

# STATES OF JERSEY ORDER PAPER

Tuesday 29th March 2011

## A. COMMUNICATIONS BY THE PRESIDING OFFICER

## B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

Airport Dues (Tariff) (Amendment No. 5) (Jersey) Order 2011. R&O.31/2011.  
*Minister for Economic Development.*

Community Provisions (Restrictive Measures – Libya) (Amendment No. 2) R&O.32/2011.  
(Jersey) Order 2011.  
*Chief Minister.*

Community Provisions (Restrictive Measures – Egypt) (Jersey) Order 2011. R&O.33/2011.  
*Chief Minister.*

## C. DOCUMENTS PRESENTED OR LAID

Criminal Injuries Compensation Board: Report and Accounts for 2010. R.34/2011.  
Presented: 22nd March 2011.  
*Minister for Home Affairs.*

## D. NOTIFICATION OF LODGED PROPOSITIONS

Salaries over £100,000: notification to States Assembly (P.30/2011) – second P.30/2011.  
amendment. Amd.(2)  
Lodged: 22nd March 2011.  
*Deputy I.J. Gorst of St. Clement.*

Salaries over £100,000: notification to States Assembly (P.30/2011) – second P.30/2011.  
amendment (P.30/2011 Amd.(2))– amendment. Amd.(2).  
Lodged: 23rd March 2011. Amd.  
*States Employment Board.*

Draft Freedom of Information (Jersey) Law 201- (P.39/2011): amendment. P.39/2011.  
Lodged: 25th March 2011. Amd.  
*Privileges and Procedures Committee.*

Public Elections: extension of pre-poll voting arrangements. P.42/2011.  
Lodged: 22nd March 2011.  
*Deputy J.M. Maçon of St. Saviour.*

Draft Christmas Bonus (Jersey) Law 201-. P.43/2011.  
Lodged: 22nd March 2011.  
*Minister for Social Security.*

Draft Food Costs Bonus (Jersey) Regulations 201-. P.44/2011.  
Lodged: 22nd March 2011.  
*Minister for Social Security.*

Draft Separate Limited Partnerships (Jersey) Law 2011 (Appointed Day) Act P.45/2011.  
201-.  
Lodged: 22nd March 2011.  
*Minister for Economic Development.*

## 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the proposer of the following proposition lodged 'au Greffe' has informed the Greffier of the States that it is to be withdrawn –

Samarès Nursery site, St. Clement: removal from draft Island Plan– petition.

P.131/2010.

Lodged: 1st October 2010.

*Connétable of St. Clement.*

**F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS**

**G. MATTERS OF PRIVILEGE**

**H. PETITIONS**

**I. QUESTIONS**

**(a) – Written Questions**

*(attached)*

1. The Minister for Planning and Environment will table an answer to a question asked by Deputy S.S.P.A. Power of St. Brelade regarding the planning process.
2. The Minister for Social Security will table an answer to a question asked by Senator B.E. Shenton regarding an increase in Net Revenue Expenditure.
3. The Minister for Education, Sport and Culture will table an answer to a question asked by Senator F. du H. Le Gresley regarding the planning brief for a new primary school.
4. The Minister for Planning and Environment will table an answer to a question asked by Senator F. du H. Le Gresley regarding prosecutions under the Water Pollution (Jersey) Law.
5. The Minister for Transport and Technical Services will table an answer to a question asked by Senator S.C. Ferguson regarding recycled waste.
6. The Chief Minister will table an answer to a question asked by the Deputy of St. John regarding tidal surges and emergency measures.
7. The Chief Minister will table an answer to a question asked by the Deputy of St. John regarding nuclear emergency measures.
8. The Chief Minister will table an answer to a question asked by the Deputy of St. Martin regarding the Napier Terms of Reference.
9. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. Martin regarding middle grade doctors.
10. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding income tax revenues.
11. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding finance sector profits.
12. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the public sector wage freeze.
13. The Minister for Health and Social Services will table an answer to a question asked by Senator S.C. Ferguson regarding the working hours of middle grade doctors.
14. The Minister for Health and Social Services will table an answer to a question asked by Senator S.C. Ferguson regarding vacancies for middle grade doctors.

15. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the health benefits of milk.
16. The Chief Minister will table an answer to a question asked by Senator S.C. Ferguson regarding employment contracts.
17. The Minister for Health and Social Services will table an answer to a question asked by Deputy A.E. Jeune of St. Brelade regarding Voluntary Redundancy and Voluntary Early Redundancy packages granted to medical staff.
18. The Minister for Health and Social Services will table an answer to a question asked by Deputy A.E. Jeune of St. Brelade regarding hospital staffing.
19. The Minister for Health and Social Services will table an answer to a question asked by Deputy A.E. Jeune of St. Brelade regarding the pay of the Director of Social Services.
20. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the role of the Health Protection Unit.
21. The Minister for Planning and Environment will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the new Town Park.
22. The Minister for Planning and Environment will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding an area plan for Five Oaks.
23. The Chief Minister will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the reasons why India did not sign the TIEA.
24. The Minister for Planning and Environment will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding fly tipping.
25. The Minister for Treasury and Resources will table an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding printing costs.
26. The Minister for Planning and Environment will table an answer to a question asked by the Deputy of St. Mary regarding prosecution guideline documents.
27. The Chief Minister will table an answer to a question asked by the Deputy of St. Mary regarding the liability of States departments.
28. The Minister for Transport and Technical Services will table an answer to a question asked by the Deputy of St. Mary regarding land maintained by the Transport and Technical Services Department.

**(b) – Oral Questions**

(120 minutes)

1. Senator F. du H. Le Gresley will ask the following question of the Minister for Planning and Environment –
 

“Does the Minister consider that the fact that a developer has won national awards such as ‘Large Development of the Year’, ‘Best Architecture- Multiple Units’, ‘Best House’ and ‘Best Interior Layout’ should influence any assessment of the impact on our coastline of the current development of 46 apartments and 7 houses on the former holiday village site at Portelet Bay?”
2. Deputy M.R. Higgins of St. Helier will ask the following question of the Chief Minister–
 

“Will the Chief Minister advise whether there is any legal requirement for Jersey to supply aggregated/unaggregated census information to the United Kingdom Government or the European Union and, if so, would he explain what information is supplied, for what purpose and under what legal requirements and, if there is no current requirement, would he give an

undertaking that no information will be given without the consent of this Assembly?”

3. The Deputy of St. Mary will ask the following question of the Minister for Planning and Environment –

“Can the Minister advise how much railings and a wall around the new Town Park will be likely to cost, why this is better than a hedge, whether there has been any consultation on this matter and, if so, give details and will he indicate what support there is for this idea in the Planning Application and plans for the Park drawn up by Burns and Nice?”

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

“Will the Minister inform Members of the circumstances that led to the recent abortive search of a property in St Ouen, is he satisfied that appropriate steps were taken to allay a sense of grievance and, given the difficulty in identifying addresses particularly in rural parishes, is the Minister of the view that before States Police execute searches they should liaise with the Chef de Police of the relevant parish?”

5. The Deputy of St. John will ask the following question of the Minister for Health and Social Services –

“Following a statement in December 2010 by the Chief Minister that the Reciprocal Health Agreement would be reinstated by the end of 2010 and another statement in February 2011 by the Minister for Health and Social Services that it would be in place by the end of March 2011, when is the agreement to be signed?”

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

“Following the submission of yet more planning applications for large developments in the Parish of St Saviour, will the Minister advise whether there are plans to sell the former d'Hautrée school site as a site for housing?”

7. Deputy P.V.F. Le Claire of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Will the Minister consider introducing a scheme in Jersey similar to that recently announced in the United Kingdom whereby interest free loans will be available to first time buyers earning under £60,000 looking to buy a new-build property to help them get a foothold on the housing ladder and, if not, why?”

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

“Will the Minister provide a breakdown of the sources of tax included in the sum of £54 million for 2009 income tax from all trades other than financial intermediation as mentioned in his written response to question 6121 on 15th March 2011?”

9. Senator S.C. Ferguson will ask the following question of H.M. Attorney General –

“If an officer employed by the States, when discussing a problem with a member of the public tells that person not to contact any politicians about the problem, is that officer guilty of contempt of the States Assembly?”

