

STATES OF JERSEY ORDER PAPER

Tuesday 15th January 2008

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Amendment (No. 32) to the Tariff of Harbour and Light Dues. R&O.177/2007.
Minister for Economic Development.

Pilotage (Dues and Fees) (No. 2) (Jersey) Order 2007. R&O.178/2007.
Minister for Economic Development.

Diseases of Animals (Foot and Mouth – Restrictions) (Revocation) (Jersey) R&O.179/2007.
Order 2007.
Minister for Planning and Environment.

Diseases of Animals (Pigs, Goats and Sheep Registration, Identification and R&O.180/2007.
Movement) (Jersey) Order 2007.
Minister for Planning and Environment.

Sea Fisheries (Fees) (Jersey) Order 2007. R&O.181/2007.
Minister for Economic Development.

Evidence (Television and Video Recordings) (Amendment) Rules 2007. R&O.182/2007.
Superior Number of the Royal Court.

Financial Services (Trust Company and Investment Business (Accounts, R&O.183/2007.
Audits and Reports)) (Jersey) Order 2007.
Minister for Economic Development.

Employment Relations (Codes of Practice) (Jersey) Order 2007. R&O.184/2007.
Minister for Social Security.

Health Insurance (Pharmaceutical Benefit) (General Provisions) (No. 2) R&O.185/2007.
(Amendment No. 4) (Jersey) Order 2007.
Minister for Social Security.

Public Finances (Accounting Standards) (Jersey) Order 2008. R&O.1/2008.
Minister for Treasury and Resources.

High Hedges (Application Fee) (Jersey) Order 2008. R&O.2/2008.
Minister for Planning and Environment.

C. DOCUMENTS PRESENTED OR LAID

Draft States of Jersey (Amendment No. 5) Law 200 (P.183/2007): amendments P.183/2007.
(P.183/2007 Amd.)– comments. Amd.Com.
Presented: 11th January 2008.
Privileges and Procedures Committee.

Draft States of Jersey (Amendment No. 5) Law 200 (P.183/2007): second amendments (P.183/2007 Amd.(2))– comments. Presented: 11th January 2008. <i>Privileges and Procedures Committee.</i>	P.183/2007. Amd.(2)Com.
Managing Migration: New Mechanisms, Part 1, The Population Register and Jersey Names and Address Index. Presented: 12th December 2007. <i>Chief Minister.</i>	R.110/2007.
Civil Partnerships: Green Paper November 2007. Presented: 14th December 2007. <i>Chief Minister.</i>	R.111/2007.
States Members’ facilities in the States Building: conditions of use. Presented: 14th December 2007. <i>Privileges and Procedures Committee.</i>	R.112/2007.
Land Transactions under Standing Order 168(3) – (a) Thorp House Warehouse, Rouge Bouillon, St. Helier– new lease to Mr. Clive Broadhead; (b) Watersplash, La Grande Route des Mielles, St. Peter– purchase of land from Five Mile Limited; (c) Unit B004H, Alares House Office Suite, Jersey Airport – 2 year 6 month lease to Professional Hi-Tech Services Limited. Presented: 19th December 2007. <i>Minister for Treasury and Resources.</i>	R.113/2007.
States of Jersey Law 2005: delegation of functions – loans to Beaulieu Convent School. Presented: 19th December 2007. <i>Minister for Treasury and Resources.</i>	R.114/2007.
Jersey Advisory and Conciliation Service Board: appointment of members. Presented: 24th December 2007. <i>Minister for Social Security.</i>	R.115/2007.
Jersey Employment Tribunal: annual report for the period 1st July 2006 to 30th June 2007. Presented: 28th December 2007. <i>Minister for Social Security.</i>	R.116/2007.
Land Transactions under Standing Order 168(3) – (a) 11 Les Cloches, Le Squez Road, St. Clement– sale; (b) Clos Gentil, Links Estate, La Rue a Don, Grouville – Assisted House Purchase Scheme. Presented: 28th December 2007. <i>Minister for Treasury and Resources.</i>	R.117/2007.
Annual Report of the Comptroller & Auditor General. Presented: 2nd January 2008. <i>Comptroller and Auditor General.</i>	R.1/2008.

Land Transactions under Standing Order 168(3) – R.2/2008.
(a) Petit Champeaux, La Rue du Coin, St. Clement– Assisted House Purchase Property;
(b) Weighbridge, Caledonia Place, St. Helier– approval of a new plan showing the area of land to be included in the proposed lease to the Waterfront Enterprise Board approved by the States Assembly Projet P.45/2002.
Presented: 2nd January 2008.
Minister for Treasury and Resources.

