</i>	P.92/2006. Amd.(2)
Annual Business Plan 2007 (P.92/2006): third amendment. Lodged: 25th August 2006. <i>Deputy R.G. Le Hérisssier of St. Saviour.</i>	P.92/2006. Amd.(3)
Annual Business Plan 2007 (P.92/2006): fourth amendment. Lodged: 29th August 2006. <i>Senator B.E. Shenton.</i>	P.92/2006. Amd.(4)
Annual Business Plan 2007 (P.92/2006): fifth amendment. Lodged: 29th August 2006.	P.92/2006. Amd.(5)

<i>Deputy R.G. Le Hérissier of St. Saviour.</i>	
Annual Business Plan 2007 (P.92/2006): sixth amendment. Lodged: 29th August 2006. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.92/2006. Amd.(6)
Annual Business Plan 2007 (P.92/2006): seventh amendment. Lodged: 29th August 2006. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.92/2006. Amd.(7)
Annual Business Plan 2007 (P.92/2006): eighth amendment. Lodged: 29th August 2006. <i>Deputy S.C. Ferguson of St. Brelade.</i>	P.92/2006. Amd.(8)
Annual Business Plan 2007 (P.92/2006): ninth amendment. Lodged: 29th August 2006. <i>Deputy S. Power of St. Brelade.</i>	P.92/2006. Amd.(9)
Annual Business Plan 2007 (P.92/2006): tenth amendment. Lodged: 29th August 2006. <i>Deputy S. Power of St. Brelade.</i>	P.92/2006. Amd.(10)
Annual Business Plan 2007 (P.92/2006): eleventh amendment. Lodged: 29th August 2006. <i>Deputy of St. Ouen.</i>	P.92/2006. Amd.(11)
Annual Business Plan 2007 (P.92/2006): twelfth amendment. Lodged: 29th August 2006. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.92/2006. Amd.(12)
Policing commercial and profit-making events: new ‘user pays’ charge. Lodged: 21st July 2006. <i>Minister for Home Affairs.</i>	P.94/2006.
Employee protection: legislation. Lodged: 27th July 2006. <i>Senator B.E. Shenton.</i>	P.95/2006.
Draft The Law Society of Jersey (Amendment) Law 200-. Lodged: 1st August 2006. <i>Chief Minister.</i>	P.96/2006.
Draft Waste Management (OECD Revised Decision) (Jersey) Regulations 200-. Lodged: 1st August 2006. <i>Minister for Planning and Environment.</i>	P.97/2006.
Draft Waste Management (Jersey) Law 2005 (Appointed Day) Act 200-. Lodged: 1st August 2006. <i>Minister for Planning and Environment.</i>	P.98/2006.
Draft Licensing (Licence Fees) (Jersey) Regulations 200-. Lodged: 3rd August 2006. <i>Minister for Economic Development.</i>	P.99/2006.

Draft Social Security (Reciprocal Agreement with the Netherlands) (Jersey) Act 200-. Lodged: 11th August 2006. <i>Chief Minister.</i>	P.100/2006.
Code of Practice for Scrutiny Panels and the Public Accounts Committee. Lodged: 15th August 2006. <i>Chairmen's Committee.</i>	P.101/2006.
Code of Practice for Scrutiny Panels and the Public Accounts Committee (P.101/2006): amendment. Lodged: 6th September 2006. <i>Chairmen's Committee.</i>	P.101/2006. Amd.
Draft Income Support (Jersey) Law 200-. Lodged: 29th August 2006. <i>Minister for Social Security.</i>	P.102/2006.
Draft Weights and Measures (Amendment) (Jersey) Law 200-. Lodged: 31st August 2006. <i>Minister for Economic Development.</i>	P.103/2006.
Draft Amendment (No. 5) of the Standing Orders of the States of Jersey. Lodged: 5th September 2006. <i>Privileges and Procedures Committee.</i>	P.104/2006.
Draft Maintenance Orders (Enforcement) (Amendment No. 2) (Jersey) Law 200-. Lodged: 8th September 2006. <i>Chief Minister.</i>	P.105/2006.
Draft Lois sur la Société de Bienfaisance de la Marine Marchande de Jersey (Repeals) (Jersey) Law 200-. Lodged: 8th September 2006. <i>Chief Minister.</i>	P.106/2006.