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

“In the light of the statement on 15th March 2011 by the Assistant Minister for Health and Social Services, that the salary of the incumbent Director of Social Services was still under negotiation, would the Minister confirm whether this reflects States Human Resources policy and, given the absence of a cap on the Grade ‘A’ pay scale, would the Minister outline the factors that determine a final pay offer?”

11. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Home Affairs –

“Will the Minister confirm whether he was ever advised by the Chief Minister that the former Chief Officer of the States of Jersey Police had requested, on 3rd April 2010, that his response to the Wiltshire Report should be published?”

12. Senator J.L. Perchard will ask the following question of the Minister for Planning and Environment –

“Will the Minister confirm that the process he will follow, should an application to relocate the Good Companions Club to Field 528 be submitted to his Department, will be the same as that currently applied to all applications to build in the Green or the Countryside Zone?”

13. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Will the Minister state what the increase in revenue would be if the tax requirement for the present number of 1(1)(k) category residents was increased to a minimum of £200.000 per annum and advise what hard evidence, if any, he has to indicate that tax breaks for the most wealthy actually benefit the rest of the Island’s taxpayers?”

14. The Deputy of St. John will ask the following question of the Minister for Economic Development –

“Can the Minister advise why the cost has risen for outer harbours like Rozel/Bonne Nuit to station boats on the Quays from 85 pence per square metre in 2009 to £3.25 in 2010/11 plus GST?”

15. The Deputy of St. Martin will ask the following question of the Minister for Education, Sport and Culture –

“Will the Minister inform Members why parents who have siblings in a primary school have precedence over parents whose children either live in the catchment area or in the parish, who often have to pass their parish school to take their children to schools outside of their catchment area or parish?”

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

“What latitude, if any, exists to modify a listed building such as Sion Chapel, given proposals for alternative uses?”

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

“Will the Chief Minister inform members what he said to the pupils of FCJ when he met them to explain his decision to stop the funding for their school milk?”

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

1st question period – Minister for Housing

2nd question period – Chief Minister

**J. PERSONAL STATEMENTS**

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

Senator P.F. Routier, Assistant Minister to the Chief Minister, will make a statement regarding the Draft Control of Housing and Work (Jersey) Law 201- and the Draft Register of Names and

Addresses (Jersey) Law 201-

## L. PUBLIC BUSINESS

Assistant Ministers: appointment by the States. Lodged: 19th January 2011. <i>Deputy of St. John.</i>	P.6/2011.
Esplanade Quarter: deferment of works. Lodged: 15th February 2011. <i>Deputy of St. John.</i>	P.24/2011.
States Strategic Plan: annual debate on progress. Lodged: 18th February 2011. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.27/2011.
States Strategic Plan: annual debate on progress (P.27/2011) – comments. Presented: 10th March 2011. <i>Council of Ministers.</i>	P.27/2011 Com.
States Strategic Plan: annual debate on progress (P.27/2011) – comments. Presented: 11th March 2011. <i>Chairmen's Committee.</i>	P.27/2011. Com.(2)
Salaries over £100,000: notification to States Assembly. Lodged: 23rd February 2011. <i>Deputy R.G. Le Hérisssier of St. Saviour.</i>	P.30/2011.
Salaries over £100,000: notification to States Assembly (P.30/2011) – amendment. Lodged: 1st March 2011. <i>Deputy T.A. Vallois of St. Saviour.</i>	P.30/2011. Amd.
Salaries over £100,000: notification to States Assembly (P.30/2011) – second amendment. Lodged: 22nd March 2011. <i>Deputy I.J. Gorst of St. Clement.</i>	P.30/2011. Amd.(2)
Salaries over £100,000: notification to States Assembly (P.30/2011) – second amendment (P.30/2011 Amd.(2))– amendment. Lodged: 23rd March 2011. <i>States Employment Board.</i>	P.30/2011. Amd.(2). Amd.
States of Jersey Development Company Limited: appointment of Chairman and Non-Executive Directors. Lodged: 2nd March 2011. <i>Minister for Treasury and Resources.</i>	P.32/2011.
Public Holidays and Bank Holidays: designation of 19th October 2011. Lodged: 3rd March 2011. <i>Deputy G.P. Southern of St. Helier.</i>	P.33/2011.
Draft Amendment (No. 15) of the Standing Orders of the States of Jersey. Lodged: 9th March 2011. <i>Privileges and Procedures Committee.</i>	P.35/2011.
Public elections: voting on Sunday 16th October 2011. Lodged: 15th March 2011. <i>Deputy T.M. Pitman of St. Helier.</i>	P.40/2011.

