

STATES OF JERSEY ORDER PAPER

Monday 16th July 2007

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Battle of Flowers (Jersey) Order 2007. R&O 84/2007.
Minister for Transport and Technical Services.

Road Racing (Hill Climbs and Sprint) (No. 3) (Jersey) Order 2007. R&O 85/2007.
Minister for Transport and Technical Services.

Road Traffic (Disabled Persons) (Parking) (Amendment No. 6) (Jersey) Order 2007. R&O 86/2007.
Minister for Transport and Technical Services.

Road Traffic (St. Helier) (Amendment No. 21) (Jersey) Order 2007. R&O 87/2007.
Minister for Transport and Technical Services.

C. DOCUMENTS PRESENTED OR LAID

Code of Practice on Public Access to Official Information: Annual Report for 2006. R.65/2007.
Presented: 6th July 2007.
Privileges and Procedures Committee.

Data Protection (Jersey) Law 2005: Annual Report for 2006. R.66/2007.
Presented: 9th July 2007.
Chief Minister.

Land Transactions under Standing Order 168(3) – Fields 853, 864 and 865, Trinity: R.67/2007.
sale of land.
Presented: 12th July 2007.
Minister for Treasury and Resources.

D. NOTIFICATION OF LODGED PROPOSITIONS

Draft Income Support (Jersey) Regulations 200-. P.90/2007.
Lodged: 12th July 2007.
Minister for Social Security.

Draft Income Support (Special Payments) (Jersey) Regulations 200-. P.91/2007.
Lodged: 12th July 2007.
Minister for Social Security.

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” on 5th June 2007 is to be

withdrawn -

Draft Price and Charge Indicators (Jersey) Law 200-.
Lodged: 5th June 2007.
Minister for Economic Development.

P.76/2007.

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

H. PETITIONS

I. QUESTIONS

(a) – Written Questions
(attached)

1. The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the Freedom of Information Law.
2. The Minister for Home Affairs will table an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the rationale for enacting the Unlawful Public Entertainment (Jersey) Regulations 2004.
3. The Minister for Economic Development will table an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding internet traders.
4. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the absorption by retailers of the cost of GST.
5. The Minister for Home Affairs will table an answer to a question asked by Senator B.E. Shenton regarding the lack of repatriation legislation in the Island.
6. The Minister for Planning and Environment will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the Castle Quay Development.
7. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the tax revenue charged on profits made by Jersey's financial services.
8. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact of income tax mortgage relief.
9. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the taxation of private equity company operating in Jersey.
10. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the sale of three bedroom States rental housing stock.
11. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the impact of GST.
12. 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 reduction of voting age to 16 years.

(b) – **Oral Questions** (90 minutes)

(attached)

1. Senator B.E. Shenton will ask the following question of the Minister for Social Security -

“Can the Minister confirm that he has no plans to means-test the State pension and outline what policies his Department has in place to encourage people to work hard and save for their retirement?”

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

“In the absence of any mechanism to tax non-Jersey domiciled beneficial owners of non-finance companies under zero/ ten, what measures, if any, does the Minister envisage to prevent a loss of tax revenues through the takeover of Jersey-owned non-finance companies and how will these operate in practice and has the Minister taken advice on the legal consequences of any unequal treatment of local/non-local companies?”

3. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister -

“Will the Chief Minister advise members of the breakdown in categories (J-category /secondment/other) of the 350 staff recruited from outside the Island by the finance sector in 2006? Of the 145 graduate recruits employed, can he state how many were returning locals and advise what measures he and his Ministers will take to raise the proportion of school leavers in finance sector recruitment from 75 (less than 9 per cent)?”

4. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Chairman of the Environment Scrutiny Panel -

“Would the Chairman advise members what reviews his Panel is currently undertaking, and when they will be completed?”

5. The Connétable of St. Helier will ask the following question of the Minister for Treasury and Resources -

“In view of the Island’s improved financial situation and the delay in implementing the new Income Support system, would the Minister be prepared to defer the implementation of GST?”

6. Senator L. Norman will ask the following question of the Minister for Economic Development -

“Does the Minister consider that the introduction of the Goods and Services Tax without Price Marking Legislation could cause confusion and disaffection amongst consumers?”

