

STATES OF JERSEY ORDER PAPER

Tuesday 31st March 2009

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Road Traffic (Public Parking Places – Charges) (Jersey) Order 2009. R&O.32/2009.
Minister for Transport and Technical Services.

C. DOCUMENTS PRESENTED OR LAID

Ministerial government: review (P.181/2008) – addendum. P.181/2008.
Presented: 27th March 2009. Add.
Deputy of St. John.

States Employment Board: Annual Report 2008. R.28/2009.
Presented: 27th March 2009.
Chief Minister.

Former Sunshine Hotel and Sunshine Cottage, St. Helier: proposed sale. R.29/2009.
Presented: 27th March 2009.
Minister for Treasury and Resources.

D. NOTIFICATION OF LODGED PROPOSITIONS

Historic Child Abuse Enquiry: funding for 2009. P.42/2009.
Lodged: 26th March 2009.
Minister for Treasury and Resources.

Ann Court Site, St. Helier: use for sheltered social housing for the over-55s. P.43/2009.
Lodged: 27th March 2009.
Deputy J.A. Martin of St. Helier.

E. WITHDRAWAL OF LODGED PROPOSITIONS

In accordance with Standing Order 34(1), the proposer of the following proposition lodged ‘au Greffe’ has informed the Greffier of the States that it is to be withdrawn –

Ann Court Site, St. Helier: use for sheltered social housing for the over-55s. P.184/2008.
Lodged: 23rd December 2008. (re-issue)
Deputy J.A. Martin of St. Helier.

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F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions
(attached)

1. The Minister for Treasury and Resources will table an answer to a question asked by Senator B.E. Shenton regarding the control of States expenditure.
2. The Minister for Transport and Technical Services will table an answer to a question asked by the Deputy of St. Mary regarding the monitoring and regulation of the construction of the Energy from Waste plant and all the other activities at La Collette.
3. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of Grouville regarding the withdrawal of the reciprocal Health agreement with the United Kingdom.
4. The Minister for Housing will table an answer to a question asked by the Deputy of St. John regarding the demolition of Ann Court.
5. The Minister for Home Affairs will table an answer to a question asked by the Deputy of St. John regarding the importation of TASAR stun-guns for use in Jersey.
6. The Minister for Economic Development will table an answer to a question asked by the Deputy of St. John regarding talks between the Red Ensign Group and United Kingdom authorities.
7. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. John regarding the Energy from Waste plant contract.
8. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding statutory notice payments to ex-Woolworths employees.
9. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the stimulus of the economy.
10. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding income inequalities contained within the Strategic Plan.
11. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern regarding the withdrawal of transitional benefits to households receiving Income Support.
12. The Minister for Housing will table an answer to a question asked by Deputy G.P. Southern regarding the limitation of inward migration.

(b) – Oral Questions
(90 minutes)

1. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Education, Sport and Culture –

“In the light of the recent appointment of the new Head of La Moye school, will the Minister confirm that due process was observed by the department and will he inform members of the measures in place to promote home-grown talent to top positions?”
2. The Deputy of St. Mary will ask the following question of the Minister for Planning and Environment –

“Could the Minister explain why licences for land reclamation, bioremediation, ash disposal, aggregates recycling, green waste composting, and storage of asbestos at La Collette have still to be issued under the Waste Management (Jersey) Law 2005 which came into force in two stages in November 2006 and February 2007?”

3. The Deputy of St. Martin will ask the following question of the Chief Minister–

“In view of the fact that on 11th November 2003, the States agreed to abolish discrimination of illegitimate offspring and to make proper provision for dependents of the deceased, and further to his written response to a question on 20th January 2009, will the Chief Minister inform Members why the necessary legislation has not yet been lodged?”

4. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Transport and Technical Services –

“Can the Minister give the Assembly full details of the transfer of thousands of tons of heavily contaminated landfill from the Castle Quay site to La Collette Reclamation site in recent weeks and advise under which permits, regulations and laws these movements are being carried out?”

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

“Would the Minister explain what action, if any, he intends to take in negotiating the removal of the ongoing ban on Jersey fishermen landing their catches directly at St. Malo, when they are allowed to do so at St. Brieucand Roscoff?”

6. Deputy G.P. Southern of St. Helier will ask the following question of the Chairman of the Comité des Connétables –

“Is the Chairman satisfied that at the last elections for Deputies, postal ballots were free from any of the following offences: bribery, treating, undue influence, secrecy, impersonation, multiple voting and proxy voting; and that the “traditional standards” of propriety observed at polling stations were carried through to the postal voting context?”

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

“Can the Minister assure the Assembly that DP(B)2009/03/01, the discharge permit application for the “treated brackish water” from the excavation pit for the incinerator at La Collette, will be treated on its merits and in accordance with the law, and not be influenced by possible delays to the construction of the Energy from Waste plant?”

