

# STATES OF JERSEY ORDER PAPER

Tuesday 17th May 2011

## A. COMMUNICATIONS BY THE PRESIDING OFFICER

## B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

Royal Court (Amendment No. 12) Rules 2011. R&O.56/2011.  
*The Superior Number of the Royal Court.*

Magistrate's Court (Service of Summons) Rules 2011. R&O.57/2011.  
*The Superior Number of the Royal Court.*

Community Provisions (Restrictive Measures – Côte d'Ivoire) (Amendment No. 2) (Jersey) Order 2011. R&O.58/2011.  
*Chief Minister.*

Community Provisions (Restrictive Measures – North Korea) (Amendment No. 4) (Jersey) Order 2011. R&O.59/2011.  
*Chief Minister.*

Cycle Tracks (Amendment No. 2) (Jersey) Order 2011. R&O.61/2011.  
*Minister for Transport and Technical Services.*

Pedal Cycles (Amendment) (Jersey) Order 2011. R&O.62/2011.  
*Minister for Transport and Technical Services.*

Gorey Fête (Jersey) Order 2011. R&O.63/2011.  
*Minister for Transport and Technical Services.*

## C. DOCUMENTS PRESENTED OR LAID

Goods and Services Tax: exemption or zero-rating for foodstuffs, domestic energy and fuel (P.36/2011) – comments. P.36/2011.  
Presented: 13th May 2011. Com.  
*Minister for Treasury and Resources.*

Standing Orders: selection and appointment procedures (P.61/2011) – comments. P.61/2011.  
Presented: 13th May 2011. Com.  
*Privileges and Procedures Committee.*

States of Jersey Prison Service: H.M. Prison La Moye- Annual Report 2010. R.50/2011.  
Presented: 6th May 2011.  
*Minister for Home Affairs.*

Land Transactions under Standing Order 168(3) – R.51/2011.  
(a) La Marquanderie Hill, St. Brelade- proposed acquisition of section of pedestrian footpath;  
(b) La Grande Maison Cottages 1, 2 and 3, St. Catherine, St. Martin acquisition of drainage rights across St. Agatha, Archirondel, and proposed disposal of strip of land adjoining St. Agatha;  
(c) Hue Street Car Parks Site, St. Helier- proposed sale.  
Presented: 6th May 2011.  
*Minister for Treasury and Resources.*

Fort Regent Political Steering Group: Interim Report. R.52/2011.

Presented: 11th May 2011. <i>Minister for Education, Sport and Culture.</i>	
Tourism Development Fund: Annual Report 2010. Presented: 12th May 2011. <i>Minister for Economic Development.</i>	R.53/2011.
Electoral Commission: possible options. Presented: 13th May 2011. <i>Privileges and Procedures Committee.</i>	R.54/2011.
Review of Benefit Levels (S.R.3/2011): response of the Minister for Social Security. Presented: 13th May 2011. <i>Minister for Social Security</i>	S.R.3/2011. Res.
Review of Benefit Levels (S.R.3/2011): response of the Minister for Housing. Presented: 13th May 2011. <i>Minister for Housing.</i>	S.R.3/2011. Res.(2)

#### **D. NOTIFICATION OF LODGED PROPOSITIONS**

Island Plan 2011: approval (P.48/2011): sixth amendment (P.48/2011 Amd. (6)) – amendment. Lodged: 6th May 2011. <i>Deputy of St. Mary.</i>	P.48/2011. Amd.(6) Amd.
Island Plan 2011: approval (P.48/2011): eleventh amendment (P.48/2011 Amd.(11))– amendment. Lodged: 10th May 2011. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.48/2011. Amd.(11) Amd.
Island Plan 2011: approval (P.48/2011): fourteenth amendment (P.48/2011 Amd.(14)) – amendment. Lodged: 10th May 2011. <i>Deputy of St. Mary.</i>	P.48/2011. Amd.(14) Amd.
Island Plan 2011: approval (P.48/2011): fifteenth amendment (P.48/2011 Amd.(15))– amendment. Lodged: 10th May 2011. <i>Deputy K.C. Lewis of St. Saviour.</i>	P.48/2011. Amd.(15) Amd.
Island Plan 2011: approval (P.48/2011): nineteenth amendment (P.48/2011 Amd.(19))– amendment. Lodged: 10th May 2011. <i>Deputy of St. Mary.</i>	P.48/2011. Amd.(19) Amd.
Island Plan 2011: approval (P.48/2011): thirtieth amendment (P.48/2011 Amd. (30)) – amendment. Lodged: 10th May 2011. <i>Deputy of St. Mary.</i>	P.48/2011. Amd.(30) Amd.
Island Plan 2011: approval (P.48/2011): thirty-seventh amendment (P.48/2011 Amd.(37))– amendment. Lodged: 10th May 2011. <i>Deputy of St. Mary.</i>	P.48/2011. Amd.(37) Amd.
Island Plan 2011: approval (P.48/2011): thirty-eighth amendment (P.48/2011 Amd.(38))– amendment. Lodged: 10th May 2011. <i>Deputy of St. Mary.</i>	P.48/2011. Amd.(38) Amd.

