

STATES OF JERSEY ORDER PAPER

Tuesday 23rd October 2007

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Diseases of Animals (Foot and Mouth – Restrictions No. 6) (Jersey) Order 2007 R&O.129/2007.

Minister for Economic Development for and on behalf of the Minister for Planning and Environment.

C. DOCUMENTS PRESENTED OR LAID

Goods and Services Tax: petition (P.125/2007) – comments. P.125/2007.
Presented: 17th October 2007. Com.
Minister for Treasury and Resources.

Jersey Competition Regulatory Authority: appointment of Executive Director. R.99/2007.
Presented: 18th October 2007.
Minister for Economic Development.

Review of Draft Goods and Services Tax Regulations. S.R.19/2007.
Presented: 11th October 2007.
Corporate Services Scrutiny Panel.

D. NOTIFICATION OF LODGED PROPOSITIONS

Energy from Waste Facility: Public Enquiry. P.159/2007.
Lodged: 15th October 2007.
Connétable of St. Helier.

Draft Harbours (Administration) (Amendment No. 7) (Jersey) Law 200. P.160/2007.
Lodged: 16th October 2007.
Minister for Economic Development.

Criminal Justice Policy - audit of the need for a prosecution service. P.161/2007.
Lodged: 19th October 2007.
Deputy of St. Martin.

E. WITHDRAWAL OF LODGED PROPOSITIONS

In accordance with Standing Order 34(1), the Chairman of the Health, Social Security and Housing Scrutiny Panel has informed the Greffier of the States that the following proposition is to be withdrawn -

Income Support Scheme: deferral of introduction. P.143/2007.
Lodged: 26th September 2007.
Health, Social Security and Housing Scrutiny Panel.

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

Nomination of a member of the Environment Scrutiny Panel.

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions

(attached)

1. The Minister for Education, Sport and Culture will table an answer to a question asked by Deputy S.C. Ferguson of St. Brelade regarding school examination results over the last five years.
2. The Minister for Economic Development will table answers to questions asked by Deputy S.S.P.A. Power of St. Brelade regarding the replacement of a crane on the New North Quay.
3. The Minister for Education, Sport and Culture will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the way in which the impact of teaching children whose first language is not English is monitored in schools.
4. The Minister for Home Affairs will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding access to landline and mobile telephone information.
5. The Minister for Economic Development will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding expenditure at the Airport and Harbours detailed in the Annual Business Plan 2008.
6. The Minister for Housing will table answers to questions asked by Deputy G.P. Southern of St. Helier regarding the content of arrears letters sent to tenants.
7. The Minister for Economic Development will table an answer to a question asked by Deputy S.C. Ferguson of St. Brelade regarding free competition between local and overseas companies.
8. The Minister for Economic Development will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the operational limitations of wavepiercer vessels.

(b) – Oral Questions (90 minutes)

(attached)

1. Deputy R.G Le Hérisier of St. Saviour will ask the following question of the Chief Minister –

“Would the Chief Minister explain why the assurances he gave on 19th July 2006 to bring forward the plans for the States Property Company to the States in September 2007 have not come to fruition and will he outline his plans for the appointment of a Chairman of WEB, or its successor, for the long-term?”

2. Deputy S.C. Ferguson of St. Brelade will ask the following question of the Minister for Education, Sport and Culture –

“The recent report on allocation of underspends entitled ‘Financial Planning Disclosures for the 6 Month Period ended 30th June 2007 (R98/2007), showed that £1,289,000 has been allocated to the Education, Sport and Culture Department. Would the Minister please outline for what purposes this will be used?”

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

“Will the Minister explain what he means when he talks of ‘zero tolerance’ on rent arrears?”

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

“Would the Minister provide an update on what progress is being made towards the development of youth facilities, including a skateboard park, on the Waterfront, and when these facilities are likely to be completed?”

5. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Chief Minister –

“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 Treasury and Resources –

“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?”

7. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Economic Development –

“Will the Minister inform members whether the JCRA will be instructed to pay particular attention to the fare structures presently charged by both Condor and HD Ferries and to investigate any new or unusual sharp increases in fares for cars and passengers on this route whilst HD Ferries are not operating the St. Helier - St. Malo route for an approximate four month period?”

8. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Health and Social Services –

“Would the Minister inform the Assembly how many children in Jersey are estimated by his Department to be obese and how many are receiving treatment for eating disorders?”

9. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Minister for Planning and Environment –

“When will the consultation period for the plans for sheltered/lifelong homes commence?”

10. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Home Affairs -

“Would the Minister advise what initiatives she has introduced, or what progress has been made, if any, in reducing potential delays by the States of Jersey Police in processing firearm licence applications?”

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

“Will the Minister give an update on the progress, if any, of drafting the necessary legislation to establish a Police Consultative Group in line with Paragraph 3.2.1 of the States Strategic Plan 2006-2011?”

12. The Deputy of St. Martin will ask the following question of the Minister for Economic Development –

“Would the Minister advise members what advice, if any, he received to enable him to make the statement in P.18/2007 that the provisions of the Draft Harbours (Administration) (Amendment No. 7) (Jersey) Law 200- P.160/2007 are compatible with the Convention Rights of the Human Rights (Jersey) Law 2000?”

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

1st question period – Minister for Economic Development.

2nd question period – Minister for Transport and Technical Services.

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Island Plan 2002: H4 Site No. 15, Samarès Nursery, St. Clement and future amendments to the Island Plan. P.95/2007.

Lodged: 20th July 2007.

Deputy I.J. Gorst of St. Clement.

Draft Police (Complaints and Discipline) (Amendment) (Jersey) Law 200-. P.116/2007.

Lodged: 29th August 2007.

Minister for Home Affairs.

Draft Police (Honorary Police Complaints and Discipline Procedure) (Amendment No. 2) (Jersey) Regulations 200-. P.112/2007.

Lodged: 23rd August 2007.

Minister for Home Affairs.

Draft Goods and Services Tax (Jersey) Regulations 200-. P.122/2007.

Lodged: 11th September 2007.

Minister for Treasury and Resources.

Fields 848, 851 and 853, Bel Royal, St. Lawrence: Committee of Inquiry– appointment of member. Lodged: 3rd October 2007. <i>Connétable of St. Lawrence.</i>	P.147/2007.
Jersey Financial Services Commission: appointment of Commissioner. Lodged: 8th October 2007. <i>Minister for Economic Development.</i>	P.150/2007.
Draft Employment Relations (Jersey) Law 2007 (Appointed Day) Act 200-. Lodged: 9th October 2007. <i>Minister for Social Security.</i>	P.154/2007.
Draft Employment Relations (Amendment No. 2) (Jersey) Law 2007 (Appointed Day) Act 200-. Lodged: 9th October 2007. <i>Minister for Social Security.</i>	P.155/2007.

M. ARRANGEMENT OF PUBLIC BUSINESS

6th November 2007

Draft Financial Services (Amendment of Law) (No. 2) (Jersey) Regulations 200-. Lodged: 28th August 2007. <i>Minister for Economic Development.</i>	P.114/2007.
Draft Marriage and Civil Status (Amendment) (Jersey) Law 200-. Lodged: 7th September 2007. <i>Minister for Home Affairs.</i>	P.120/2007.
Crime (Sentences) Act 1997: extension to Jersey. Lodged: 14th September 2007. <i>Chief Minister.</i>	P.124/2007.
Goods and Services Tax: petition. Lodged: 18th September 2007. <i>Connétable of St. Helier.</i>	P.125/2007.
Goods and Services Tax: petition (P.125/2007) – comments. Presented: 17th October 2007. <i>Minister for Treasury and Resources.</i>	P.125/2007. Com.
Draft Price and Charge Indicators (Jersey) Law 200-. Lodged: 4th October 2007. <i>Minister for Economic Development.</i>	P.149/2007.
Draft Goods and Services Tax (Jersey) Law 2007 (Appointed Day) Act 200-. Lodged: 11th September 2007. <i>Minister for Treasury and Resources.</i>	P.121/2007.
Draft Loi (1939) sur les honoraires des Avocats et des Écrivains (Repeal) (Jersey) Law 200-. Lodged: 18th September 2007. <i>Chief Minister.</i>	P.126/2007.