8. Deputy T.M. Pitman of St. Helier will ask the following question of the Chief Minister–

“Notwithstanding the recent personal statement of the Minister for Health and Social Services in the Assembly, does the Chief Minister still retain full confidence in that Minister: and if so, why?”

9. Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Home Affairs –

“Is the Minister concerned about bicycle users of all ages who cycle through pedestrian precincts and open areas, against the flow of traffic in one way streets and ignore traffic signals and, if so, would he undertake to address the issue in conjunction with the States of Jersey Police?”

10. The Deputy of Grouville will ask the following question of the Minister for Economic Development –

“What measures, if any, has the Minister considered introducing, in order to ensure that potential visitors from the UK do not choose to holiday elsewhere due to the end of the Reciprocal Health agreement and what estimated loss, if any, does the Minister envisage will occur to our economy as a result of this increase in the cost of visiting the Island?”

11. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Home Affairs –

“Further to yet more reports of young teenagers being drunk and violent in town, what action, if any, has the Minister taken to clamp down on shops selling alcohol to people under age?”

12. Deputy G.P. Southern of St. Helier will ask the following question of the Chairman of the Privileges and Procedures Committee –

“Does the Chairman consider that the Nolan test (wherein if in any doubt about the probity or propriety of your actions, you should ask yourself the question “what would a reasonable observer think?”) is relevant to Article 39A of the Public Elections (Jersey) Law 2002?”

13. The Deputy of Grouville will ask the following question of the Minister for Treasury and Resources –

“Would the Minister confirm what assistance, if any, he receives from his officers, the States Communications Unit or an independent PR person when compiling his answers to questions on GST?”

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

“Is the appointment of a retired overseas police officer to the temporary post of Acting Deputy Chief an indication that none of the current top management of the States of Jersey Police is fit to act above their present rank, and, if so, what impact on officers’ morale will the loss of this ideal development opportunity have?”

15. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Home Affairs –

“Does the Minister consider that a change in legislation is required to make parents more responsible for their children’s behaviour?”

16. Deputy T.M. Pitman of St. Helier will ask the following question of the Attorney General–

“In the light of the Attorney General's recent confirmation that he has chosen to prosecute only certain alleged breaches of the Public Elections (Jersey) Law 2002 and not all, does the Attorney General now intend to tender his resignation?”

17. Deputy A.T. Dupré of St. Clement will ask the following question of the Minister for Health and Social Services –

“Notwithstanding his apology to the Assembly, does the Minister appreciate the hurt that his recent comments may have caused to those people who have suicidal tendencies or who are trying to come to terms with bereavements from suicide?”

18. Deputy R.G. Le Hérisssier of St. Saviour will ask the following question of the Minister for Transport and Technical Services –

“Would the Minister stipulate the number of school buses that return to town empty during the morning rush-hour and advise what steps, if any, are in place to provide more capacity on public transport during this busy period?”

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

1st question period – Minister for Transport and Technical Services

2nd question period – Minister for Treasury and Resources

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Ministerial government: review. P.181/2008.
Lodged: 10th December 2008.
Deputy of St. John.

Ministerial government: review (P.181/2008) – addendum. P.181/2008.
Presented: 27th March 2009. Add.
Deputy of St. John.

Ministerial government: review (P.181/2008) – comments. P.181/2008.
Presented: 23rd March 2009. Com.
Council of Ministers.

Ministerial government: review (P.181/2008) – comments. P.181/2008.
Presented: 24th March 2009. Com.(2)
Minister for Treasury and Resources.

Draft Royal Court (Amendment No. 12) (Jersey) Law 200. P.19/2009.
Lodged: 9th February 2009.
Chief Minister.

Goods and Services Tax: exemption or zero-rating for foodstuffs and domestic energy. P.28/2009.
Lodged: 24th February 2009.
Deputy of Grouville.

Goods and Services Tax: exemption or zero-rating for foodstuffs and domestic energy (P.28/2009) – amendment. P.28/2009.
Lodged: 24th March 2009. Amd.
Deputy A.K.F. Green of St. Helier.

Draft Employment (Amendment No. 5) (Jersey) Law 200. P.27/2009.
Lodged: 24th February 2009.
Minister for Social Security.

Draft Employment (Amendment No. 5) (Jersey) Law 200 (P.27/2009): P.27/2009.
comments. Com.

Presented: 23rd March 2009.
Minister for Treasury and Resources.

Draft Employment (Amendment No. 5) (Jersey) Law 200 (P.27/2009): amendment. P.27/2009.
Amd.

Lodged: 18th March 2009.
Deputy G.P. Southern of St. Helier.
(Cannot be debated before 1st April 2009)

Ex gratia compensation payment: Mr. and Mrs. R. Pinel. P.29/2009.
Lodged: 4th March 2009.
Senator B.E. Shenton.