States of Jersey Law 2005: delegation of functions – housing. R.3/2008.
Presented: 8th January 2008.
Minister for Housing.

Review of Goods and Services Tax: De Minimis Waiver. S.R.21/2007.
Presented: 31st December 2007.
Corporate Services Panel (GST Sub-Panel).

Review of Goods and Services Tax: De Minimis Waiver – Fourth Report. S.R.1/2008.
Presented: 11th January 2008.
Corporate Services Scrutiny Panel.

D. NOTIFICATION OF LODGED PROPOSITIONS

Draft Companies (Amendment No. 9) (Jersey) Law 200 (P.174/2007): P.174/2007.
amendments. Amd.
Lodged: 28th December 2007.
Minister for Economic Development.

Draft States of Jersey (Amendment No. 5) Law 200 (P.183/2007): P.183/2007.
amendments. Amd.
Lodged: 31st December 2007.
Deputy P.N. Troy of St. Brelade.

Draft States of Jersey (Amendment No. 5) Law 200 (P.183/2007): second P.183/2007.
amendments. Amd.(2)
Lodged: 31st December 2007.
Deputy G.W.J. de Faye of St. Helier.

Draft Advocates and Solicitors (Amendment No. 4) (Jersey) Law 200. P.189/2007.
Lodged: 7th December 2007.
Chief Minister.

Draft Court of Appeal (Amendment No. 8) (Jersey) Law 200. P.190/2007.
Lodged: 7th December 2007.
Chief Minister.

Draft Legitimacy (Amendment) (Jersey) Law 200-. P.191/2007.
Lodged: 7th December 2007.
Chief Minister.

Ratification of the Agreement for the Exchange of Information Relating to Tax P.192/2007.
Matters between the Kingdom of the Netherlands and the States of Jersey.
Lodged: 11th December 2007.
Chief Minister.

Draft Taxation (Exchange of Information with Third Countries) (Jersey) Regulations 200-. Lodged: 11th December 2007. <i>Chief Minister.</i>	P.193/2007.
Jersey Enterprise Board Limited: proposed establishment. Lodged: 19th December 2007. <i>Council of Ministers.</i>	P.194/2007.
Jersey Enterprise Board Limited: proposed establishment (P.194/2007) – amendment. Lodged: 28th December 2007. <i>Deputy J.B. Fox of St. Helier.</i>	P.194/2007. Amd.
Draft Burials and Exhumations (Amendment) (Jersey) Law 200-. Lodged: 19th December 2007. <i>Chief Minister.</i>	P.195/2007.
Jersey Police Complaints Authority: appointment of members. Lodged: 24th December 2007. <i>Minister for Home Affairs.</i>	P.196/2007.
Draft Pilotage (Jersey) Law 200-. Lodged: 28th December 2007. <i>Minister for Economic Development.</i>	P.197/2007.
Code of Practice for Scrutiny Panels and the Public Accounts Committee. Lodged: 28th December 2007. <i>Chairmen's Committee.</i>	P.198/2007.
Millennium Town Park: Funding from Strategic Reserve. Lodged: 3rd January 2008. <i>Deputy G.P. Southern of St. Helier.</i>	P.1/2008.
Draft Public Elections (Amendment No. 3) (Jersey) Law 200. Lodged: 7th January 2008. <i>Deputy G.P. Southern of St. Helier.</i>	P.2/2008.
Draft Public Elections (Amendment No. 3) (Jersey) Law 200 (P.2/2008): amendment. Lodged: 11th January 2008. <i>Deputy of St. Martin.</i>	P.2/2008. Amd.
Legislation Advisory Panel: appointment of Members. Lodged: 7th January 2008. <i>Chief Minister.</i>	P.3/2008.
Draft Harbours (Amendment No. 41) (Jersey) Regulations 200-. Lodged: 8th January 2008. <i>Minister for Economic Development.</i>	P.4/2008.
Draft Boats and Surf-Riding (Control) (Amendment No. 27) (Jersey) Regulations 200-. Lodged: 8th January 2008. <i>Minister for Economic Development.</i>	P.5/2008.

Jersey Overseas Aid Commission: appointment of non-States Commissioner.
Lodged: 11th January 2008.
Deputy J.J. Huet of St. Helier.

P.6/2008.

E. WITHDRAWAL OF LODGED PROPOSITIONS

In accordance with Standing Order 34(1), Deputy Ian Joseph Gorst of St. Clement has informed the Greffier of the States that the following proposition lodged “au Greffe” is to be withdrawn –

Island Plan 2002: H4 Site No. 15, Samarès Nursery, St. Clement and future
amendments to the Island Plan.
Lodged: 20th July 2007.
Deputy I.J. Gorst of St. Clement.