E. WITHDRAWAL OF LODGED PROPOSITIONS

In accordance with Standing Order 34(1), the Minister for Economic Development has informed the Greffier of the States that the following proposition lodged "au Greffe" and set down for consideration at the present meeting, is to be withdrawn –

Draft Electronic Communications (Amendment) (Jersey) Law 200-. Lodged: 27th June 2006. <i>Minister for Economic Development.</i>	P.79/2006.
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In accordance with Standing Order 34(1), Deputy G.P. Southern of St. Helier has informed the Greffier of the States that the following proposition lodged "au Greffe" is to be withdrawn –

Income Tax: exemption thresholds, allowances and a higher rate. Lodged: 18th July 2006.	P.93/2006.
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Deputy G.P. Southern of St. Helier.

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions -

The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by Deputy R.G. Le Hérisser of St. Saviour regarding operating costs of the States Assembly.

The Minister for Education, Sport and Culture will table an answer to a question asked by Deputy S.S.P.A. Power of St. Brelade regarding restrictive covenants applicable in respect of the operation of the AquaSplash swimming pool.

(b) – Oral Questions (90 minutes) -

Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Planning and Environment –

“In relation to the operation of the fishery protection vessel, the Norman Le Brocq, would the Minister inform members of the operational hours spent at sea in 2004, 2005 and the first six months of 2006, the annual operating budget including crew, maintenance and operating costs, and the estimated budget, if any, for essential maintenance for 2006, 2007 and 2008.”

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

“Will the Minister inform members how he intends to integrate the Reduced-Price Milk Scheme into the proposed Income Support Scheme?”

Deputy J.A. Martin of St. Helier will ask the following question of the Chief Minister –

“Would the Chief Minister inform members whether Jersey will have any powers to vet who, from Romania and Bulgaria, may come to live and work here after these countries have joined the E.U. and assuming that the U.K. will maintain its open-door policy?”

Deputy P.V.F. Le Claire of St. Helier will ask the following question of the Minister for Transport and Technical Services –

“Has the Transport and Technical Services’ compost operation been adding sewerage or effluent of any kind to compost and, if so, can the Minister supply details to members of any consultation with the department for Health and Social Services, the Parish and the growers, the dates on which such sewerage/effluent was or will be used, in what quantities, for what purpose and to what land is it being applied?”

The Deputy of St. Martin will ask the following question of the Minister for Home Affairs –

“Will the Minister inform members of the number of States Police Officers engaged on duty in connection with the functions at (i) Royal Jersey Showground and (ii) Howard Davis Park on Friday and Saturday 1st and 2nd September. What was the cost of policing each event and how many officers, if any, were brought in from outside the Island?”

The Deputy of St. Martin will ask the following question of the Minister for Home Affairs –

“Following the inspection carried out at La Moye Prison in June 2005, by HM Chief Inspector of Prisons, one of the main recommendations was that a Performance Improvement Plan should be drawn up setting priorities and timed targets for action. Will the Minister inform Members when the Plan was published, the reasons for any delay in its completion and when will it be made available to States Members?”

Deputy D.W. Mezbourian of St. Lawrence will ask the following question of the Minister for Home Affairs –

“Which, if any, of the recommendations covering Suicide Prevention and Self Harm Reduction made in both the 2001 and 2005 HMCIP reports on La Moye Prison have been implemented by 1st September 2006? Of those recommendations not implemented, if any, what priority has been given to them for implementation and what funding to enable implementation has been included in the proposed Business Plan?”

Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Will the Minister inform members what progress he has made with the appointment of advisors to the proposed privatisation of Jersey Telecom and when he intends to bring proposals to the States?”