Draft Drug Trafficking (Offences) (Amendment) (Jersey) Law 200-. Lodged: 24th September 2007. <i>Minister for Treasury and Resources.</i>	P.128/2007.
Draft Proceeds of Crime (Amendment) (Jersey) Law 200-. Lodged: 24th September 2007. <i>Minister for Treasury and Resources.</i>	P.129/2007.
Draft Corruption (Amendment of Definitions) (Jersey) Regulations 200-. Lodged: 24th September 2007. <i>Minister for Home Affairs.</i>	P.130/2007.
Draft Terrorism (Amendment No. 2) (Jersey) Law 200-. Lodged: 24th September 2007. <i>Minister for Home Affairs.</i>	P.131/2007.
Draft Crime (Transnational Organized Crime) (Jersey) Law 200-. Lodged: 24th September 2007. <i>Minister for Home Affairs.</i>	P.132/2007.
Draft Proceeds of Crime (Cash Seizure) (Jersey) Law 200-. Lodged: 24th September 2007. <i>Minister for Home Affairs.</i>	P.133/2007.
Draft Criminal Justice (International Co-operation) (Amendment) (Jersey) Law 200-. Lodged: 24th September 2007. <i>Minister for Treasury and Resources.</i>	P.134/2007.
Draft Civil Asset Recovery (International Co-operation) (Jersey) Law 200-. Lodged: 25th September 2007. <i>Minister for Home Affairs.</i>	P.135/2007.
Draft Banking Business (Amendment No. 6) (Jersey) Law 200-. Lodged: 25th September 2007. <i>Minister for Economic Development.</i>	P.136/2007.
Draft Insurance Business (Amendment No. 6) (Jersey) Law 200-. Lodged: 25th September 2007. <i>Minister for Economic Development.</i>	P.137/2007.
Draft Financial Services (Amendment No. 4) (Jersey) Law 200-. Lodged: 25th September 2007. <i>Minister for Economic Development.</i>	P.138/2007.
Draft Collective Investment Funds (Amendment No. 4) (Jersey) Law 200-. Lodged: 25th September 2007. <i>Minister for Economic Development.</i>	P.139/2007.
Senator Frank Harrison Walker, Chief Minister: Vote of Censure. Lodged: 10th October 2007. <i>Deputy A. Breckon of St. Saviour.</i>	P.158/2007.
Criminal Justice Policy - audit of the need for a prosecution service.	P.161/2007.

Lodged: 19th October 2007.
Deputy of St. Martin.

20th November 2007

Criminal Justice Policy. P.118/2007.
Lodged: 4th September 2007.
Minister for Home Affairs.

Draft Electricity Link with France (Protection of Submarine Cable) (Jersey) P.142/2007.
Regulations 200-.
Lodged: 25th September 2007.
Minister for Economic Development.

Draft Community Provisions (Ship and Port Facility – Security) (Amendment) P.144/2007.
(Jersey) Regulations 200-.
Lodged: 26th September 2007.
Minister for Economic Development.

Health Insurance Exemption cards: free bus travel and Active cards. P.145/2007.
Lodged: 26th September 2007.
Health, Social Security and Housing Scrutiny Panel.

Draft Public Library (Jersey) Regulations 200-. P.146/2007.
Lodged: 3rd October 2007.
Minister for Education, Sport and Culture.