Salaries over £100,000: process for review and scrutiny (P.59/2011) – amendment. Lodged: 12th May 2011. <i>Deputy R.G. Le Hérisssier of St. Saviour.</i>	P.59/2011. Amd.
Draft Social Security (Amendment No. 20) (Jersey) Law 201- (P.64/2011): amendment. Lodged: 6th May 2011. <i>Senator F. du H. Le Gresley.</i>	P.64/2011. Amd.
Pensions: survivor’s benefit. Lodged: 10th May 2011. <i>Senator F. du H. Le Gresley.</i>	P.70/2011.
Draft Health Insurance (Medical Benefit) (Amendment No. 4) (Jersey) Regulations 201-. Lodged: 10th May 2011. <i>Minister for Social Security.</i>	P.71/2011.
Grant aided Schools: grants. Lodged: 11th May 2011. <i>Senator B.E. Shenton.</i>	P.72/2011.
North St. Helier Masterplan. Lodged: 11th May 2011. <i>Minister for Planning and Environment.</i>	P.73/2011
Draft Public Employees (Contributory Retirement Scheme) (General) (Amendment No. 11) (Jersey) Regulations 201-. Lodged: 12th May 2011. <i>States Employment Board.</i>	P.74/2011.
Roads and Pavements: legal liability in case of negligence. Lodged: 13th May 2011. <i>Deputy of St. Martin.</i>	P.75/2011.

**E. WITHDRAWAL OF LODGED PROPOSITIONS**

In accordance with Standing Order 34(1), the proposers of the following propositions lodged ‘au Greffe’ have informed the Greffier of the States that they are to be withdrawn –

North of Town Masterplan (Revised). Lodged: 21st December 2010. <i>Minister for Planning and Environment.</i>	P.190/2010.
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**F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS**

Appointment of the Chairman of the Economic Affairs Scrutiny Panel.

**G. MATTERS OF PRIVILEGE**

**H. PETITIONS**

**I. QUESTIONS**

(a) – **Written Questions**  
(attached)

1. The Chief Minister will table an answer to a question asked by Deputy A.E. Jeune of St. Brelade regarding the States Employment Board and the policy relating to vacant posts.

2. The Minister for Social Security will table an answer to a question asked by the Deputy of St. John regarding senior citizens' long-term care.
3. The Minister for Planning and Environment will table an answer to a question asked by Senator B.E. Shenton regarding planning applications.
4. The Minister for Transport and Technical Services will table an answer to a question asked by the Deputy of St. John regarding barriers at Bonne Nuit.
5. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. John regarding the report on P.97/2010.
6. The Chairman of the Comité des Connétables will table an answer to a question asked by the Deputy of St. Mary regarding Parish Assemblies.
7. The Chief Minister will table an answer to a question asked by the Deputy of St. Mary regarding training for Ministers.
8. The Chief Minister will table an answer to a question asked by the Deputy of St. Mary regarding the cooperation of the former Chief Officer of the States of Jersey Police with Napier inquiry.
9. The Minister for Transport and Technical Services will table an answer to a question asked by the Deputy of St. Mary regarding the prediction of tidal surges.
10. The Minister for Transport and Technical Services will table an answer to a question asked by the Deputy of St. Mary regarding street works.
11. The Minister for Health and Social Services will table an answer to a question asked by Deputy D.J. de Sousa of St. Helier regarding an investigation into mental health services.
12. The Minister for Economic Development will table an answer to a question asked by the Deputy of St. John regarding hoists at the Harbour.
13. The Minister for Health and Social Services will table an answer to a question asked by Deputy R.G. Le Hérisssier of St. Saviour regarding the residential status of senior officers.
14. The Minister for Treasury and Resources will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding 1(1)(k) residents in Jersey.
15. H.M. Attorney General will table an answer to a question asked by Senator F. du H. Le Gresley regarding gambling permits.