Deputy A. Breckon of St. Saviour will ask the following question of the Minister for Social Security –

“Would the Minister provide the monthly unemployment figures for 2006 and inform the Assembly how often they are published and, if not on a monthly basis, why not?”

(c) – Questions to Ministers without notice (30 minutes) -

1st question period – Minister for Education, Sport and Culture.

2nd question period – Chief Minister.

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Annual Business Plan 2007. Lodged: 18th July 2006. <i>Chief Minister.</i>	P.92/2006.
Annual Business Plan 2007 (P.92/2006): amendment. Lodged: 18th August 2006. <i>Privileges and Procedures Committee.</i>	P.92/2006. Amd.
Annual Business Plan 2007 (P.92/2006): second amendment. Lodged: 24th August 2006. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.92/2006. Amd.(2)
Annual Business Plan 2007 (P.92/2006): third amendment. Lodged: 25th August 2006. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.92/2006. Amd.(3)
Annual Business Plan 2007 (P.92/2006): fourth amendment. Lodged: 29th August 2006. <i>Senator B.E. Shenton.</i>	P.92/2006. Amd.(4)
Annual Business Plan 2007 (P.92/2006): fifth amendment. Lodged: 29th August 2006. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.92/2006. Amd.(5)
Annual Business Plan 2007 (P.92/2006): sixth amendment. Lodged: 29th August 2006. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.92/2006. Amd.(6)
Annual Business Plan 2007 (P.92/2006): seventh amendment. Lodged: 29th August 2006. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.92/2006. Amd.(7)
Annual Business Plan 2007 (P.92/2006): eighth amendment. Lodged: 29th August 2006. <i>Deputy S.C. Ferguson of St. Brelade.</i>	P.92/2006. Amd.(8)
Annual Business Plan 2007 (P.92/2006): ninth amendment. Lodged: 29th August 2006. <i>Deputy S. Power of St. Brelade.</i>	P.92/2006. Amd.(9)
Annual Business Plan 2007 (P.92/2006): tenth amendment. Lodged: 29th August 2006. <i>Deputy S. Power of St. Brelade.</i>	P.92/2006. Amd.(10)
Annual Business Plan 2007 (P.92/2006): eleventh amendment. Lodged: 29th August 2006. <i>Deputy of St. Ouen.</i>	P.92/2006. Amd.(11)
Annual Business Plan 2007 (P.92/2006): twelfth amendment. Lodged: 29th August 2006. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.92/2006. Amd.(12)

Draft Treaty on Open Skies (Privileges and Immunities) (Amendment) (Jersey) Law 200-. P.73/2006.
Lodged: 8th June 2006.
Chief Minister.

Draft Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 2) (Jersey) Regulations 200-. P.78/2006.
Lodged: 20th June 2006.
Minister for Planning and Environment.

Manual Workers' Joint Council Constitution: amendment. P.82/2006.
Lodged: 30th June 2006. (re-issue)
Chief Minister.

Manual Workers' Joint Council: Employers' Side membership. P.83/2006
Lodged: 30th June 2006.
Chief Minister.

Draft Insurance Business (Amendment No. 5) (Jersey) Law 200-. P.85/2006.
Lodged: 4th July 2006.
Minister for Economic Development.

Draft Health Care (Registration) (Jersey) Regulations 200-. P.91/2006.
Lodged: 17th July 2006.
Minister for Health and Social Services.

In accordance with Standing Order 30(2), Deputy S. Power of St. Brelade has informed the Greffier of the States that the following matter listed for debate at the present meeting is to be listed for debate at a later date –

Fields 190 and 192, Rue de la Sergente, St. Brelade: petition P.75/2006.
Lodged: 13th June 2006, and referred to the Minister for Planning and Environment.
Deputy S. Power of St. Brelade.

In accordance with Standing Order 30(2), the Connétable of St. Helier has informed the Greffier of the States that the following matter listed for debate at the present meeting is to be listed for debate at a later date –

Provision of Pedestrian Crossings. P.60/2006.
Lodged: 23rd May 2006.
Connétable of St. Helier.