P.95/2007.

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions *(attached)*

1. The Minister for Economic Development will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding passengers with onward connections at Gatwick airport.
2. The Minister for Economic Development will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding ferry sailings prior to Christmas.
3. The Chief Minister will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the introduction of identity cards.
4. The Minister for Home Affairs will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the current investigation into allegations of child abuse.
5. The Chief Minister will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the notification of Ministers' absences.
6. The Chief Minister will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the Jersey logo.
7. The Minister for Transport and Technical Services will table answers to questions asked by Deputy G.C.L. Baudains of St. Clement regarding vehicles restricted by law to a speed limit of 30 miles per hour.
8. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding GST exemptions.
9. The Minister for Treasury and Resources will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the use of monies resulting from unfilled vacancies.

10. The Minister for Economic Development will table an answer to a question asked by Deputy R.G. Le Hérisser of St. Saviour regarding increases in Harbour fees.
11. The Chairman of the Environment Scrutiny Panel will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the Panel's advertising expenditure.
12. The Minister for Planning and Environment will table answers to questions asked by Deputy P.V.F. Le Claire of St. Helier regarding emissions from Bellozanne.
13. The Minister for Health and Social Services will table an answer to a question asked by Deputy R.G. Le Hérisser of St. Saviour regarding the cost of the Integrated Care Record project.
14. The Minister for Housing will table answers to questions asked by Deputy G.P. Southern of St. Helier regarding rental arrears.
15. The Minister for Planning and Environment will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the development at Goose Green Marsh.
16. The Minister for Home Affairs will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding a recent incident involving armed police.
17. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the 'buy to let' market.
18. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the resolution of the aging population issue.
19. The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the limitation of election expenditure.
20. The Minister for Social Security will table answers to questions asked by Deputy G.P. Southern of St. Helier regarding Income Support arrangements.

(b) – Oral Questions

(90 minutes)

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

“Will the Minister undertake not to seek to debate the proposition to sell Jersey Telecom until the structural separation and issues relating to the powers of the Jersey Competition Regulatory Authority have been resolved, so as not to create a climate of uncertainty in the market place?”
2. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Chief Minister –

“In response to an oral question on 6th November 2007, the Chief Minister refused to release the Corporate Management Board minutes, suggesting it was not the role of politicians to become involved in the detail of how States policies and decisions are implemented. Would the Minister reconsider his decision to deny access, in order to ensure that backbenchers are able to satisfy themselves as to public service efficiency?”
3. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Home Affairs –

“Would the Minister advise whether she is satisfied that the wheel clamping of vehicles on private land and subsequent demand for money for their release is actually legal?”

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

“Will the Minister advise whether she plans to introduce any new legislation to solve the problems associated with Jersey’s perceived binge drinking culture and if so, when will such laws be presented to the States for consideration?”

5. Deputy P.V.F. Le Claire of St. Helier will ask the following question of the Minister for Home Affairs -

“Would the Minister explain the background to the recent armed response incident in St. Helier and outline, in light of appeals by the Royal Court, what proposals exist, if any, to increase the sentencing terms for offences involving people carrying weapons such as knives?”

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

“Would the Minister outline the criteria which determine whether or not an owner, who has allegedly illegally converted a property, is recommended for prosecution?”

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

“In his traditional Christmas address, the Magistrate expressed his disappointment in the lack of new legislation to give the Courts powers to place children of 12 years and over in Greenfield’s secure youth remand unit as a sentencing option. Will the Minister advise when such legislation will be presented to the States and whether there is any possibility of expediting its progress?”

8. The Connétable of St. Helier will ask the following question of the Minister for Planning and Environment –

“Would the Minister advise whether 12 - 14 Hilgrove Street are considered significant in historic building terms, and if so, does he support the proposed demolition of them apart from the façades?”

9. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Treasury and Resources –

“Will the Minister undertake to identify sufficient funding to enable Transport and Technical Services to restart the Hoppa bus service when several car parking areas in St. Helier are lost?”

10. Deputy J.A. Martin of St. Helier will ask the following question of the Minister for Social Security –

“Will the Minister outline what contingency arrangements exist, if any, for the payment of monies to households who do not submit their application form for Income Support by 28th January 2008?”

11. The Connétable of St. Helier will ask the following question of the Minister for Transport and Technical Services –

“Would the Minister confirm that the lift in Minden Place car park is not in operation after 10pm and, if so, explain the reasons for this decision?”