7. The Deputy of St. Martin will ask the following question of the Minister for Transport and Technical Services -

“Would the Minister advise members how many people are waiting to attend Compulsory Basic Training Courses and whether any action could be taken to reduce the length of the waiting list?”

8. Deputy D.W. Mezbourian of St. Lawrence will ask the following question of the Minister for Planning and Environment -

“What conditions, if any, were imposed to ensure the reinstatement of the staircase in the de Gruchy Department Store and when will they be enforced?”
9. Deputy D.W. Mezbourian of St. Lawrence will ask the following question of the Minister for Health and Social Services -

“Notwithstanding the Minister's recent indisposition, when will the Minister formally respond to SR1 2007 ‘Overdale, Closure of Leoville and Mckinstry Wards’, presented on 10th January 2007 and SR6 ‘GP Co-operative Out of Hours Service’, presented on 8th March 2007?”
10. Senator L. Norman will ask the following question of the Minister for Treasury and Resources -

“Following the decision of the Minister for Economic Development to withdraw the draft Price and Charge Indicators (Jersey) Law 200- , would the Minister inform members whether all decisions on how, when and where to apply the Goods and Services Tax when it comes into force will be taken by retailers?”
11. Deputy K.C. Lewis of St. Saviour will ask the following question of the Chief Minister -

“Does the Chief Minister have any plans to ask the Minister for Social Security to reconsider the proposal to fund the Winter Fuel Allowance from the Senior Citizens’ Christmas Bonus?”
12. Senator B.E. Shenton will ask the following question of the Minister for Economic Development -

“Is the Minister of the view that a public policy exemption under the Competition (Jersey) Law 2005 in respect of the current dairy arrangements is not necessary and that open competition in the local dairy industry, the removal of centralised quotas and milk quality checks, and the possible importation of milk is in the best interests of the Island?”
13. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Chairman of the Privileges and Procedures Committee -

“Does the Chairman regard the pre election notices published by the Judicial Greffe as effective? What is the cost of these notices for this year to-date and for 2005 and 2006 and what improvements, if any, would he suggest?”
14. Deputy J.A. Martin of St. Helier will ask the following question of the Chairman of the Comité des Connétables -

“Will the Connétables accept voter registration forms from people aged 16 and 17 pending the required changes in the electoral law prior to the 2008 elections and what steps will the Comité take to encourage voter registration among this age group over the coming months?”
15. The Connétable of St. Helier will ask the following question of the Minister for Transport and Technical Services -

“Would the Minister confirm that his department will now facilitate the Parish of St. Helier’s wish to implement the new Residents’ Parking Zone in the Cheapside area, and will progress the necessary legislative changes this autumn?”
16. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Social Security -

“Will the Minister inform members how people receiving Income Support will be assessed as to their need for additional funds to cover extra living costs following the introduction of GST?”

17. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Social Security -

“Would the Minister inform members what progress, if any, has been made regarding the introduction of insurance for long-term residential care?”

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

The Deputy Chief Minister has given notice that he will ask the States to agree that the period of questions without notice to the Chief Minister be deferred until Tuesday 17th July 2007, as the Chief Minister will be out of the Island on States business on Monday 16th July 2007. In the absence of such agreement, the questions will be answered by the Deputy Chief Minister in accordance with the provisions of Article 27(1) of the States of Jersey Law 2005.

1st question period – Minister for Health and Social Services.

2nd question period – Chief Minister.

J. PERSONAL STATEMENTS

L. PUBLIC BUSINESS

Draft Community Provisions (Wire Transfers) (Jersey) Regulations 200-. P.71/2007.
Lodged: 24th May 2007.
Minister for Treasury and Resources.

Draft Unlawful Public Entertainments (Jersey) Regulations 200-. P.72/2007.
Lodged: 31st May 2007.
Minister for Home Affairs.

Registration of Political Parties. P.73/2007.
Lodged: 5th June 2007.
Privileges and Procedures Committee.

Registration of Political Parties (P.73/2007): amendments. P.73/2007. Amd.
Lodged: 14th June 2007.
Deputy G.P. Southern of St. Helier.

Registration of Political Parties (P.73/2007): amendment (P.73/2007 Amd.)– P.73/2007.
comments. Amd.Com.
Presented: 3rd July 2007.
Privileges and Procedures Committee.