**(b) – Oral Questions**  
(120 minutes)

The following oral questions were deferred from the meeting of 3rd May 2011, at the request of the Minister for Planning and Environment, and therefore are additional to the oral questions which the Members concerned may have submitted for the present meeting –

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

“What pre-application advice, if any, was given by the Minister and/or the Department in respect of removing Field 528, St. Saviour, from the Green Zone?”

Deputy S.S.P.A. Power of St. Brelade will ask the following question of the Minister for Planning and Environment –

“The draft Island Plan in its present form proposes, in Policy NE6, a Coastal National Park; can

the Minister confirm the manpower and financial implications that will arise if this proposal is approved and will he clarify whether more staff will be required at the Environment Department?”

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

“Will the Minister provide Members with a breakdown of the £21 million departmental underspends showing how these were obtained by department and service and stating whether they were obtained by efficiency savings, increased charges, staffing reductions and/or reductions or cessation of service provision and will he further indicate how the £13 million returned to Departments will assist in delivering overall CSR targets?”

2. The Deputy of St. Mary will ask the following question of the Chairman of the Public Accounts Committee –

“Given the importance of the Public Accounts Committee’s report on the ‘Accounts of the States of Jersey for the year ended December 31st 2009’ and their update report, will the Chairman agree to take steps to enable a debate on the two reports, and if not, why not?”

3. Senator S.C. Ferguson will ask the following question of the Minister for Planning and Environment –

“Will the Minister advise whether consultants are asking permission to visit listed Jersey houses to document the interiors and, if so, who is paying and why is it necessary to employ English consultants?”

4. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Planning and Environment –

“Who is responsible, upon the passing of a planning application, if damage occurs as a result of the consequent work to the properties or foundations of neighbours who had objected to the development?”

5. Deputy J.A.N. Le Fondré of St. Lawrence will ask the following question of the Minister for Treasury and Resources –

“What are the estimated administration costs within the States of GST exemptions in respect of food and fuel and what impact, if any, would there be on Income Support, GST bonus and tax exemption limits as a result?”

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

“Will the Minister, after consultation with the Minister for Education Sport and Culture, consider selling an area of the demolished former d’Hautrée school site to construct a new Good Companions centre and, if not why?”

7. Deputy S. Pitman of St. Helier will ask the following question of the Minister for Education, Sport and Culture –

“How much has been spent over the last 10 years on repairing vandalism at Springfield Stadium?”

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

“Will the Minister update Members on the Hampshire Police investigation into the circumstances surrounding the investigation and evidence gathering by the States of Jersey Police which led to the arrest and conviction of a high profile drugs dealer who was attempting to import a considerable amount of drugs to the Island?”

9. Deputy P.V.F. Le Claire of St. Helier will ask the following question of the Minister for

Planning and Environment –

“When will the Minister be publishing revised new standards for residential development to ensure the provision of homes which meet people's needs and aspirations?”

10. Deputy A.E. Jeune of St. Brelade will ask the following question of the Minister for Home Affairs –

“Can the Minister advise what evidence there is of actual and perceived incidents of domestic violence towards men in Jersey and detail what percentage of the male population have reported such allegations to the States of Jersey Police in 2010?”

11. Deputy M. Tadier of St. Brelade will ask the following question of the Chairman of the Comité des Connétables –

“Further to his response to a question on 17th November 2009 when the Chairman told the Assembly that the Connétables carried warrant cards for means of identification and in view of the fact that ID cards have subsequently been made available to all States members, is there now a need for Connétables to carry warrant cards?”

12. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Minister for Economic Development –

“Given the establishment of a private sector rival to Ship2me what restrictions, if any, exist to govern the business activities of senior executives who leave the publicly owned utilities and move to directly comparable activities?”

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

“Following the ‘in Committee’ discussion of the ‘Review of the Roles of the Crown Officers’ (R.143/2010) on 30th March 2011, will the Chief Minister inform Members how it is intended to address the Review’s recommendations?”