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

“Under what criteria does the Housing Minister decide to recommend cases for prosecution where category (a) to (h) housing has been taken out of the market without permission.”

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

“Given that information for the reassurance and peace of mind for residents as a conclusion of the Buncefield report was recognised as essential in the United Kingdom, will the ‘Hazard Review Report 2’ into the domino effect risk assessment be released in Jersey and, if so, when?”

14. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –

“Will the Chief Minister explain how the “Imagine Jersey” survey provides sufficient information on potential impacts of non-mutually exclusive alternatives to allow any member of the public to make a reasoned preference between them, particularly when it comes to the issue of population growth and housing in the last couple of pages and gives limited alternatives to resolve immigration issues?”

15. Senator B.E. Shenton will ask the following question of the Minister for Planning and Environment –

“Would the Minister confirm that as part of the planning process The Boathouse Restaurant was required to pay the sum of £20,000 to the Planning Department to fund community improvements in the St. Aubin’s area and if so, will he explain how this money has been used and advise members whether such cash payments to his department are now commonplace?”

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

“Will the Minister define exactly what the difference is between “exempt” and “zero-rated” supplies under GST, outline how they will be treated as they pass through the supply chain by registered and non registered companies, with special reference to the pharmacy trade and assure members that there will be no costs passed on to the consumer from “exempt” supplies?”

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

“On 4th December 2007, the Chief Minister stated that it would not be a problem to extend the consultation on Imagine Jersey 2035, but he has subsequently informed the Scrutiny Panel that ‘there is a real problem with extending which I was not aware of’. Will the Chief Minister explain why the situation has changed?”

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

1st question period – Minister for Treasury and Resources

2nd question period – Minister for Home Affairs

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Draft Amendment (No. 8) of the Standing Orders of the States of Jersey. Lodged: 23rd October 2007. <i>Senator M.E. Vibert.</i>	P.162/2007.
Draft Amendment (No. 8) of the Standing Orders of the States of Jersey (P.162/2007): comments. Presented: 3rd December 2007. <i>Privileges and Procedures Committee.</i>	P.162/2007. Com.
Draft Gambling (Remote Gambling Disaster Recovery) (Jersey) Regulations 200-. Lodged: 31st October 2007. <i>Minister for Economic Development.</i>	P.170/2007.
Goods and Services Tax: de minimis waiver. Lodged: 14th November 2007. <i>Minister for Treasury and Resources.</i>	P.171/2007.
Draft States of Jersey (Amendment No. 4) (Amendment) (Jersey) Law 200. Lodged: 19th November 2007. <i>Chief Minister.</i>	P.173/2007.
Draft Companies (Amendment No. 2) (Jersey) Regulations 200. Lodged: 19th November 2007. <i>Minister for Economic Development.</i>	P.175/2007.
Draft Companies (Amendment No. 9) (Jersey) Law 200. Lodged: 19th November 2007. <i>Minister for Economic Development.</i>	P.174/2007.
Draft Companies (Amendment No. 9) (Jersey) Law 200 (P.174/2007): amendments. Lodged: 28th December 2007. <i>Minister for Economic Development.</i>	P.174/2007. Amd.
Employment Tribunal: appointment of members. Lodged: 27th November 2007. <i>Minister for Social Security.</i>	P.180/2007.
Draft Income Support (Special Payments) (Cold Weather Payments) (Jersey) Regulations 200-. Lodged: 30th November 2007. <i>Minister for Social Security.</i>	P.181/2007.
Draft Income Support (Amendment) (Jersey) Regulations 200-. Lodged: 4th December 2007. <i>Minister for Social Security.</i>	P.182/2007.
Draft States of Jersey (Amendment No. 5) Law 200. Lodged: 4th December 2007. <i>Privileges and Procedures Committee.</i>	P.183/2007.

Draft States of Jersey (Amendment No. 5) Law 200 (P.183/2007): amendments. Lodged: 31st December 2007. <i>Deputy P.N. Troy of St. Brelade.</i>	P.183/2007. Amd.
Draft States of Jersey (Amendment No. 5) Law 200 (P.183/2007): amendments (P.183/2007 Amd.)– comments. Presented: 11th January 2008. <i>Privileges and Procedures Committee.</i>	P.183/2007. Amd.Com.
Draft States of Jersey (Amendment No. 5) Law 200 (P.183/2007): second amendments. Lodged: 31st December 2007. <i>Deputy G.W.J. de Faye of St. Helier.</i>	P.183/2007. Amd.(2)
Draft States of Jersey (Amendment No. 5) Law 200 (P.183/2007): second amendments (P.183/2007 Amd.(2))– comments. Presented: 11th January 2008. <i>Privileges and Procedures Committee.</i>	P.183/2007. Amd.(2)Com.
Draft Connétables (Jersey) Law 200-. Lodged: 4th December 2007. <i>Privileges and Procedures Committee.</i>	P.184/2007.
Draft Connétables (Jersey) Law 200- (P.184/2007): amendments. Lodged: 4th December 2007. <i>Deputy I.J. Gorst of St. Clement.</i>	P.184/2007. Amd.
Draft Employment Relations (Registration) (Jersey) Regulations 200-. Lodged: 4th December 2007. <i>Minister for Social Security.</i>	P.186/2007.
Jersey Police Complaints Authority: appointment of members. Lodged: 24th December 2007. <i>Minister for Home Affairs.</i>	P.196/2007.