Registration of Political Parties (P.73/2007): second amendments. P.73/2007. Amd.
Lodged: 3rd July 2007. (2)
Senator F.E. Cohen.

Registration of Political Parties (P.73/2007): third amendments. Lodged: 3rd July 2007. <i>Privileges and Procedures Committee.</i>	P.73/2007. Amd. (3)
Draft States of Jersey (Powers, Privileges and Immunities) (Committees of Inquiry) (Jersey) Regulations 200- Lodged: 5th June 2007. <i>Privileges and Procedures Committee.</i>	P.74/2007.
Social Housing Property Plan 2007–2016. Lodged: 16th January 2007. <i>Minister for Housing.</i>	P.6/2007.
Composition of the States: revised structure and referendum. Lodged: 5th June 2007. <i>Privileges and Procedures Committee.</i>	P.75/2007.
Composition of the States: revised structure and referendum (P.75/2007) – amendment. Lodged: 5th June 2007. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.75/2007. Amd.
Composition of the States: revised structure and referendum (P.75/2007) – second amendment. Lodged: 3rd July 2007. <i>Deputy J.A.N. Le Fondré of St. Lawrence.</i>	P.75/2007. Amd. (2)
Composition of the States: revised structure and referendum (P.75/2007) – third amendments. Lodged: 3rd July 2007. <i>Deputy G.P. Southern of St. Helier.</i>	P.75/2007. Amd. (3)
Composition of the States: referendum. Lodged: 22nd June 2007. <i>Senator J.L. Perchard.</i>	P.86/2007.
Composition of the States: referendum (P.86/2007) – comments. Lodged: 3rd July 2007. <i>Privileges and Procedures Committee.</i>	P.86/2007. Com.
Composition and Election of the States Assembly: election dates for Connétables. Lodged: 19th April 2007. <i>Comité des Connétables.</i>	P.54/2007.
Composition and Election of the States Assembly: election dates for Connétables (P.54/2007) – comments. Presented: 4th June 2007. <i>Privileges and Procedures Committee.</i>	P.54/2007. Com.
Code of Practice for Scrutiny Panels and the Public Accounts Committee. Lodged: 5th June 2007. <i>Chairmen’s Committee.</i>	P.77/2007.
Code of Practice for Scrutiny Panels and the Public Accounts Committee (P.77/2007): comments. Presented: 3rd July 2007.	P.77/2007. Com.

H.M. Attorney General.

Code of Practice for Scrutiny Panels and the Public Accounts Committee (P.77/2007): amendment.
Lodged: 19th June 2007.
Chairmen's Committee. P.77/2007. Amd.

Code of Practice for Scrutiny Panels and the Public Accounts Committee (P.77/2007): second amendments.
Lodged: 3rd July 2007.
Council of Ministers. P.77/2007.
Amd.(2)

Code of Practice for Scrutiny Panels and the Public Accounts Committee (P.77/2007): third amendments.
Lodged: 3rd July 2007.
Chairmen's Committee. P.77/2007.
Amd.(3)

La Carrière redevelopment and rock face stabilisation works.
Lodged: 5th June 2007.
Minister for Housing. P.78/2007.

Draft Financial Services (Amendment of Law) (Jersey) Regulations 200-.
Lodged 5th June 2007.
Minister for Economic Development. P.79/2007.

Jersey Financial Services Commission: appointment of Commissioner.
Lodged: 3rd July 2007.
Minister for Economic Development.
(debate in camera) P.88/2007.

M. ARRANGEMENT OF PUBLIC BUSINESS

11th September 2007

School Milk and Milk at a Reduced Rate: continued provision.
Lodged: 27th March 2007.
Deputy G.P. Southern of St. Helier. P.45/2007.

School Milk and Milk at a Reduced Rate: continued provision (P.45/2007) – amendment.
Lodged: 3rd July 2007.
Council of Ministers. P.45/2007.
Amd.

Draft Amendment (No. 7) of the Standing Orders of the States of Jersey.
Lodged: 7th June 2007.
Deputy G.P. Southern of St. Helier. P.80/2007.

Draft Amendment (No. 7) of the Standing Orders of the States of Jersey (P.80/2007): comments.
Presented: 29th June 2007.
Privileges and Procedures Committee. P.80/2007. Com.