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

“Is the Minister satisfied with the workings of the HAY Evaluation system and, if not, what changes, if any, does he propose?”

15. The Deputy of St. Mary will ask the following question of the Minister for Treasury and Resources –

“Following the introduction of a zero-rate for Corporation tax in Jersey and the consequential reduction in tax revenues, can the Minister advise what work, if any, is being undertaken to explore tax harmonisation with other jurisdictions similarly placed to Jersey and, if it is not being done, will he explain why?”

16. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Economic Development –

“Will the Minister confirm whether he would support the establishment of a voluntary working party, including industry professionals, to consider the introduction of a code of conduct for debt collection agencies in Jersey?”

17. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Health and Social Services –

“Will the Minister inform members what service is provided by the workshop at Valerie Band House within St Saviour’s Hospital, and state whether it is intended to close this facility and, if so, why?”

18. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Housing –

“Given the long-standing problems maintenance issues at La Collette Flats, will the Minister clarify what the current plans are for either refurbishment or re-development and, if the latter, will he advise what timescales are envisaged?”

19. Deputy A.E. Jeune of St. Brelade will ask the following question of the Minister for Health and Social Services –

“Given that the Head of Nursing for Emergency and Unscheduled Care’s fixed term contract ended in April, would the Minister advise why this was a ‘j’ category post, whether additional expenses were incurred and if so what; what the current situation is in respect of this post and what action, if any, has been taken during the 6 month contract period to find a suitable permanent postholder?”

20. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Planning and Environment –

“Following several instances of early morning tree felling by developers, will the Minister be reviewing legislation regarding the cutting down of mature or listed trees and, if not, why not?”

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

1st question period – Minister for Education, Sport and Culture

2nd question period – Minister for Health and Social Services

**J. PERSONAL STATEMENTS**

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

**L. PUBLIC BUSINESS**

Esplanade Quarter: deferment of works. P.24/2011.  
Lodged: 15th February 2011.  
*Deputy of St. John.*

Esplanade Quarter: deferment of works (P.24/2011) – comments. P.24/2011.  
Presented: 28th March 2011. Com.  
*Council of Ministers.*

Goods and Services Tax: exemption or zero-rating for foodstuffs, domestic energy and fuel. P.36/2011.  
Lodged: 10th March 2011.  
*Senator A. Breckon.*

Goods and Services Tax: exemption or zero-rating for foodstuffs, domestic energy and fuel (P.36/2011) – comments. P.36/2011.  
Presented: 13th May 2011. Com.  
*Minister for Treasury and Resources.*

Jersey Harbours and Airport Shadow Board: Terms of Reference. P.47/2011.  
Lodged: 29th March 2011.  
*Minister for Economic Development.*

Code of Practice for Scrutiny Panels and the Public Accounts Committee: amendments. P.49/2011.  
Lodged: 29th March 2011.  
*Chairmen’s Committee.*

Draft Public Elections (Expenditure and Donations) (Jersey) Regulations 201-. P.51/2011.  
Lodged: 4th April 2011.

*Privileges and Procedures Committee.*

Draft Public Elections (Expenditure and Donations) (Jersey) Regulations 201- (P.51/2011): amendment. P.51/2011.  
Lodged: 21st April 2011. Amd.  
*Privileges and Procedures Committee.*

Draft Incorporated Limited Partnerships (Jersey) Law 2011 (Appointed Day) Act 201. P.53/2011.  
Lodged: 5th April 2011.  
*Minister for Economic Development.*

Draft Incorporated Limited Partnerships (Jersey) Regulations 201. P.54/2011.  
Lodged: 5th April 2011.  
*Minister for Economic Development.*

Parish Assemblies: Information Pack. P.60/2011.  
Lodged: 14th April 2011.  
*Deputy M. Tadier of St. Brelade.*

Parish Assemblies: Information Pack (P.60/2011) – amendment. P.60/2011.  
Lodged: 27th April 2011. Amd.  
*Deputy of St. John.*

Standing Orders: selection and appointment procedures. P.61/2011.  
Lodged: 14th April 2011.  
*Deputy M. Tadier of St. Brelade.*

Standing Orders: selection and appointment procedures (P.61/2011) – comments. P.61/2011.  
Presented: 13th May 2011. Com.  
*Privileges and Procedures Committee.*