Draft Places of Refreshment (Jersey) Regulations 200-. P.148/2007.
Lodged: 4th October 2007.
Minister for Economic Development.

Draft Amendment (No. 7) of the Standing Orders of the States of Jersey. P.151/2007.
Lodged: 9th October 2007.
Chairmen's Committee.

Draft States of Jersey (Implementation) (Jersey) Regulations 200-. P.152/2007.
Lodged: 9th October 2007.
Chief Minister.

JT Group Limited (“Jersey Telecom”): proposed sale. P.153/2007
Lodged: 9th October 2007.
Minister for Treasury and Resources.

Draft Income Tax (Amendment No. 29) (Jersey) Law 200-. P.156/2007.
Lodged: 9th October 2007.
Minister for Treasury and Resources.

Draft Income Tax (Deemed Dividends) (Jersey) Regulations 200-. P.157/2007.
Lodged: 9th October 2007.
Minister for Treasury and Resources.

Energy from Waste Facility: Public Enquiry. P.159/2007.
Lodged: 15th October 2007.

Connétable of St. Helier.

4th December 2007

Draft Harbours (Administration) (Amendment No. 7) (Jersey) Law 200.
Lodged: 16th October 2007.
Minister for Economic Development.

P.160/2007.

12th February 2008

Draft Proceeds of Crime (Substitution of Schedule 2) (Jersey) Regulations 200.
Lodged: 24th September 2007.
Minister for Treasury and Resources.

P.127/2007.

M.N. DE LA HAYE
Greffier of the States

18th October 2007

Note –

In accordance with the meeting dates fixed for 2007 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 19th October and Thursday 20th October 2007.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.129/2007.

This Order prohibits the importation of certain animals and animal by-products from the United Kingdom otherwise than in accordance with Commission Decision 2007/554/EC, as amended. It also prohibits the importation of horses from the United Kingdom without the approval of the States Veterinary Officer.

The Order was made on 15th October 2007 and came into force forthwith.

WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Education, Sport and Culture will table an answer to the following question asked by Deputy S.C. Ferguson of St. Brelade –

“Whilst agreeing that the GCSE and A level results in Jersey are excellent, would the Minister provide details of examination results for all school leavers for the last five years; setting out the total numbers of students and the number of GCSEs obtained by each, with a similar breakdown for ‘A’ levels and any other qualifications such as NVQs? Would the Minister also provide details of the number of students leaving school with no qualifications at all?”

2. The Minister for Economic Development will table answers to the following questions asked by Deputy S.S.P.A. Power of St. Brelade –

“1. Would the Minister confirm that Jersey Harbours has ordered a new large mobile crane for use on the New North Quay to replace the existing fixed tripod crane and, if so, would the Minister inform members –

(a) what the lift capacity and reach of the new mobile crane will be and whether the cable drum will have sufficient capacity to load or unload ships at low spring tides?

(b) whether any strengthening or reinforcement will be necessary on the New North Quay to accommodate the weight and size of this large machine and, if so –

(i) what works will be needed and what the anticipated costs will be?

(ii) whether the New North Quay will be closed for shipping purposes during the period of any required works?

(iii) when the works will commence at the New North Quay and what will be their duration?

(iv) whether the Victoria Quay will be used for any period of time to unload ships while works are carried out at the New North Quay, and, if so, where the existing vessels that moor on the Victoria Quay will be accommodated?

2. Would the Minister inform members whether the crane that was inadvertently dragged up the Victoria Quay by the Logos II is still in a usable state to unload freight?

3. Would the Minister inform members what improvements, if any, have been carried out on the Victoria Quay to ensure the safe boarding of vessels on that quay, particularly adjacent to that part of the quay near the ice-machine?”