Provision of Pedestrian Crossings (P.60/2006): comments. P.60/2006.
Presented: 20th June 2006. Com.
Minister for Transport and Technical Services.

M. ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

26th September 2006

Fur products: petition. P.72/2006.
Lodged: 6th June 2006, and referred to the Ministers for Economic Development and Home Affairs.

Senator S. Syvret.

Fur products: petition (P.72/2006) – comments. P.72/2006.
Presented: 30th August 2006. Com.
Minister for Home Affairs.

Ministerial Government: review of first 12 months. P.77/2006.
Lodged: 20th June 2006.
Senator B.E. Shenton.

Draft Road Traffic (Amendment No. 4) (Jersey) Law 200-. P.88/2006.
Lodged: 4th July 2006.
Minister for Transport and Technical Services.

Draft Legal Deposit (Jersey) Law 200-. P.90/2006.
Lodged: 5th July 2006.
Minister for Education, Sport and Culture.

Employee protection: legislation. P.95/2006.
Lodged: 27th July 2006.
Senator B.E. Shenton.

Draft The Law Society of Jersey (Amendment) Law 200-. P.96/2006.
Lodged: 1st August 2006.
Chief Minister.

Draft Licensing (Licence Fees) (Jersey) Regulations 200-. P.99/2006.
Lodged: 3rd August 2006.
Minister for Economic Development.

Draft Social Security (Reciprocal Agreement with the P.100/2006.
Netherlands) (Jersey) Act 200-.
Lodged: 11th August 2006.
Chief Minister.

Code of Practice for Scrutiny Panels and the Public Accounts P.101/2006.
Committee.
Lodged: 15th August 2006.
Chairmen's Committee.

Code of Practice for Scrutiny Panels and the Public Accounts P.101/2006.
Committee (P.101/2006): comments. Com.
Presented: 1st September 2006.
H.M. Attorney General.

Code of Practice for Scrutiny Panels and the Public Accounts P.101/2006.
Committee (P.101/2006): amendment. Amd.
Lodged: 6th September 2006.
Chairmen's Committee.

10th October 2006

Composting facilities at La Collette, St. Helier: cessation. P.76/2006.
Lodged: 15th June 2006.
Deputy G.C.L. Baudains of St. Clement.

Composting facilities at La Collette, St. Helier: cessation (P.76/2006) – comments. Presented: 4th July 2006. <i>Minister for Transport and Technical Services.</i>	P.76/2006. Com.
Policing commercial and profit-making events: new ‘user pays’ charge. Lodged: 21st July 2006. <i>Minister for Home Affairs.</i>	P.94/2006.
Draft Waste Management (OECD Revised Decision) (Jersey) Regulations 200-. Lodged: 1st August 2006. <i>Minister for Planning and Environment.</i>	P.97/2006.
Draft Waste Management (Jersey) Law 2005 (Appointed Day) Act 200-. Lodged: 1st August 2006. <i>Minister for Planning and Environment.</i>	P.98/2006.
Draft Income Support (Jersey) Law 200-. Lodged: 29th August 2006. <i>Minister for Social Security.</i>	P.102/2006.
<u>24th October 2006</u>	
Fields 190 and 192, Rue de la Sergente, St. Brelade: petition Lodged: 13th June 2006, <i>and referred to the Minister for Planning and Environment.</i> <i>Deputy S. Power of St. Brelade.</i>	P.75/2006.
Goods and Services Tax: exempt or zero-rated items. Lodged: 4th July 2006. <i>Senator S. Syvret.</i>	P.86/2006.
Goods and Services Tax: exempt or zero-rated items (P.86/2006) – amendment. Lodged: 7th July 2006. <i>Deputy A. Breckon of St. Saviour.</i>	P.86/2006. Amd.
Draft Weights and Measures (Amendment) (Jersey) Law 200-. Lodged: 31st August 2006. <i>Minister for Economic Development.</i>	P.103/2006.
Draft Amendment (No. 5) of the Standing Orders of the States of Jersey. Lodged: 5th September 2006. <i>Privileges and Procedures Committee.</i>	P.104/2006.
Draft Maintenance Orders (Enforcement) (Amendment No. 2) (Jersey) Law 200-. Lodged: 8th September 2006. <i>Chief Minister.</i>	P.105/2006.
Draft Lois sur la Société de Bienfaisance de la Marine Marchande de Jersey (Repeals) (Jersey) Law 200-.	P.106/2006.