Jersey Appointments Commission: re-appointment of member. P.63/2011.  
Lodged: 18th April 2011.  
*Chief Minister.*

**M. ARRANGEMENT OF PUBLIC BUSINESS**

**7th June 2011**

States of Jersey Development Company Limited: appointment of Chairman and Non-Executive Directors. P.32/2011.  
Lodged: 2nd March 2011.  
*Minister for Treasury and Resources.*

Pensions payable to retired public employees: proposed amendment to States Act of 11th July 1972. P.55/2011.  
Lodged: 11th April 2011.  
*States Employment Board.*

Draft Cremation (Amendment No. 15) (Jersey) Regulations 201. P.56/2011.  
Lodged: 11th April 2011.  
*Minister for Health and Social Services.*

Draft Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 5) (Jersey) Regulations 201-. P.57/2011.  
Lodged: 13th April 2011.  
*Minister for Economic Development.*

Pension age: increase. P.58/2011.



Lodged: 14th April 2011. <i>Minister for Social Security.</i>	
Salaries over £100,000: process for review and scrutiny. Lodged: 14th April 2011. <i>States Employment Board.</i>	P.59/2011. (re-issue)
Salaries over £100,000: process for review and scrutiny (P.59/2011) – amendment. Lodged: 12th May 2011. <i>Deputy R.G. Le Hérisssier of St. Saviour.</i>	P.59/2011. Amd.
Draft Architects (Registration) (Amendment No. 2) (Jersey) Law 201. Lodged: 15th April 2011. <i>Minister for Economic Development.</i>	P.62/2011.
Draft Social Security (Amendment No. 20) (Jersey) Law 201. Lodged: 19th April 2011. <i>Minister for Social Security.</i>	P.64/2011.
Draft Social Security (Amendment No. 20) (Jersey) Law 201- (P.64/2011): amendment. Lodged: 6th May 2011. <i>Senator F. du H. Le Gresley.</i>	P.64/2011. Amd.
Draft Food Costs Bonus (Jersey) Regulations 201-. Lodged: 20th April 2011. <i>Minister for Social Security.</i>	P.65/2011.
Draft Employment (Amendment No. 7) (Jersey) Law 201-. Lodged: 21st April 2011. <i>Minister for Social Security.</i>	P.66/2011.
Draft Repatriation of Prisoners (Jersey) Law 201-. Lodged: 26th April 2011. <i>Minister for Home Affairs.</i>	P.67/2011.
Draft Sex Offenders (Amendment) (Jersey) Law 201-. Lodged: 26th April 2011. <i>Minister for Home Affairs.</i>	P.68/2011.
Standing Orders: publication of Register of Members' Interests. Lodged: 4th May 2011. <i>Deputy of St. Martin.</i>	P.69/2011.
Pensions: survivor's benefit. Lodged: 10th May 2011. <i>Senator F. du H. Le Gresley.</i>	P.70/2011.
Grant aided Schools: grants. Lodged: 11th May 2011. <i>Senator B.E. Shenton.</i> (Cannot be debated until 8th June 2011)	P.72/2011.
<b><u>21st June 2011</u></b>	
Island Plan 2011: approval. Lodged: 29th March 2011. <i>Minister for Planning and Environment.</i>	P.48/2011.
Island Plan 2011: approval (P.48/2011): amendment.	P.48/2011.