Draft Main Roads (Classification) (Amendment No. 28) (Jersey) Act 200.
Lodged: 14th June 2007. P.82/2007.

Minister for Transport and Technical Services.

Draft Health Care (Registration) (Amendment No. 3) (Jersey) Regulations 200-. P.83/2007.
Lodged: 14th June 2007.
Minister for Health and Social Services.

Winter Fuel Payment. P.89/2007.
Lodged: 4th July 2007.
Council of Ministers.

25th September 2007

Draft High Hedges (Jersey) Law 200-. P.51/2007.
Lodged: 13th April 2007.
Minister for Planning and Environment.

Draft High Hedges (Jersey) Law 200- (P.51/2007): Amendments. P.51/2007.
Lodged: 19th June 2007. Amd.
Deputy A.J.H. Maclean of St. Helier.

Retail Strategy: Impact Assessment. P.84/2007.
Lodged: 18th June 2007.
Economic Affairs Scrutiny Panel.

Draft Road Traffic (No. 58) (Jersey) Regulations 200-. P.87/2007.
Lodged: 25th June 2007.
Minister for Transport and Technical Services.

Draft Income Support (Jersey) Regulations 200-. P.90/2007.
Lodged: 12th July 2007.
Minister for Social Security.

Draft Income Support (Special Payments) (Jersey) Regulations 200-. P.91/2007.
Lodged: 12th July 2007.
Minister for Social Security.

M.N. DE LA HAYE
Greffier of the States

11th July 2007

Note –

In accordance with the decision of the States on 4th July 2007, and the meeting dates fixed for 2007 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Tuesday 17th July, Wednesday 18th July, Thursday 19th July and Friday 20th July 2007.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.84/2007.

Under this Order, the Jersey Battle of Flowers Association –

- (a) may close public roads, and use them, for the purpose of holding the Battle of Flowers on Thursday 9th August 2007 and the Moonlight Parade on Friday 10th August 2007;
- (b) may restrict traffic on public roads for the same purpose;
- (c) has to give public notice of the closures and restrictions; and
- (d) has to take out public liability insurance.

The Order was made on 6th July 2007.

R&O.85/2007.

The effect of this Order is to authorize the Classic and Vintage Motor Racing Club of Jersey Limited to hold road races on Friday 24th August around the Five Mile Road and on Saturday 25th and Sunday 26th August around Grève de Lecq and to close roads for those purposes.

The Order was made on 6th July 2007 and comes into force forthwith.

R&O.86/2007.

This Order makes changes to the provisions providing for disabled parking places in St. Helier with a 4 hour limit. The Order was made on 6th July 2007 and comes into force on 30th July 2007.

R&O.87/2007.

This Order makes a series of amendments to the Road Traffic (St. Helier) (Jersey) Order 1996 relating to parking in the parish of St. Helier. Changes are made with respect to the prohibition on waiting on certain roads, with respect to parking places, in relation to unloading bays and the parking of motor cycles and mopeds.

The Order was made on 6th July 2007 and comes into force on 30th July 2007.

WRITTEN QUESTIONS

(See Item I(a))

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 Chairman specify in what ways the simplified draft of the proposed Freedom of Information Law differs from the previous draft and confirm that the simplification will not lead to a dilution of the key principles of the Law?

In what ways does the simplification reduce the need for resources in implementing the Law?”

The Minister for Home Affairs will table an answer to the following question asked by Deputy R.G. Le Hérissier of St. Saviour –

“Would the Minister outline the rationale for enacting the Unlawful Public Entertainment (Jersey) Regulations 2004, under powers contained in the Order in Council of 1771?”

The Minister for Economic Development will table an answer to the following question asked by Deputy R.G. Le Hérissier of St. Saviour –

“Would the Minister explain whether the imposition of increases in parcel post rates upon small internet traders has affected his Department’s ‘Small Business Development Strategy’?”

The Chief Minister will table an answer to the following question asked by Deputy G.P. Southern of St. Helier -

“Will the Chief Minister release to members the evidence he has to support his assertion made in oral questions on 17th April 2007, that many retailers would absorb the costs of GST and not pass it on to their customers, and if not, why not?”