Lodged: 8th September 2006.
Chief Minister.

7th November 2006

Provision of Pedestrian Crossings. P.60/2006.
Lodged: 23rd May 2006.
Connétable of St. Helier.

Provision of Pedestrian Crossings (P.60/2006): comments. P.60/2006.
Presented: 20th June 2006. Com.
Minister for Transport and Technical Services.

Draft Howard Davis Farm (Removal of Covenant) (Jersey) Law P.65/2006.
200-.
Lodged 30th May 2006.
Minister for Treasury and Resources.

21st November 2006

Howard Davis Farm, Trinity: part of Fields 562, 827 and 828 – P.68/2006.
sale of land.
Lodged: 5th June 2006, *and referred to the Public Accounts*
Committee.
Minister for Treasury and Resources.

Howard Davis Farm, Trinity: part of Fields 562, 827 and 828 – P.68/2006.
sale of land (P.68/2006) – comments. Com.
Presented: 8th August 2006.
Public Accounts Committee.

A.H. HARRIS
Deputy Greffier of the States

7th September 2006

Note –

In accordance with a decision of the States on 25th October 2005, this meeting will continue, if necessary, on Wednesday 13th and Thursday 14th September 2006.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O 76/2006 [re-numbered]

This Order prescribes the fees payable in respect of planning permission.

The Order was made on 12th July 2006, and came into force forthwith.

R&O 81/2006 [re-numbered]

This Order makes permanent the one way movement of traffic on La Rue du Parcq, Grouville from La Rue de Fauvic to La Rue de La Marais à La Cocque.

The Order was made on 24th July 2006, and came into force on 31st July 2006.

R&O 82/2006 [re-numbered]

This Order adds Poland to the list of countries whose driving licences may be exchanged for Jersey driving licences.

The Order was made on 24th July 2006, and came into force on 31st July 2006.

R&O 83/2006 [re-numbered]

This Order designates public parking places at which, subject to compliance with its terms and conditions, vehicles may be parked in Jersey.

It also prescribes the charges and excess charges that are payable in respect of those parking places.

The Order, which will replace the Road Traffic (Public Parking Places) (Jersey) Order 2004, was made on 10th August 2006, and came into force on 1st September 2006.

R&O 84/2006

This Order sets out the responsibilities and powers of the promoter in relation to the Jersey International Air Display 2006.

The Order specifies that the promoter must take out adequate insurance, give notice to the public of road closures, and take measures to control parking and movement in the relevant areas (including beaches) necessary to ensure the safety of the public during the display.

The Order was made on 29th August 2006, and came into force immediately.

R&O 85/2006

This Order revokes the Weights and Measures (Ballast) (Jersey) Order 1968.

The Order was made on 24th August 2006, and came into force on 31st August 2006.

R&O 86/2006

This Order revokes the Weights and Measures (Person Weighing Machines) (Jersey) Order 1975.

The Order was made on 24th August 2006, and came into force on 31st August 2006.

R&O 87/2006

This Order revokes the Agricultural Marketing (Milk) (Jersey) Order 2003.

The Order was made on 30th August 2006, and comes into force on 6th September 2006.

R&O 88/2006

This Order allows the Jersey Motor Cycle and Light Car Club to hold motor races on public roads in the parishes of Trinity, Saint John, Saint Lawrence, Saint Mary, Saint Helier, Saint Ouen and Saint Peter on Friday 13th October 2006 and Saturday 14th October 2006.

The roads, and the dates and times for which they may be closed for those purposes, are specified in the Schedule to the Order.

The Order was made by the Minister for Transport and Technical Services on 1st September 2006.