Lodged: 6th April 2011. <i>Senator T.J. Le Main.</i>	Amd.
Island Plan 2011: approval (P.48/2011): second amendment. Lodged: 13th April 2011. <i>Connétable of Grouville.</i>	P.48/2011. Amd.(2)
Island Plan 2011: approval (P.48/2011): third amendment. Lodged: 13th April 2011. <i>Deputy J.B. Fox of St. Helier.</i>	P.48/2011. Amd.(3)
Island Plan 2011: approval (P.48/2011): fourth amendment. Lodged: 14th April 2011. <i>Senator J.L. Perchard.</i>	P.48/2011. Amd.(4)
Island Plan 2011: approval (P.48/2011): fifth amendment. Lodged: 14th April 2011. <i>Deputy of St. Martin.</i>	P.48/2011. Amd.(5)
Island Plan 2011: approval (P.48/2011): sixth amendment. Lodged: 15th April 2011. <i>Deputy R.G. Le Hérisssier of St. Saviour.</i>	P.48/2011. Amd.(6)
Island Plan 2011: approval (P.48/2011): sixth amendment (P.48/2011 Amd. (6)) – amendment. Lodged: 6th May 2011. <i>Deputy of St. Mary.</i>	P.48/2011. Amd.(6) Amd.
Island Plan 2011: approval (P.48/2011): seventh amendment. Lodged: 19th April 2011. <i>Connétable of St. Martin.</i>	P.48/2011. Amd.(7)
Island Plan 2011: approval (P.48/2011): eighth amendment. Lodged: 19th April 2011. <i>Deputy A.E. Jeune of St. Brelade.</i>	P.48/2011. Amd.(8)
Island Plan 2011: approval (P.48/2011): ninth amendment. Lodged: 20th April 2011. <i>Senator F. du H. Le Gresley.</i>	P.48/2011. Amd.(9)
Island Plan 2011: approval (P.48/2011): tenth amendment. Lodged: 20th April 2011. <i>Senator J.L. Perchard.</i>	P.48/2011. Amd.(10)
Island Plan 2011: approval (P.48/2011): eleventh amendment. Lodged: 20th April 2011. <i>Deputy I.J. Gorst of St. Clement.</i>	P.48/2011. Amd.(11)
Island Plan 2011: approval (P.48/2011): eleventh amendment (P.48/2011 Amd. (11)) – amendment. Lodged: 10th May 2011. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.48/2011. Amd.(11) Amd.
Island Plan 2011: approval (P.48/2011): twelfth amendment. Lodged: 21st April 2011. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.48/2011. Amd.(12)
Island Plan 2011: approval (P.48/2011): thirteenth amendment. Lodged: 21st April 2011. <i>Deputy A.E. Jeune of St. Brelade.</i>	P.48/2011. Amd.(13)

Island Plan 2011: approval (P.48/2011): fourteenth amendment. Lodged: 21st April 2011. <i>Deputy A.T. Dupré of St. Clement.</i>	P.48/2011. Amd.(14)
Island Plan 2011: approval (P.48/2011): fourteenth amendment (P.48/2011 Amd.(14))– amendment. Lodged: 10th May 2011. <i>Deputy of St. Mary.</i>	P.48/2011. Amd.(14) Amd.
Island Plan 2011: approval (P.48/2011): fifteenth amendment. Lodged: 21st April 2011. <i>Minister for Education, Sport and Culture.</i>	P.48/2011. Amd.(15)
Island Plan 2011: approval (P.48/2011): fifteenth amendment (P.48/2011 Amd. (15)) – amendment. Lodged: 10th May 2011. <i>Deputy K.C. Lewis of St. Saviour.</i>	P.48/2011. Amd.(15) Amd.
Island Plan 2011: approval (P.48/2011): sixteenth amendment. Lodged: 21st April 2011. <i>Deputy J.A.N. Le Fondré of St. Lawrence.</i>	P.48/2011. Amd.(16)
Island Plan 2011: approval (P.48/2011): seventeenth amendment. Lodged: 21st April 2011. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.48/2011. Amd.(17)
Island Plan 2011: approval (P.48/2011): eighteenth amendment. Lodged: 21st April 2011. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.48/2011. Amd.(18)
Island Plan 2011: approval (P.48/2011): nineteenth amendment. Lodged: 26th April 2011. <i>Deputy of Grouville.</i>	P.48/2011. Amd.(19)
Island Plan 2011: approval (P.48/2011): nineteenth amendment (P.48/2011 Amd.(19))– amendment. Lodged: 10th May 2011. <i>Deputy of St. Mary.</i>	P.48/2011. Amd.(19) Amd.
Island Plan 2011: approval (P.48/2011): twentieth amendment. Lodged: 26th April 2011. <i>Deputy of St. Mary.</i>	P.48/2011. Amd.(20)
Island Plan 2011: approval (P.48/2011): twenty-first amendment. Lodged: 26th April 2011. <i>Deputy of St. Mary.</i>	P.48/2011. Amd.(21)
Island Plan 2011: approval (P.48/2011): twenty-second amendment. Lodged: 26th April 2011. <i>Deputy of St. Mary.</i>	P.48/2011. Amd.(22)
Island Plan 2011: approval (P.48/2011): twenty-third amendment. Lodged: 26th April 2011. <i>Deputy of St. Mary.</i>	P.48/2011. Amd.(23)
Island Plan 2011: approval (P.48/2011): twenty-fourth amendment. Lodged: 26th April 2011. <i>Senator A. Breckon.</i>	P.48/2011. Amd.(24)
Island Plan 2011: approval (P.48/2011): twenty-fifth amendment. Lodged: 26th April 2011.	P.48/2011. Amd.(25)