M. ARRANGEMENT OF PUBLIC BUSINESS

29th January 2008

Draft Health and Safety at Work (Asbestos - Licensing) (Jersey) Regulations 200-. Lodged: 25th October 2007. <i>Minister for Social Security.</i>	P.168/2007.
Draft Employment (Amendment No. 4) (Jersey) Law 200. Lodged: 21st November 2007. <i>Minister for Social Security.</i>	P.178/2007.
Draft Employment (Minimum Wage) (Amendment No. 4) (Jersey) Regulations 200-. Lodged: 22nd November 2007. <i>Minister for Social Security.</i>	P.179/2007.

Establishment of a Working Party to examine the operation of Third Party Planning Appeals. Lodged: 5th December 2007. <i>Deputy C.J. Scott Warren of St. Saviour.</i>	P.188/2007.
Draft Advocates and Solicitors (Amendment No. 4) (Jersey) Law 200. Lodged: 7th December 2007. <i>Chief Minister.</i>	P.189/2007.
Draft Court of Appeal (Amendment No. 8) (Jersey) Law 200. Lodged: 7th December 2007. <i>Chief Minister.</i>	P.190/2007.
Draft Legitimacy (Amendment) (Jersey) Law 200-. Lodged: 7th December 2007. <i>Chief Minister.</i>	P.191/2007.
Ratification of the Agreement for the Exchange of Information Relating to Tax Matters between the Kingdom of the Netherlands and the States of Jersey. Lodged: 11th December 2007. <i>Chief Minister.</i>	P.192/2007.
Draft Taxation (Exchange of Information with Third Countries) (Jersey) Regulations 200-. Lodged: 11th December 2007. <i>Chief Minister.</i>	P.193/2007.
Legislation Advisory Panel: appointment of Members. Lodged: 7th January 2008. <i>Chief Minister.</i>	P.3/2008.
Jersey Overseas Aid Commission: appointment of non-States Commissioner. Lodged: 11th January 2008. <i>Deputy J.J. Huet of St. Helier.</i>	P.6/2008.

12th February 2008

Draft Proceeds of Crime (Substitution of Schedule 2) (Jersey) Regulations 200. Lodged: 24th September 2007. <i>Minister for Treasury and Resources.</i>	P.127/2007.
JT Group Limited (“Jersey Telecom”): proposed sale. Lodged: 9th October 2007. <i>Minister for Treasury and Resources.</i>	P.153/2007.
JT Group Limited (“Jersey Telecom”): proposed sale (P.153/2007) – amendment. Lodged: 26th October 2007. <i>Senator B.E. Shenton.</i>	P.153/2007. Amd.

26th February 2008

Jersey Enterprise Board Limited: proposed establishment. Lodged: 19th December 2007. <i>Council of Ministers.</i>	P.194/2007.
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Jersey Enterprise Board Limited: proposed establishment (P.194/2007) – amendment. Lodged: 28th December 2007. <i>Deputy J.B. Fox of St. Helier.</i>	P.194/2007. Amd.
Draft Burials and Exhumations (Amendment) (Jersey) Law 200-. Lodged: 19th December 2007. <i>Chief Minister.</i>	P.195/2007.
Draft Pilotage (Jersey) Law 200-. Lodged: 28th December 2007. <i>Minister for Economic Development.</i>	P.197/2007.
Code of Practice for Scrutiny Panels and the Public Accounts Committee. Lodged: 28th December 2007. <i>Chairmen’s Committee.</i>	P.198/2007.
Draft Public Elections (Amendment No. 3) (Jersey) Law 200-. Lodged: 7th January 2008. <i>Deputy G.P. Southern of St. Helier.</i>	P.2/2008.
Draft Public Elections (Amendment No. 3) (Jersey) Law 200 (P.2/2008): amendment. Lodged: 11th January 2008. <i>Deputy of St. Martin.</i>	P.2/2008. Amd.
Draft Harbours (Amendment No. 41) (Jersey) Regulations 200-. Lodged: 8th January 2008. <i>Minister for Economic Development.</i>	P.4/2008.
Draft Boats and Surf-Riding (Control) (Amendment No. 27) (Jersey) Regulations 200-. Lodged: 8th January 2008. <i>Minister for Economic Development.</i>	P.5/2008.
<u>11th March 2008</u>	
Draft Taxation (Land Transactions) (Jersey) Law 200-. Lodged: 4th December 2007. <i>Minister for Treasury and Resources.</i>	P.185/2007.
Millennium Town Park: Funding from Strategic Reserve. Lodged: 3rd January 2008. <i>Deputy G.P. Southern of St. Helier.</i>	P.1/2008.