R&O 89/2006

These Rules amend the Inquests and Post-mortem Examinations (Jersey) Rules 1995 (“the 1995 Rules”) so as to increase the fees and costs for inquests and post-mortem examinations and to make a minor amendment as concerns the recording of proceedings by the Viscount.

Fees and costs

The fees and costs under the 1995 Rules were last reviewed in 2003 resulting in an increase in rates payable from May 2004. The increases made then took into account inflation up to June 2003. In the 2½ years to December 2005, the Jersey Retail Price Index rose by 8.95%. As shown in summary below, the Rules will increase the fees and costs under the 1995 Rules in line with that level of inflation.

Description	Current Rate	Revised Rate	Increase £	Increase %
Post-mortem examination	£89.00	£97.00	£8.00	9.0%
Special post-mortem examination	£200.00	£218.00	£18.00	9.0%
Witness fee for pathologist	£66.50	£72.00	£5.50	8.3%
Witness fee for other doctors	£50.00	£54.00	£4.00	8.0%
Medical report	£45.00	£49.00	£4.00	8.9%
Juror	£14.00	£15.00	£1.00	7.1%
Witness loss of earnings	£43.00	£47.00	£4.00	9.3%
Histological examination of tissue samples	£15.00	£16.00	£1.00	6.7%

Recordings of proceedings

The Rules also make a minor amendment to Rule 14 of the 1995 Rules which at present reads as follows–

“The Viscount shall take notes of evidence at every inquest and for the purpose of this Rule a tape recording of proceedings shall be sufficient. The Viscount may cause a tape recording of proceedings to be deleted at any time after 3 years from the date of the Inquest”.

For the words “a tape recording” in both places they appear there shall be substituted the words “an electronic recording”. This amendment reflects the fact that the Viscount now records proceedings digitally and uses a tape recording only as a fall-back.

Commencement

The Rules were made by the Superior Number of the Royal Court on 5th September 2006 and are expressed to come into force on 1st October 2006.

R&O 90/2006

These Rules of Court amend the Advocates and Solicitors (Qualifying Examination) Rules 1997 to give effect to changes in the Advocates’ examinations proposed by the Board of Examiners.

It is intended that the examination become modular so that candidates are able to take any number of papers (but not less than 2) at a particular sitting and to carry passes forward. In order to pass the examination, a candidate would have to pass all 6 papers (assuming he or she was not exempt from the optional paper) within 4 consecutive sessions of the examination – *i.e.* if a candidate first sat some papers in April 2007, he or she would have to pass all the papers by the conclusion of the October 2008 examination. In the interim, the candidate would be able to have as many attempts at particular papers as he or she wished. If the candidate had not passed all the papers by October 2008, he would be deemed to have failed and would have to start again.

As for the papers themselves –

(i) Jersey Legal System, Constitutional Law and Administrative Law

Administrative law would be dropped. The paper would include only the Jersey legal system (where the syllabus would be unaltered) and constitutional law (where there would be a slight increase in the syllabus). Note however – as we shall see when considering the draft Rules – that the content of the syllabus is not actually prescribed by Rules of Court.

(ii) Contract, Security on Moveable Property and Bankruptcy

There would be no change.

(iii) Testate and Intestate Succession

There would be no change.

(iv) Immoveable Property and Conveyancing

Although, again, this is not a matter to be prescribed by Rules of Court, the focus of the conveyancing part of the paper would change. Candidates would no longer be required to draft clauses. They would, however, be expected to be familiar with the structure of conveyancing and practical conveyancing problems and could be asked questions on what they would do in certain situations or what the effect of a certain clause might be. Candidates would, therefore, still need to be familiar with French so as to understand French conveyances. There would be a minor alteration to the syllabus on immoveable property.

(v) Civil and Criminal Procedure

There would be no change to the subjects but there would be minor changes to the syllabus.

(vi) Private International Law and Company Law

This would become an examination only on Company law. There would be no examination on Private International Law. There would be minor changes to the syllabus.