3. The Minister for Education, Sport and Culture will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Would the Minister advise what monitoring, if any, exists to ensure that local schoolchildren are not disadvantaged as a result of classes progressing more slowly than otherwise would be the case due to allowances being made for students who struggle with the English language? Would he further give details of the extent of this situation and state whether he has any plans to alleviate the problem?”

4. The Minister for Home Affairs will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Following the decision of the U.K. Home Secretary to grant a right of access from 1st October 2007 to all landline and mobile phone call information to many hundreds of U.K. public bodies and quangos (including local councils), without the checks and balances applied in other European countries, and an intention to extend this to internet use from 2009 as well, would the Minister advise whether this will apply to telephone users in Jersey and, if so, how and what safeguards, if any, are in place for local residents?”

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

“With reference to the recent Annual Business Plan 2008, and specifically Summary Table ‘E’ –

(a) would the Minister explain what the ‘Telebag’ system at the Airport entails and justify the £1,640,000 cost?

(b) would the Minister advise why a new Pilots Vessel at a cost of £600,000 is necessary, given the age of one of the two current pilot vessels, and would he further advise whether it is proposed to sell either or both of the existing craft? If so, will the Minister undertake to advertise the sale to a wider audience than was the case with the sale of the ‘Duchess of Normandy’ and state whether the funds that will be obtained have been taken into account in the proposed cost of £600,000 for the new vessel, or be in addition?”

6. The Minister for Housing will table answers to the following questions asked by Deputy G.P. Southern of St Helier –

“1. Following an oral question without notice on 9th October 2007, has the Minister made himself aware of the content of the “zero tolerance” letters on rent arrears sent out by the Housing Department and, in particular, does the Minister accept that the terms of the letter, containing words to the effect that failure to bring the rental account to a nil balance within one week “*will result in action which will include the withdrawal of services such as (...)disconnection of TV aerial and/or heating and hot water services where these are elements in your rent*” are likely to cause unnecessary anxiety to those who receive these letters?

2. Would the Minister state what consultation, if any, has taken place over the content of this letter with representatives of the elderly and vulnerable prior to sending the letters?

3. What measures, if any, does the Housing Department have in place to contact social services to protect the vulnerable in the case of actual disconnection?

4. Would the Minister inform members –

(a) when the Department started to send these letters;

(b) how many such letters have been sent in total, and

(c) how many have been sent to the elderly and vulnerable?

5. Will the Minister inform members whether any such letters have been sent to tenants with rent arrears of under two months, and of under £350 in total and, if so, does he consider this action is appropriate?

6. Will the Minister agree to stop this practice forthwith, and apologise to those tenants in receipt of this letter for any distress which may have been caused, and will he further assure members that no States tenants will have heating cut off during the coming winter months?"
7. Would the Minister agree to take steps to ensure that letters relating to rent arrears are amended so that they meet criteria similar to those set out in the Code of Practice on Payment of Bills and Guidance for Dealing with Customers in Difficulty, applied to utility suppliers in the UK, especially with respect to elderly and vulnerable tenants (in particular paragraphs 2 and 4 of Condition 35)?

7. The Minister for Economic Development will table an answer to the following question asked by Deputy S.C. Ferguson of St. Brelade—

“Would the Minister confirm that the Economic Development Department is insisting that free competition for contracts between local and overseas companies represents a level playing field, given the fact that after zero/10 it is probable that local companies will be taxed more heavily and also in light of the need to build up the skills base in the Island?”

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

“Following the sailing on Monday 24th September 2007 of a wavepiercer to and from the United Kingdom, when the shipping forecast was of a wave height of 8ft locally and 12ft to the north, would the Minister advise whether such seas are within the operating limits of the vessel, and further advise what monitoring, if any, takes place to ensure that vessels do not exceed their approved operational limits?”

ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

2nd Session –

	First 15 minute period	Second 15 minute period
	Minister	Minister
6th November	Health and Social Services	Chief Minister
20th November	Education, Sport and Culture	Planning and Environment
4th December	Social Security	Chief Minister