Ex gratia compensation payment: Mr. and Mrs. R. Pinel (P.29/2009)- comments. P.29/2009.
Com.
Presented: 23rd March 2009.
Minister for Treasury and Resources.

Police Complaints and Discipline: extension to Honorary Officers conducting Parish Hall Enquiries. P.30/2009.
Lodged: 5th March 2009.
Deputy of St. Martin.

M. ARRANGEMENT OF PUBLIC BUSINESS

28th April 2009

Code of Practice for Scrutiny Panels and the Public Accounts Committee: amendment. P.31/2009.
Lodged: 9th March 2009.
Chairmen's Committee.

Draft Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 4) (Jersey) Regulations 200-. P.35/2009.
Lodged: 10th March 2009.
Minister for Economic Development.

Draft Public Elections (Amendment No. 3) (Jersey) Regulations 200. P.36/2009.
Lodged: 13th March 2009.
Comité des Connétables.

Draft Health and Safety at Work (Amendment No. 4) (Jersey) Law 200. P.37/2009.
Lodged: 17th March 2009.
Minister for Social Security.

Jersey Community Relations Trust: appointment of Trustee. P.38/2009.
Lodged: 19th March 2009.
Minister for Home Affairs.

Oral Questions with notice: extension to 2 hours. P.40/2009.
Lodged: 20th March 2009.
Deputy of St. Martin.

Electricity tariffs: Regulations under Article 22 of the Electricity (Jersey) Law 1937. P.41/2009.

Lodged: 24th March 2009.
Senator A. Breckon.

12th May 2009

La Pouquelaye old school site: provision of youth and community facilities. P.187/2008.
Lodged: 24th December 2008.
Connétable of St. Helier.

Public Elections (Jersey) Law 2002: rescindment of Article 39A. P.18/2009.
Lodged: 4th February 2009.
Deputy G.P. Southern of St. Helier.

Draft Loi (200-) (Amendement No. 11) réglant la procédure criminelle. P.39/2009.
Lodged: 19th March 2009.
Minister for Home Affairs.

Historic Child Abuse Enquiry: funding for 2009. P.42/2009.
Lodged: 26th March 2009.
Minister for Treasury and Resources.

19th May 2009

2nd June 2009

16th June 2009

Natural gas pipeline: strategic study. P.16/2009.
Lodged: 29th January 2009.
Deputy P.V.F. Le Claire of St. Helier.

Natural gas pipeline: strategic study (P.16/2009) – comments. P.16/2009.
Presented: 10th March 2009. Com.
Minister for Treasury and Resources.

30th June 2009

Williamson Report: Implementation Plan – funding. P.17/2009.
Lodged: 4th February 2009.
Minister for Treasury and Resources.

Williamson Report: Implementation Plan – funding (P.17/2009) – amendment. P.17/2009.
Lodged: 25th March 2009. Amd.
Deputy G.P. Southern of St. Helier.

States Members' remuneration for 2009. P.24/2009.
Lodged: 19th February 2009.
Connétable of St. Peter.

States Members' remuneration for 2009 (P.24/2009): comments. P.24/2009.
Presented: 5th March 2009. Com.
Privileges and Procedures Committee.

States Members' remuneration for 2009 (P.24/2009): amendment. P.24/2009.
Lodged: 3rd March 2009. Amd.
Deputy P.V.F. Le Claire of St. Helier.

Ann Court Site, St. Helier: use for sheltered social housing for the over-55s.
Lodged: 27th March 2009.
Deputy J.A. Martin of St. Helier.

P.43/2009.

M.N. DE LA HAYE
Greffier of the States

26th March 2009

Note –

In accordance with the meeting dates fixed for 2009 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 1st and Thursday 2nd April 2009.

Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.32/2009.

This Order increases, with effect from 1st April 2009, the value of a parking unit from 54p to 56p or, in the case of certain “hybrid vehicles”, from 27p to 28p.

The Order was made on 25th March 2009 and comes into force on 1st April 2009.

WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Treasury and Resources will table an answer to the following question asked by Senator B.E. Shenton –

“What tools, if any, does the Treasurer of the States have at his disposal to control overall States Expenditure?”

2. The Minister for Transport and Technical Services will table an answer to the following question asked by the Deputy of St. Mary–

“Can the Minister inform the Assembly exactly how the monitoring and regulation of the construction of the Energy from Waste plant and of all the other activities at La Collette is being carried out?

Could the Minister advise the Assembly of the checklist of areas of violations of working practices that inspectors look for, by whom and when this list was drawn up, and the scale of penalties for non-compliance?”