A.H. HARRIS
Deputy Greffier of the States

10th January 2008

Note –

In accordance with the meeting dates fixed for 2008 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 16th January 2008, Thursday 17th January 2008 and

Friday 18th January 2008.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.177/2007.

This amendment to the Tariff of Harbour and Light Dues would –

- (a) increase, by 2.5%, the harbour dues for arriving and departing passengers and vehicles carried on ‘drive on/drive off’ ferries;
- (b) increase, by 4.3%, the dues payable for marina, visiting craft and other mooring spaces.

The dues were last increased one year ago.

The Amendment was made on 7th December 2007 and came into force on 1st January 2008.

R&O.178/2007.

This Order increases pilotage fees by about 2½% for 2008.

The Order was made on 7th December 2007 and came into force on 1st January 2008.

R&O.179/2007.

This Order revokes the Diseases of Animals (Foot and Mouth – Restrictions No. 8) (Jersey) Order 2007.

The Order was made on 11th December 2007 and came into force forthwith.

R&O.180/2007.

This Order provides for the recording, identification and movement of pigs, goats and sheep.

The Order was made on 11th December 2007 and came into force in accordance with Article 9 of the Order.

R&O.181/2007.

This Order increases the fee for the grant of a fishing boat licence from £83.50 to £85.60 and the scallop permit fees from £73.50 to £75.30 and £15.50 to £15.90.

The Order was made on 11th December 2007 and came into force on 1st January 2008.

R&O.182/2007.

The Criminal Justice (Evidence of Children) (Jersey) Law 2002 empowers the Royal Court or the Magistrate to grant leave to any party in certain criminal proceedings –

- (a) for the evidence of a witness who is a child or who is within a certain category under the Mental Health (Jersey) Law 1969 to be given through a live television link (Article 2); and
- (b) for a video recording to be given in evidence of an interview conducted between an adult and such a witness (Article 3).

Under the Evidence (Television and Video Recordings) Rules 2006 (“the principal Rules”), an application for leave to take evidence through a live television link, or to tender in evidence a video recording of testimony from a witness, must, generally speaking, be made within 28 days of the date on which the accused was first brought before the Court.

These Rules amend the principal Rules by changing this to a requirement to make such an application no later than 28 days before the date fixed for the trial of the accused.

The Rules were made on 17th December 2007 and came into force on 24th December 2007.

R&O.183/2007.

This Order establishes requirements in relation to accounts, audits and reports for persons registered to carry on trust company business, or investment business, under the Financial Services (Jersey) Law 1998. The Order was made on 20th December 2007 and comes into force on 31st December 2007.

R&O.184/2007.

The Minister, by making this Order, approves codes of practice for the purposes of the Employment Relations (Jersey) Law 2007.

The Order was made on 21st December 2007 and comes into force on 15th February 2007.

R&O.185/2007.

This Order increases the standard dispensing fee payable to an approved supplier of pharmaceutical benefit from £2.73 to £2.85. The monthly aggregate amount paid to an approved supplier of pharmaceutical benefit is reduced in accordance with a scale. This Order substitutes the scale so as to reduce the amount of the reduction.

This Order comes into force one month after it is made. It applies to pharmaceutical benefit supplied on or after 1st October 2007.

The Order was made on 21st December 2007 and comes into force 21st January 2008.

R&O.1/2008.

This Order sets out the accounting standards that the Treasurer must apply in preparing annual financial statements in respect of the accounts of the States.

The Order was made on 7th January 2008 and comes into force on 14th January 2008.

R&O.2/2008.

This Order sets at £350 the fee that must accompany a complaint to the Minister in respect of a high hedge.

The Order was made on 10th January 2008 and comes into force on 11th January 2008.