## States to sit 'in Committee' to discuss –

Review of the role of the Crown Officers ("Carswell Review"): 'in Committee' debate. R.28/2011.  
Presented: 14th March 2011.  
*Privileges and Procedures Committee.*

## M. ARRANGEMENT OF PUBLIC BUSINESS

### 5th April 2011

Jersey Financial Services Commission: imposition of fines. P.150/2010.  
Lodged: 19th October 2010.  
*Senator A. Breckon.*

Speed Limits: revised policy. P.167/2010.  
Lodged: 2nd November 2010.  
*Minister for Transport and Technical Services.*

Speed Limits: revised policy (P.167/2010) – amendment. P.167/2010.  
Lodged: 29th December 2010. Amd.  
*Minister for Economic Development.*

Speed Limits: revised policy (P.167/2010) – second amendment. P.167/2010.  
Lodged: 5th January 2011. Amd.(2)  
*Connétable of St. Helier.*

Speed Limits: revised policy (P.167/2010) – third amendment. P.167/2010.  
Lodged: 13th January 2011. Amd.(3)  
*Deputy M.R. Higgins of St. Helier.*

Income Tax: introduction of higher rate. P.23/2011.  
Lodged: 14th February 2011.  
*Deputy G.P. Southern of St. Helier.*

Draft States of Jersey (Transfer of Functions No. 4) (Treasury and Resources to Chief Minister) (Jersey) Regulations 201-. P.25/2011.  
Lodged: 16th February 2011.  
*Chief Minister.*

Draft Licensing (No. 17) (Jersey) Regulations 201-. P.28/2011.  
Lodged: 22nd February 2011.  
*Minister for Economic Development.*

Draft Income Support (Amendment No. 6) (Jersey) Regulations 201-. P.29/2011.  
Lodged: 22nd February 2011.  
*Minister for Social Security.*

Committee of Inquiry: States owned or controlled utilities. P.31/2011.  
Lodged: 24th February 2011.  
*Senator A. Breckon.*

States Members' training. P.34/2011.  
Lodged: 8th March 2011.  
*Deputy M. Tadier of St. Brelade.*

Public Elections: extension of pre-poll voting arrangements. P.42/2011.  
Lodged: 22nd March 2011.  
*Deputy J.M. Maçon of St. Saviour.*

### 3rd May 2011

North of Town Masterplan (Revised). Lodged: 21st December 2010. <i>Minister for Planning and Environment.</i>	P.190/2010.
North of Town Masterplan (Revised) (P.190/2010): amendment. Lodged: 22nd December 2010. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.190/2010. Amd.
North of Town Masterplan (Revised) (P.190/2010): second amendment. Lodged: 10th January 2010. <i>Deputy A.K.F. Green of St. Helier.</i>	P.190/2010. Amd.(2)
North of Town Masterplan (Revised) (P.190/2010): third amendment. Lodged: 25th January 2011. <i>Connétable of St. Helier.</i>	P.190/2010. Amd.(3)
North of Town Masterplan (Revised) (P.190/2010): fourth amendment. Lodged: 15th February 2011. <i>Deputy of St. Mary.</i>	P.190/2010. Amd.(4)
Draft Freedom of Information (Jersey) Law 201-. Lodged: 15th March 2011. <i>Privileges and Procedures Committee.</i>	P.39/2011.
Draft Freedom of Information (Jersey) Law 201- (P.39/2011): amendment. Lodged: 25th March 2011. <i>Privileges and Procedures Committee.</i>	P.39/2011. Amd.
Freedom of Information: Implementation Plan. Lodged: 16th March 2011. <i>Deputy R.G. Le Hérisssier of St. Saviour.</i>	P.41/2011.
<b><u>17th May 2011</u></b>	
Goods and Services Tax: exemption or zero-rating for foodstuffs, domestic energy and fuel. Lodged: 10th March 2011. <i>Senator A. Breckon.</i>	P.36/2011.
Draft Christmas Bonus (Jersey) Law 201-. Lodged: 22nd March 2011. <i>Minister for Social Security.</i>	P.43/2011.
Draft Food Costs Bonus (Jersey) Regulations 201-. Lodged: 22nd March 2011. <i>Minister for Social Security.</i>	P.44/2011.
Draft Separate Limited Partnerships (Jersey) Law 2011 (Appointed Day) Act 201-. Lodged: 22nd March 2011. <i>Minister for Economic Development.</i>	P.45/2011.
<b><u>7th June 2011</u></b>	
Draft Control of Housing and Work (Jersey) Law 201-. Lodged: 15th March 2011. <i>Chief Minister.</i>	P.37/2011.
Draft Register of Names and Addresses (Jersey) Law 201-. Lodged: 15th March 2011.	P.38/2011.