(vii) Trust Law (and Fidéicommis) and Tax Law

Fidéicomis and Tax law would be dropped so that this would become an examination only on Trust law. Again, there would be a minor amendment to the syllabus.

(viii) Family Law

This would remain a paper on Family Law but there would be minor amendments to the syllabus.

The papers referred to in (vi), (vii) and (viii) above are optional in the sense that a candidate who is not exempt^[1] from taking the optional paper must choose one of the subjects from (vi), (vii) and (viii) above. A further alteration to the optional paper would be that, instead of being of 3 hours duration, it would be shortened to 2 hours duration. The 5 remaining compulsory papers would remain as 3 hour papers.

It is also intended to allow the examiners to introduce a form of ‘open book’ examination, *i.e.* certain materials would be able to be provided in certain subjects so as to reduce the element of memory test. Thus, for example, the Royal Court Rules 2004 might be made available in the procedure paper, the Trusts (Jersey) Law 1984 in the trust paper and the Companies (Jersey) Law 1991 in the paper on company law (all as amended).

Turning to the draft Rules themselves –

Rule 1 of the draft Rules would merely define the principal Rules (*i.e.* the Advocates and Solicitors (Qualifying Examination) Rules 1997).

Rule 2 of the draft Rules would substitute Rules 3, 4 and 5 of the principal Rules.

The substituted Rule 3 would consolidate and revise the provisions of the principal Rules relating to the qualifying examination.

For those candidates who do not have a legal qualification and, therefore, have to sit a preliminary examination, that examination would consist of six papers on the same subjects as at present. In other words, there would be no change in relation to the provisions governing the preliminary examination.

Again, as at present, the candidates who have a legal qualification would be required only to sit the final examination – and it is only that final examination to which the amendments in the draft Rules relate.

The substituted Rule 3(4) would specify the five compulsory papers and the one paper on an optional subject with the revisions to those papers described above. As already noted, the actual content of the syllabus for each paper is not a matter that requires to be specified in Rules of Court and, therefore, the draft Rules cater only for the changes to the subject headings of the papers.

The inserted Rule 3(7) would require the Board to appoint sessions for the holding of examinations over six weekdays, as at present, with no more than one paper being held on any one day (see substituted Rule 3(8)).

The substituted Rule 3(13) would empower the Board to supply to the candidates in the examination room books, papers or information recorded in any form relevant to the paper concerned. But only that material would be able to be taken into or used in an examination room (see substituted Rule 3(14)).

The substituted Rule 3(16) to (20) would set out what was required of a candidate sitting the final examination.

The candidate would be able to choose how many papers he or she was going to attempt subject to attempting a minimum of two papers – unless the candidate had only one paper left to pass (*paragraphs (16) and (17)*).

The candidate would have a total of four successive sessions appointed by the Board within which to pass all the papers required of the candidate. If, within that span of four successive sessions, the candidate had not passed all the papers required, he or she would have failed (*paragraphs (18) and (19)*). There would no longer be any ability to award a conditional pass in the final examination.

The Board would, however, be empowered under the substituted Rule 3(20) to permit the candidate to attempt one or more of the papers on a later occasion if the Board was satisfied that, within the period of the four successive sessions, personal circumstances of an exceptional nature had impaired the ability of the candidate to sit any one or more of the papers.

The substituted Rule 4 would make provision regarding applications to sit an examination.

The final examination being modular necessitates changes in the manner in which successive applications to sit papers within the four sessions are made. The initial application would be made exhibiting certain documentary evidence as at present and indicating which two or more papers the candidate wished to attempt. But then, in respect of applications after the initial application, it would be necessary only for the candidate to indicate which

of the papers in the examination he or she wished to attempt at the relevant session (see inserted *Rule 4(3)*).

If a candidate who had not passed all the papers within four sessions wished to apply to the Board (on the ground of exceptional personal circumstances) for an extension of time within which to sit any of the papers, he or she would, under the inserted *Rule 4(4)* have to make the application in writing to the President of the Board.

The substituted *Rule 5* would preserve the ability to award conditional passes in the case of the preliminary examination.

