

# STATES OF JERSEY ORDER PAPER

Tuesday 23rd October 2007

## SUPPLEMENTARY

### B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

Mental Health (Amendment No. 3) Rules 2007. R&O.130/2007.  
*Superior Number of the Royal Court.*

Royal Court (Amendment No. 7) Rules 2007. R&O.131/2007.  
*Superior Number of the Royal Court.*

### C. DOCUMENTS PRESENTED OR LAID

Island Plan 2002: H4 Site No. 15, Samarès Nursery, St. Clement P.95/2007.  
and future amendments to the Island Plan (P.95/2007): Com.  
comments.  
Presented: 23rd October 2007.  
*Minister for Planning and Environment.*

### D. NOTIFICATION OF LODGED PROPOSITIONS

Criminal Justice Policy (P.118/2007): amendment. P.118/2007.  
Lodged: 23rd October 2007. Amd.  
*Deputy of St. Martin.*

Draft Crime (Transnational Organized Crime) (Jersey) Law 200- P.132/2007.  
(P.132/2007): amendments. Amd.  
Lodged: 23rd October 2007.  
*Minister for Home Affairs.*

Draft Collective Investment Funds (Amendment No. 4) (Jersey) P.139/2007.  
Law 200- (P.139/2007): amendments. Amd.  
Lodged: 23rd October 2007.  
*Minister for Economic Development.*

Draft Amendment (No. 8) of the Standing Orders of the States of P.162/2007.  
Jersey.  
Lodged: 23rd October 2007.  
*Senator M.E. Vibert.*

Draft Amendment (No. 32) to the Tariff of Harbour and Light P.163/2007.  
Dues.  
Lodged: 23rd October 2007.  
*Minister for Economic Development.*

Budget 2008. P.164/2007.  
Lodged: 23rd October 2007.  
*Minister for Treasury and Resources.*

Draft Finance (Jersey) Law 200-. P.165/2007.  
Lodged: 23rd October 2007.

*Minister for Treasury and Resources.*

Draft Income Tax (Amendment No. 30) (Jersey) Law 200-.  
Lodged: 23rd October 2007.  
*Minister for Treasury and Resources.*

P.166/2007.

Draft Public Finances (Amendment No. 2) (Jersey) Law 200-.  
Lodged: 23rd October 2007.  
*Minister for Treasury and Resources.*

P.167/2007.

## **I. QUESTIONS**

(b) – **Oral Questions** (90 minutes)  
(*attached*)

The following questions will now be re-directed as follows -

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

“Would the Minister advise members whether the future use of the former Tourism Office at the Weighbridge and Liberation Square will uphold the historical significance of the building and will he give assurances that business identification and signage will not occlude or diminish its historical uniqueness and that the use of the building on Liberation Day will not be compromised?”

6. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Education, Sport and Culture –

“Would the Minister inform members whether the recent Planning Application for replacement of cladding at Le Rocquier School relates to the newly built parts and, if so, state why the work is necessary, who will be paying for it, and what the cost will be?”

## **K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY**

The Vice-Chairman of the Economic Affairs Scrutiny Panel will make a statement regarding the proposed sale of Jersey Telecom.

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

## **Explanatory Note regarding subordinate legislation tabled at this meeting.**

(See Item B)

### **R&O.130/2007.**

The Rules amend Form 4A in the Schedule to the Mental Health Rules 1971.

Form 4A prescribes the format of the medical practitioner's report on an application for the appointment of a curator. There has been some difficulty with the wording of item 8 in this standard form (where the medical practitioner gives his opinion on whether or not notice of the application ought to be served on the patient). The amendment clarifies the wording on the Form in this respect. There is no alteration of procedure or substance.

The Rules were made on 22nd October 2007 and come into force on 29th October 2007.

### **R&O.131/2007.**

These Rules amend the Royal Court Rules 2004 (“the principal Rules”) in several respects. The effect is to –

- (i) empower the Master of the Royal Court, following dismissal by him of an action after failure to issue a summons for directions, to hear an application for the action to be re-instated;
- (ii) enable the Minister for Planning and Environment to be represented in planning appeals in certain circumstances by a solicitor of the Royal Court or a United Kingdom or Guernsey lawyer employed in the Law Officers' Department;
- (iii) require that the Minister be given notice of certain matters in third party planning appeals;
- (iv) require an address for service to be shown by appellants when they lodge a notice of appeal against an administrative decision (which includes a planning appeal); and
- (v) clarify which provisions of the principal Rules do, and do not, apply to proceedings on a representation and, in so doing, to make provision for the procedure in proceedings commenced by representation to be determined by the Court in its discretion (which has always been the case, albeit that there has not been express provision to that effect in the principal Rules).

The Rules were made by the Superior Number of the Royal Court on 22nd October and come into force on 29th October.