*Chief Minister.*

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

24th March 2011

**Note –**

**In accordance with the meeting dates fixed for 2011 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 30th and Thursday 31st March 2011.**

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

(See Item B)

### **R&O.31/2011.**

This Order sets out the fee increases for arriving and departing airport passengers. For the 12 month period ending 26th March 2012, the fee is increased from £4.28 to £4.78 for each passenger. For each 12 month period thereafter the fee is increased by the percentage increase in the RPI to June in the previous 12 month period minus 0.5%. However if there is no percentage increase in the RPI for that period or the percentage increase is 0.5% or less, the fee remains the same as for the previous year.

The Order was made on 14th March 2011 and came into force on 27th March 2011.

### **R&O.32/2011.**

This Order gives effect in Jersey to Council Implementing Regulation (EU) No. 272/2011 (OJ No. L76/32 22.3.2011) of 21 March 2011 implementing Article 16(2) of Regulation (EU) No. 204/2011 concerning restrictive measures in view of the situation in Libya. The Council Implementing Regulation adds to the list of persons and entities listed in Regulation (EU) 204/2011 against whom restrictions are imposed, in view of the situation in Libya.

The Order was made on 22nd March 2011 and came into force on 23rd March 2011.

### **R&O.33/2011.**

Community Provisions (Restrictive Measures – Egypt) (Jersey) Order 2011.

Chief Minister.

This Order gives effect in Jersey to Council Regulation (EU) No. 270/2011 of 21 March 2011 (OJ No. L 76 22.3.2011) concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Egypt.

The Order was made on 22nd March 2011 and came into force on 23rd March 2011.

## WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Planning and Environment will table an answer to the following question asked by Deputy S.S.P.A. Power of St. Brelade–

“Can the Minister give an assurance that the current planning process will, in the period leading up to the ratification of the new Island Plan, be sensitive to applications that are at the moment being considered in areas such as proposed conservation areas?”

2. The Minister for Social Security will table an answer to the following question asked by Senator B.E. Shenton –

“In 2005 the Net Revenue Expenditure of the Social Security Department was £82,466,889. The Net Revenue Expenditure Cash limit after the Comprehensive Spending Review for 2011 stands at £175,068,400. Can the Minister explain this £92,601,511 increase in the budget given his assertion that costs are under control?”

3. The Minister for Education, Sport and Culture will table an answer to the following question asked by Senator F. du H. Le Gresley–

“Would the Minister advise what progress has been made with drawing up a planning brief for the construction of a new primary school and nursery on Field 327A in St Martin? Does the Minister have full confidence that the "two phase approach", endorsed by the Minister for Treasury and Resources in his written statement to the States on the 6th December 2010, will result in commencement of site preparation and drainage works before the end of this year? Can the Minister confirm that essential repairs to keep the current school buildings "as comfortable as possible" have been, or will be, carried out before the start of the autumn term?”

4. The Minister for Planning and Environment will table an answer to the following question asked by Senator F. du H. Le Gresley–

“Could the Minister advise how many prosecutions have taken place under the Water Pollution (Jersey) Law 2000 since it came into force? If prosecutions have taken place could he provide brief details of the offences and the penalties incurred?”

5. The Minister for Planning and Environment will table an answer to the following question asked by Senator S.C. Ferguson –

“Will the Minister give details of the income and expenditure associated with the various categories of recycled waste, i.e, newspaper, glass, cardboard, cans, plastic etc.?”