Rule 3 of the draft *Rules* would make a transitional provision in respect of any candidate who, upon the new system taking effect, held a conditional pass under the old system. The conditional pass would continue to be effective. In other words, the candidate would still be eligible to re-sit the paper that he or she had failed. However, the paper attempted would be the equivalent paper under the new system and subject to the new syllabus (see *Rule 3(2)*).

Rule 4 of the draft *Rules* would repeal *Rule 7* of, and the Schedule to, the principal *Rules*. These were transitional provisions which were required when the principal *Rules* were enacted in 1977, but which are now spent.

Rule 5 is the usual Article of citation and would provide for the *Rules* to come into force on 1st December 2006.

These *Rules* were made by the Superior Number of the Royal Court on 5th September 2006.

R&O 91/2006

This Order, which is made under the Diseases of Animals (Jersey) Law 1956, provides for the control of bluetongue amongst cattle, sheep, and other ruminants.

It is set out in the following way.

Article 1 defines expressions that are used in the Order.

Article 2 extends the meaning of “disease” in the Law to include bluetongue. The effect of this is to apply the provisions of the Law to bluetongue.

Article 3 prohibits a person from vaccinating an animal against bluetongue without the written authorization of the Veterinary Officer.

Article 4 specifies the action that a person must take when he or she first suspects or discovers that an animal has bluetongue. The Veterinary Officer must be immediately notified and no ruminating animal or carcass may be moved off the premises without the written authorization of the Veterinary Officer.

Article 5 requires that as far, as practicable, all ruminating animals on the premises are to be kept indoors.

Article 6 provides that if the Veterinary Officer or any other inspector suspects or knows that bluetongue exists on any premises, the occupier or the keeper of ruminants on the premises must be served with a notice requiring the taking of measures for the control of the disease.

Article 7 confers investigatory powers on the Veterinary Officer and other inspectors who are veterinary surgeons.

Article 8 requires the Veterinary Officer, on confirming the existence of the bluetongue virus, to publish a notice in the Jersey Gazette declaring that Jersey is an infected area.

This Article also controls the movement of ruminants, and the carcasses, ova, semen and embryos of such animals, and imposes other controls, while Jersey remains an infected area.

Article 9 applies the provisions of the Law relating to the slaughter of animals, and compensation, to cases involving bluetongue.

Article 10 empowers the Veterinary Officer or any other inspector to require occupiers of premises and keepers of ruminating animals to keep records, and to provide information and assistance to the Veterinary Officer and to inspectors in carrying out their functions under the order.

Article 11 provides that an authorization under the Order may be unconditional or subject to conditions.

Article 12 empowers the Veterinary Officer to take action in default of compliance with a requirement made by any inspector under the Order, and for the expenses of doing so to be recoverable by the States.

Article 13 provides that in carrying out their functions under the Order, the Veterinary Officer and other inspectors may be assisted by persons acting under their direction and control.

Article 14 provides for the citation of the Order and for it to come into force immediately.

The Order was made on 7th September 2006 and came into force on being made.

WRITTEN QUESTIONS

(See Item I(a))

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 –

“Would the Chairman inform members of the estimated hourly cost of operating the States Assembly when it is in session?”

The Minister for Education, Sport and Culture will table an answer to a question asked by Deputy S.S.P.A. Power of St. Brelade –

“Would the Minister provide members with full details of any restrictive covenant that has been placed in the contract for the operation of the AquaSplash pool complex and which prevents the operation and/or the re-opening of the Fort Regent Pool and would he also confirm any details relating to the construction of any other large pool within a 3 km distance of the AquaSplash pool complex?”

**ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE
ROTA**

(See Item I(c))

First 15 minute period	Second 15 minute period
Planning and Environment	Social Security
Housing	Chief Minister
Treasury and Resources	Home Affairs
Economic Development	Chief Minister
Transport and Technical Services	Health and Social Services
Education Sport and Culture	Chief Minister

^[1] *By virtue of having obtained the 'Caen qualification' or its local equivalent.*