WRITTEN QUESTIONS

(See Item I(a))

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

“Would the Minister advise whether he has had contact with Gatwick Airport authorities regarding the problems Jersey passengers have experienced in accessing onward connections as ‘through passengers’ and, if so, can he give an assurance that the matter is now resolved and that passengers from Jersey with onward connecting flights will no longer have to check in through security for a second time?”

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

“Would the Minister confirm that several sailings of both conventional ferries to the UK in the week prior to Christmas ran as much as seven hours behind schedule, despite fair weather and if so, would he account for these anomalies and state whether any breach of Service Level Agreements occurred as a result?”

3. The Chief Minister will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Would the Minister advise whether he, or his predecessor has had discussions with the UK regarding plans to introduce registration, or ‘identity’ cards (currently out to consultation) and, if so, whether their introduction in Jersey is part of a unifying strategy?”

Would the Minister advise what measures, if any, will be introduced to ensure that the collation of sensitive information into a central database will be more secure than holding data in a number of separate databases?”

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

“Would the Minister confirm that the current police investigation into allegations of child abuse has broadened to include examination of instances where people might have prevented this alleged abuse, but failed to do so for whatever reason and, if so, would she concede that there could be instances where the States of Jersey Police themselves failed to act – perhaps through insufficient evidence and, if so, would she explain what actions, if any, would be taken should such a scenario arise where the police might be conflicted?”

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

“Under Article 27(2) of the States of Jersey Law 2005, the Chief Minister may, during the absence of another Minister, either personally discharge the functions of that Minister or designate another Minister to discharge the functions of that Minister. During the recent Christmas recess, several Ministers, including the Chief Minister, were absent from the Island.

Does the Chief Minister recognise that work continues regardless, and the public – as well as other members – may have need to contact a Minister and if so, in future will a list be circulated to members declaring who has responsibility for which Ministry during such breaks?”

6. The Chief Minister will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Following recent suggestions that Jersey’s new logo appears to have been plagiarised from that of an Indian company (Pantaloon Retail (India) Limited), will the Chief Minister now consider withdrawing it before legal or other embarrassing developments occur and inviting the consultants who ‘invented’ it to refund their fee?”

7. The Minister for Transport and Technical Services will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“(a) With regard to the recent media announcement that any vehicle limited by law to 30mph must henceforth display a 30mph sticker on pain of a £5000 fine, would the Minister explain why, in the two sentences that refer to the requirement within the report accompanying P.87/2007 (Draft Road Traffic (No.58)(Jersey) Regulations 200-), neither trailers nor any vehicle other than ‘vehicles with a laden weight of 3.5 tonnes or over’ are mentioned.

(b) Would the Minister accept that the significant number of amendments to the Road Traffic (Jersey) Law 1956 brought about by P.87/2007 makes it very difficult for the layman to fully understand the Law, as amended, and there is a possibility that members of the public could be ‘trapped by ignorance’.

(c) Given the potential number of vehicles involved, would the Minister advise whether a public awareness presentation has been made and if not, why not and would he undertake to publish a comprehensive and clear list of those vehicles affected, outlining the circumstances when certain vehicles would be considered exempt?

(d) Would the Minister give an indication as to the acceptable size, colour etcetera of the proposed sticker or notice for instances where a sticker may be inappropriate and would he explain how his reported ‘significant benefit in our efforts to reduce road accident numbers’ and any other benefits will be achieved by a sticker on the back of a vehicle?

(e) In view of the Minister’s assertion in the media that the ‘30’ stickers will help to prevent accidents, will he advise how many accidents directly related to the lack of such a disc, if any, are known to have occurred over the last five years?”

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

“Would the Minister advise members of –

(a) the latest list of GST exempt items;

(b) the procedure that will allow both registered and unregistered traders to reclaim GST already paid on goods which are ultimately sold at a reduced price or are not able to be sold at all (for example perishables or items which are no longer in fashion);

(c) the procedure for reclaiming GST on returned goods which are surplus to requirements, unsaleable, returned under warranty and so on;

(d) the procedure for payment of GST by non-registered traders when the imported goods are urgently required, and the expected timescale for such procedure.

9. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy R.G. Le Herissier of St. Saviour –

“Would the Minister confirm that monies from unfilled vacancies are not used for other purposes within Departments?”

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

“Can the Minister confirm that the policy of applying annual increases based on the Retail Price Index for Harbour facilities such as parking has been replaced by a User Pays policy and if so, would he explain how the percentage increase is determined for these payments?”

11. The Chairman of the Environment Scrutiny Panel will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“Would the Chairman give details of his Panel's advertising expenditure, either actual or approved, in the last six months?”