6. The Chief Minister will table an answer to the following question asked by the Deputy of St. John–

“On 10th March 2008 Jersey suffered a tidal surge of approximately 5 feet, combined with a 37ft 9in high tide which both caused overtopping of St Helier Harbour well above the land ties, and marina pontoons to rise above their timber pylons/stanchions and the capping on the pylons to be forced off, all this in calm weather. Can the Chief Minister, as Chairman of the Emergencies Council, advise what emergency measures are in place –

1. to cope with a tidal surge of more than 5 feet on a 39/40 ft spring tide with gale force winds from the south or south-west?
2. to deal with a tidal surge along the entire low lying areas of the Island’s south coast?

3. to protect the many engineering installations at La Collette, namely the JEC power station, Energy from Waste plant, Fuel farm, light industry buildings, etc?

Would the Chairman state at what height above high water spring tide the ash pits and the storage of asbestos are situated?

Would the Chairman summarise what lessons, if any, have been learnt from the 2008 occurrence?"

7. The Chief Minister will table an answer to the following question asked by the Deputy of St. John–

“Given our proximity to Flamanville, in the event of a nuclear emergency and given that the trained parish liaison officers were disbanded/subsumed in part into the Honorary Police in 2003/4, will the Chief Minister, in his capacity as Chairman of the Emergencies Council, review this and give details of what training is in place to deal with any significant prolonged emergency?”

8. The Chief Minister will table an answer to the following question asked by the Deputy of St. Martin–

“On 29th March 2010 the Deputy Chief Executive wrote to the former Police Chief Officer inviting him to participate in the Review of the Suspension process for the Chief Officer of the States of Jersey Police and included part (d) of the Terms of Reference, which was before it was later removed. Will the Chief Minister inform Members whether the Chief Police Officer was ever informed that part (d) had been removed, and if not why not?”

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

“(a) Given that it is now anticipated that an offer will be made to Middle Grade doctors by the summer of 2011, can the Minister explain the reasons for the delay in negotiating an acceptable local equivalent to the April 2009 UK SAS New Contract?

(b) Can the Minister describe the points on which negotiations have been hitherto unsuccessful?

(c) Does the Minister accept that her Department will have difficulty in attracting suitably qualified doctors to the 10 vacant Middle Grade posts before these negotiations are complete, as any candidate accepting a post will be committing to an uncertain future contract, and if not, why not?”

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

“Further to his response to Question 6121 on 15th March 2011, will the Minister detail the differences between the “financial intermediation businesses” which give rise to the figure of £74m for tax assessed for the year 2009 in his answer, and the “Financial services sector” used by the Statistics Unit to produce the figure of £809m profit for 2009 given in the “Survey of Financial Institutions 2009” which render comparison of the two figures “meaningless”?

Can he explain, when my figures included insurance providers which are zero rated and the Statistics Unit’s figures for profits do not, how much tax is produced by tax at 0% which might make a difference?

Does the same argument apply to “financial advisory services” which are not included in the Statistics Unit’s profit figures?

Since the figures for profits and the tax assessed do not scale directly what income tax revenue was produced from the £809m profits from financial services by sub-sector as follows:

Banking	£518m
Trust & co admin	£144m
Fund management	£87m

Legal	£37m
Accountancy	£23m

Will the Minister explain how the figure of £54m income tax resulting from “all trades other than financial” (and therefore zero rated) is produced?”

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

“The Minister in his response to Question 6121 on 15th March stated that an apparent effective rate of tax from finance sector profits of less than 10% was “not considered to be caused by tax avoidance activity”. Will the Minister now give accurate figures for the profits made by “financial intermediation businesses” along with the income tax paid on these profits and the effective rate these revenues represent?

He stated that the Tax Office “would challenge such (tax avoidance) activity if identified”. Does the Minister accept that tax avoidance is legal and explain to members under what circumstances such avoidance activities by a financial institution would be challenged?”

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

“Further to his response to Question 6120 on 15th March in which he stated that “although company profits have fallen, absolute levels of wages and salaries have not been reduced by the effect of the downturn...” does the Minister accept that the imposition of a wage freeze on public sector workers in 2009 was not reflected in private sector salaries and had a negative impact on the local retail economy and on public sector morale?