3. The Minister for Health and Social Services will table an answer to the following question asked by the Deputy of Grouville –

“Following the expiry of the Health agreement with the United Kingdom on 1st April 2009, would the Minister explain –

- (a) how the decision that the agreement should not be renewed was arrived at, and the consequence that Jersey residents should in future take out their own health insurance before travelling to the United Kingdom (UK)?
- (b) what steps, if any, the Minister has taken to research and introduce an All Island Collective Travel Policy for Islanders which would cover costs of treatment and admission in UK hospitals and repatriation where necessary and, if not, why not?
- (c) whether family members, who were born and brought up in Jersey and come back to the Island to visit their relatives, are entitled to free treatment in Jersey’s hospital?
- (d) what provisions, if any, are being made by the Health and Social Services Department for those persons over 80 years old, if insurance companies do not cover them?
- (e) what would happen if a Jersey person was taken ill in the UK, repatriated to Jersey and then had to be sent back to the UK by Jersey General Hospital for treatment that was not available here?”

4. The Minister for Housing will table an answer to the following question asked by the Deputy of St. John–

“Would the Minister advise whether the tender to demolish Ann Court has been accepted, how the process was advertised and whether he has been contacted since its acceptance, with a considerably lower offer to do this work and if so, by how much?

Will the Minister advise whether all the debris from the demolition will be taken to La Collette for recycling in controlled conditions, and, if not, why not?"

5. The Minister for Home Affairs will table an answer to the following question asked by the Deputy of St. John—

“Would the Minister advise the Assembly whether talks with the United Kingdom on importing TASAR stun guns for use in Jersey have stalled and, if so, why?”

Given that the Isle of Man Police now have this equipment, does the Minister consider that the use of TASARs in Jersey is appropriate?"

6. The Minister for Economic Development will table an answer to the following question asked by the Deputy of St. John—

“Would the Minister advise whether members of the Red Ensign Group have been meeting with United Kingdom Authorities in recent times and, if so, would he outline the nature of the talks and where the Island stands on any negotiations?"

7. The Minister for Treasury and Resources will table an answer to the following question asked by the Deputy of St. John—

“Given that the Treasury were aware of funding for the Energy from Waste Plant would be required in Euros in July 2008, would the Minister explain why the pre-purchase of euro funds was not put in place at an early stage?"

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

“Will the Minister give a further update on, and explanation for, the figures he gave to the Assembly in a written response to a question asked by Deputy S. Pitman on 10th March regarding statutory notice payments to ex-Woolworths employees, and, in particular, will he state why only 43 employees out of 84 were eligible to claim?"

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

“In view of the fact that in his written response to a question on 20th January 2009, the Chief Minister promised to share with members the economic analysis of the economy to be discussed during February at the Council of Ministers, and the package of stimulus measures to be completed in the first week of March, would he advise whether he is yet in a position to share this information with members?"

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

“What specific and concrete measures, either fiscal or otherwise, does the Chief Minister propose to reduce income inequalities for his 5-year vision for Jersey contained in the Strategic Plan?"

Will he further comment on the growing inequality in earnings over the last decade, as revealed in Table A5 of the Jersey Economic Digest 2008, between the Financial Services sector and all other sectors of our

economy, and will he work with his Ministers for Treasury and Resources and Economic Development to address this widening gap?"

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

“Will the Minister inform members what sum of money, if any, he will be withdrawing from the benefits of households currently in receipt of £22.5 million worth of protected payments on 1st October 2009 when the transitional period for the introduction of the Income Support system comes to an end?

Will he further state how the overall sum will be divided between households in the 5 groups mentioned in his previous oral response (on 10th March 2009), namely

- (a) those with moderate to severe disability (0%)
- (b) those with a pensioner or DTA recipient (25%)
- (c) those where income exceeds IS entitlement by a factor of 3 or more (100%)
- (d) those with the biggest percentage reduction in income (20%)
- (e) all other households (33%)

and how many households each group contains?

Has the Minister given any consideration to postponing this action, given the impact of the recession on the economy and, if so, what success, if any, has he had in negotiations with the Minister for Treasury and Resources and his other colleagues to maintain protected payments?"

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

“Will the Minister inform members how he intends to meet the stated target of limiting inward migration to 200 heads of households (420 in total) given the figures for the numbers of ‘J’ Category applicants, showing totals of 498 and 523 approvals (and only around 60 refusals) in 2007 and 2008?

What consideration, if any, has been given to new criteria for new approvals or is the Minister relying on the recession to reduce recruitment and thereby requests?

What policy, if any, will he apply and at what level following the end of any recession in, for example, 2 years' time?"

ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

1st Session –

	First 15 minute period	Second 15 minute period
	Minister	Minister
28th April	Economic Development	Chief Minister
12th May	Education, Sport and Culture	Health and Social Services
19th May	Home Affairs	Chief Minister
2nd June	Housing	Planning and Environment
16th June	Social Security	Chief Minister
30th June	Transport and Technical Services	Treasury and Resources
14th July	Economic Development	Chief Minister