The Minister for Home Affairs will table an answer to the following question asked by Senator B.E. Shenton –

“In light of the recent sentencing of two Portuguese nationals, convicted of heroin smuggling, to jail terms of 4.5 years and 3.5 years in the Island, with a recommendation for deportation at the end of the sentence, would the Minister agree that the lack of repatriation legislation has cost the Jersey taxpayer a considerable amount of money and caused over crowding at La Moye and, if so, what steps, if any, will she take to address this matter?”

The Minister for Planning and Environment will table an answer to the question asked by Deputy G.P. Southern of St. Helier -

“(a) In his response to a written question of 3rd July 2007, the Minister stated that the proposed Castle Quay development will have ‘significant beneficial impact on wind conditions’ on a site ‘is generally rated as unsuitable in terms of safety and deemed comfortable, at least in winter, for no more than a level of walking normally associated with business activities’. Will he give greater detail on the significance of the beneficial impact and, in particular, what activities will be possible in safety and comfort due to wind levels?

- (b) What amounts of solid and porous structures are currently envisaged to deflect or otherwise mitigate the wind?"

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

- “(a) Recent data from the Statistics Department showed profits for Jersey’s financial services sector to be up in real terms by 21 per cent on 2006 at £1,314 million, will the Minister reveal what amount of tax revenue was charged on these profits overall, showing the total for each of the five finance sub-sectors along with the effective tax rate charged?
- (b) Does the Minister have, and if so will he reveal, comparative figures for all 11 sectors of the economy, as shown on page five of the Jersey Economic Digest 2006, and if not will he agree to do so and in what timescale?
- (c) Will the Minister reveal how these figures will be affected by the advent of the 0/10 tax regime?
- (d) Can the Minister inform members what efforts, if any, have been made to improve the quality of data received from the legal sub-sector so that activity in this sector can be sampled and reported separately?”

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

“In his response to a written question on 3rd July 2007, the Minister stated that would be unable to give an accurate assessment of the impact of income tax mortgage relief on tax revenues prior to the operation of ITIS in 2008. Will he nevertheless respond to the question with estimated figures?”

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

- “(a) Will the Minister inform members, in respect of a private equity company operating in Jersey and subject to Jersey tax -
- (i) whether the profits accruing to the company from the onward sale of any acquired business would be tax-free in Jersey?
- (ii) the motivation for the usual three to five year gap between acquisition and sale of businesses by private equity to minimise Capital Gains Tax in the United Kingdom would not exist in Jersey and could produce shorter term turnarounds?
- (b) Will the Minister outline to members what powers, if any, he, or other Minister, has to control the level of ‘gearing’ used to minimise tax on operating profits by private equity companies?”

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

“In his response to a written question on 3rd July, the Minister revealed that at least 66 households were in need for medical or overcrowding reasons of three-bedroom States accommodation and even if 23 such properties could be released by ‘downsizing’ to one or two-bed properties, that would still leave 43 families in need. How does the Minister justify the proposed sale of many three bed-roomed properties in view of this shortage?”

The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the proposed GST.

“Would the Minister advise, in relation to the proposed GST, his latest calculations regarding –

- (a) the cost of administration (in both manpower and monetary terms);
- (b) the sum needed to top up Low Income Support;
- (c) the total increase in the revenue and capital expenditure of the Island over the next five years as a result of introducing GST (inclusive of the costs outlined in (a))?”

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 -

- “(a) Would the Minister advise, given the reduction of voting age to 16 years, together with the concentration of schools in some parishes, whether he will put in place measures to ensure that school children are not unduly influenced by their schools as to their choice of candidate(s)?
- (b) Would he also agree to put in place measures to ensure that children are not pressured into feeling they have to vote unless they wish to do so, and explain how this, and the possibility of influence at school, will be prevented?
- (c) Would the Minister indicate how many children aged 16 or above are in education, and would he give an approximate indication of how many at each school?”

ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

2nd Session –

	First 15 minute period	Second 15 minute period
	Minister	Minister
11th September	Social Security	Chief Minister
25th September	Housing	Treasury and Resources
9th October	Home Affairs	Chief Minister
23rd October	Economic Development	Transport & Technical Services
6th November	Health and Social Services	Chief Minister
20th November	Education, Sport and Culture	Planning and Environment
4th December	Social Security	Chief Minister