Does the Minister accept that the payment of over £58m in bonuses in the finance sector in 2009 renders the option of a 2-year wage freeze in 2012 and 2013 as proposed in the Tribal Report on public sector terms and conditions totally unacceptable?

Will the Minister rule out the possibility of a public sector wage freeze in 2012/13?”

13. The Minister for Health and Social Services will table an answer to the following question asked by Senator S.C. Ferguson –

“Will the Minister refer to her answer to Question 6123 on 15<sup>th</sup> March and confirm the arrangements for work on a rota for Middle Grade doctors? Could the Minister advise whether the Middle Grade doctors in Ophthalmology undertake ‘on call’ work?

In all the specialties where Middle Grade doctors undertake "38.5 normal working week plus on-call duties 1 week in 2 weeks" or "40 normal working week plus on-call duties 1 week in 4 weeks" or "40 normal working week plus on-call duties on a 1 in 5 rota" etc what is the maximum number of hours on call a Middle Grade doctor may undertake per week when all team members are present, and what is the maximum number of hours on call a Middle Grade doctor may undertake per week when there is staff absence due to sickness, annual or study leave?

In what circumstances, in each specialty listed in the reply, are locum doctors appointed to cover staff absence, and in what circumstances, in each specialty, are Middle Grade doctors contracted to cover staff absence?

What, in each specialty listed in the reply, are the arrangements for day time rest after a night on call?”

14. The Minister for Health and Social Services will table an answer to the following question asked by Senator S.C. Ferguson –

“Given that Health and Social Services has several vacancies for Middle Grade doctors, will the Minister state which of these vacancies are at present filled by locum doctors?

“Will the Minister explain in detail the process of employing locums?

- a) Are posts advertised, or are agencies used?
- b) In each department, who is responsible for selecting candidates?
- c) How are the competencies of candidates assessed?
- d) In what circumstances are interviews held?
- e) What references are sought and who assesses these references?
- f) How does the new locum screening system operate?
- g) What is involved in the induction process of the successful candidate, who plans this and who undertakes it?
- h) How is the performance of locum doctors appraised once they have started work?
- i) Who is responsible for appraisal?
- j) Who is responsible for modifying the locum's job plan in the event that he / she proves not to have the expected competencies?”

15. The Minister for Health and Social Services will table an answer to the following question asked by Deputy G.P. Southern of St. Helier—

“Would the Minister inform members what evidence she has, other than one paragraph of a DEFRA report of 2005, to support the opinion of the then Medical Officer of Health (MOH) quoted in the 2011 Business Plan debate that there are “no health benefits from primary schoolchildren receiving school milk”?”

Can the Minister confirm that officers at the Health Promotion Unit worked with Jersey Dairy to design the cartons extolling the virtues of milk to school children with messages such as “it helps build strong bones, is good for our teeth, gives you energy, contains vitamins and minerals and is part of a healthy diet”?

Could she state how these activities are consistent with the views of the former Medical Officer of Health which the Minister quoted on 15th September 2010 when she spoke against the continuation of funding for free school milk for primary children?

Could she also inform members what evidence she has to support her contention that drinking low fat milk is linked to obesity in children?”

16. The Chief Minister for will table an answer to the following question asked by Senator S.C. Ferguson –

“Please provide the following details for the period from 1 January 2010 to-date:

1. The number of “interim” employees in each department broken down by division?
2. The total costs for each "interim" including salary, expenses and other disbursements?
3. The period of time each "interim" has been employed?”

17. The Minister for Health and Social Services will table an answer to the following question asked Deputy A.E. Jeune of St. Brelade—

“Would the Minister state whether any professional body registered Medical, Nursing or PAM (Profession Allied to Medicine) staff have been (or will be) granted Voluntary Redundancy (VR) or

Voluntary Early Retirement (VER) in the past 12 months or next 6 months and, if so, please list the qualification, post held, years of service for which VR/VER was paid and indicate the number of years remaining to normal retirement age of each post holder?"