12. The Minister for Planning and Environment will table an answer to the following question asked by Deputy P.V.F. Le Claire of St. Helier –

“(a) On the 4th December 2007 answers were given by the Chief Minister to a range of questions regarding climate change and emissions with the exception of electricity generated from Bellozanne.

(b) Would the Minister provide electricity emission levels from 2001 to 2008 at Bellozanne and advise whether there are any other known emission figures for the JEC and other polluting sources and if so what these are from 2001 to date?”

13. The Minister for Health and Social Services will table an answer to the following question asked by Deputy R.G. Le Herissier of St. Saviour –

“Would the Minister confirm how much money has been spent to date on the Integrated Care Record project, outline what amount of money, as a sum and as a percentage of the project's budget, has been paid to consultants and advise when the project will be activated?”

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

“(a) The KPMG benchmarking report of February 2004 showed the Housing Department in the lowest quartile at 4.98% against a comparative median figure of 2.1% for percentage of arrears against total rent charges. What progress has the Minister made in improving this figure?

(b) Does the Minister have any figures to indicate the length of time taken for staff to assess rent abatement/rebate applications? What period of time for this process appears in tenants' rental agreements, and if it does not, why not?

- (c) Will the Minister confirm that arrears due to processing delays are treated similarly, whether caused by the tenant or the department, and indicate what proportion of the arrears total is due to the time taken by the department in processing claims? Will the Minister inform members what measures he will put in place to improve times and will he agree to set benchmark targets for this process?"

15. The Minister for Planning and Environment will table an answer to the following question asked by Deputy G.C.L. Baudains of St. Clement –

“With regard to the Goose Green Marsh development, would the Minister explain why the developer was issued a permit for development before details of conditions were finalised, and advise the Assembly of the approximate number of occasions that permits have been issued in similar fashion since the 2002 Island Plan?”

16. 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 recent States of Jersey Police armed action near the Odeon, it was reported that it had yet to be established whether or not an item recovered was a firearm or a replica. Would the Minister confirm that a person with knowledge of firearms should be able to determine the difference within a few moments and explain why this was not achieved in this case?”

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

“Will the Minister inform members what data, if any, he has on the numbers of properties being bought for investment purposes (“buy-to-let”) by non-residents and what measures, if any, are under consideration to control house price inflation from this or other sources, such as increased immigration numbers?”

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

“Will the Chief Minister give an undertaking to members not to bring a proposition resulting from the ‘Imagine Jersey 2035’ consultation process to the States before the summer recess without including a full examination of all fiscal alternatives to the use of immigration and population growth to solve the issue of the ageing population to the satisfaction of the Migration and Population Scrutiny Sub-Panel?”

19. The Chairman of the Privileges and Procedures Committee will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

- “(a) Will the Chairman of the Privileges and Procedures Committee inform members whether the Committee has considered including organisations akin to “Elect Jersey 2005” (which do not have to register as political parties) in measures to limit the election expenditure of election candidates (or their parties) and if not, when will it do so?
- (b) Will the Chairman advise how he proposes to regulate or to investigate members’ declarations of expenditure; the sources of such expenditure (whether from individuals, or from non-accountable bodies, as above); benefits in kind, such as services provided at nominal cost; or positive coverage in non-regulated websites as part of a service purporting to be a “neutral” medium?
- (c) Will the Committee be bringing any measures to regulate election expenditure to the States, in time to

ensure a level playing field in the 2008 elections, and if not, why not?

20. The Minister for Social Security will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

- “(a) How many, and what proportion of, applicants for Income Support (which commences on 28th January 2008) had received their assessment letters by Monday 7th January 2008 and how many have received them to date?
- (b) How many enquiries by telephone, e-mail or in person have the department had to deal with since the first letters were sent?
- (c) Will the Minister undertake to consult with the Plain English Society to ensure that future communications from the department are written in language which can be clearly understood by recipients?
- (d) Will the Minister clarify what Income Support arrangements are now in place with each of the parishes, and in particular what service level agreements have been signed, and when? Will he also assure members that no parish staff will be involved with In come Support administration unless and until such agreements have been signed?”

ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

1st Session –

	First 15 minute period	Second 15 minute period
	Minister	Minister
29th January	Housing	Chief Minister
12th February	Education, Sport and Culture	Transport & Technical Services
26th February	Health and Social Services	Chief Minister
11th March	Economic Development	Planning and Environment
1st April	Social Security	Chief Minister
29th April	Home Affairs	Housing
13th May	Treasury and Resources	Chief Minister
3rd June	Transport & Technical Services	Economic Development
17th June	Health and Social Services	Chief Minister
1st July	Planning and Environment	Education, Sport and Culture
15th July	Social Security	Chief Minister