18. The Minister for Health and Social Services will table an answer to the following question asked by Deputy A.E. Jeune of St. Brelade—

“Would the Minister please provide the outstanding information arising from Question 6145 and related supplementaries on 15th March 2011 regarding staffing at the Hospital and provide full details of where exactly the £600,000 savings have been made (as requested by Deputy Higgins in section 5 of Question 6082 on 1st March 2011) and state whether these are in addition to the CSR savings required to be made by all Departments?”

19. The Minister for Health and Social Services will table an answer to the following question asked by Deputy A.E. Jeune of St. Brelade—

“Would the Minister advise whether the remuneration of the Director of Social Services has now been agreed and, if so give details of the whole remuneration/benefits package and, if not, please identify the cause of the delay?”

20. The Minister for Health and Social Services will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier—

“Will the Minister:

1. Set out the role of the Health Protection Unit with respect to statutory nuisance and advise members for each year since the Statutory Nuisances (Jersey) Law 1999 came into force:
  - 1.1 the number and nature of the complaints it has received;
  - 1.2 the number of abatement notices it has issued;
  - 1.3 the number of prosecutions it has embarked upon; and
  - 1.4 the number and nature of convictions it has obtained and the penalties meted out for each offence?
- 2 State what she considers the benefits of this legislation?
- 3 State what she considers to be the weaknesses or disadvantages of the legislation?
- 4 State the number of officers engaged in enforcing this legislation and the amount of time they spend upon it?”

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

“Can the Minister point to any consultation documents or design brief in the last decade which has suggested that the new town park should be fenced off and, if not, can he explain why he is minded to approve railings on the perimeter?”

22. The Minister for Planning and Environment will table an answer to the following question asked by Deputy R.G. Le Hérissier of St. Saviour—

“Will the Minister be developing an area plan for the Five Oaks area covering matters such as retention of countryside or ‘green field’ sites and the provision of community facilities for groups such as old and young people?”

23. The Chief Minister will table an answer to the following question asked by Deputy R.G. Le Hérissier of St. Saviour—

“What were the precise reasons given by the Government of India for not signing the Tax Information Exchange Agreement?”

24. The Minister for Planning and Environment will table an answer to the following question asked by

Deputy R.G. Le Hérisier of St. Saviour-

“What is the department's policy in regard to flytipping and how successfully has it been applied?”

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

“How are States printing costs controlled and what costs savings, if any, have been achieved in the last year by Central Procurement in regard to printing?”

26. The Minister for Planning and Environment will table an answer to the following question asked by the Deputy of St. Mary-

“In his answer to Written Question 6131 on March 15th 2011, the Minister referred to three documents:

1. Enforcement & Prosecution Policy;
2. Guidance for the Implementation of the Enforcement & Prosecution Policy;
3. Code on the Decision to Prosecute.

He also stated that the guidelines were originally drafted in 2001 updated to reflect changes in departmental structure in 2004.

Notwithstanding the fact that a further update has taken place in April and May 2010, which update is currently awaiting approval by the Attorney General, will the Minister make the above three documents as at 2004 available to members, or give a reference where they may be found, as members need to see the documents in order to understand the investigatory process vis-à-vis the pollution incident at La Collette in and around April 2009?”

27. The Chief Minister will table an answer to the following question asked by the Deputy of St. Mary-

“Will the Chief Minister advise members if there is a policy concerning the liability of States departments towards citizens of the Island, when services delivered by them cause damage or personal harm in some way, and there is actionable negligence involved?”

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

“Can the Minister provide members with a map showing all the small pockets of land maintained by Transport and Technical Services, whether directly or indirectly, throughout the Island, and advise whether steps are being taken to rationalise this effort?”



## ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

**2011**

**First 15 minute period  
Minister**

**Second 15 minute period  
Minister**

### **First session**

**April 5th**

Social Security

Economic Development

**May 3rd**

Treasury and Resources

Chief Minister

**May 17th**

Education, Sport and Culture

Health and Social Services

**June 7th**

Home Affairs

Chief Minister

**June 21st**

Social Security

Planning and Environment

**July 5th**

Housing

Chief Minister

**July 18th (Monday)**

Transport and Technical Services

Economic Development

### **2nd session**

**September 13th**

Treasury and Resources

Chief Minister

(Annual Business Plan  
2012)

**September 20th**

Education, Sport and Culture

Health and Social Services

**November 8th**

Home Affairs

Chief Minister

(Budget 2012)