*Deputy I.J. Gorst of St. Clement.*

Island Plan 2011: approval (P.48/2011): twenty-sixth amendment. P.48/2011.  
Lodged: 26th April 2011. Amd.(26)  
*Senator S.C. Ferguson.*

Island Plan 2011: approval (P.48/2011): twenty-seventh amendment. P.48/2011.  
Lodged: 26th April 2011. Amd.(27)  
*Deputy S.S.P.A. Power of St. Brelade.*

Island Plan 2011: approval (P.48/2011): twenty-eighth amendment. P.48/2011.  
Lodged: 26th April 2011. Amd.(28)  
*Deputy J.A.N. Le Fondré of St. Lawrence.*

Island Plan 2011: approval (P.48/2011): twenty-ninth amendment. P.48/2011.  
Lodged: 26th April 2011. Amd.(29)  
*Connétable of St. Peter.*

Island Plan 2011: approval (P.48/2011): thirtieth amendment. P.48/2011.  
Lodged: 26th April 2011. Amd.(30)  
*Senator T.J. Le Main.*

Island Plan 2011: approval (P.48/2011): thirtieth amendment (P.48/2011 Amd. P.48/2011.  
(30)) – amendment. Amd.(30)  
Lodged: 10th May 2011. Amd.  
*Deputy of St. Mary.*

Island Plan 2011: approval (P.48/2011): thirty-first amendment. P.48/2011.  
Lodged: 26th April 2011. Amd.(31)  
*Deputy J.M. Macon of St. Saviour.*

Island Plan 2011: approval (P.48/2011): thirty-second amendment. P.48/2011.  
Lodged: 26th April 2011. Amd.(32)  
*Deputy D.J. De Sousa of St. Helier.*

Island Plan 2011: approval (P.48/2011): thirty-third amendment. P.48/2011.  
Lodged: 26th April 2011. Amd.(33)  
*Deputy D.J. De Sousa of St. Helier.*

Island Plan 2011: approval (P.48/2011): thirty-fourth amendment. P.48/2011.  
Lodged: 26th April 2011. Amd.(34)  
*Connétable of St. Mary.*

Island Plan 2011: approval (P.48/2011): thirty-fifth amendment. P.48/2011.  
Lodged: 26th April 2011. Amd.(35)  
*Deputy D.J. De Sousa of St. Helier.*

Island Plan 2011: approval (P.48/2011): thirty-sixth amendment. P.48/2011.  
Lodged: 26th April 2011. Amd.(36)  
*Deputy I.J. Gorst of St. Clement.*

Island Plan 2011: approval (P.48/2011): thirty-seventh amendment. P.48/2011.  
Lodged: 26th April 2011. Amd.(37)  
*Deputy J.A.N. Le Fondré of St. Lawrence.*

Island Plan 2011: approval (P.48/2011): thirty-seventh amendment P.48/2011.  
(P.48/2011 Amd.(37))– amendment. Amd.(37)  
Lodged: 10th May 2011. Amd.  
*Deputy of St. Mary.*

Island Plan 2011: approval (P.48/2011): thirty-eighth amendment. P.48/2011.

Lodged: 26th April 2011. Connétable of St. Helier.	Amd.(38)
Island Plan 2011: approval (P.48/2011): thirty-eighth amendment (P.48/2011 Amd.(38))– amendment. Lodged: 10th May 2011. <i>Deputy of St. Mary.</i>	P.48/2011. Amd.(38) Amd.
North St. Helier Masterplan. Lodged: 11th May 2011. <i>Minister for Planning and Environment.</i> <i>(Cannot be debated until 22nd June 2011)</i>	P.73/2011
Roads and Pavements: legal liability in case of negligence. Lodged: 13th May 2011. <i>Deputy of St. Martin.</i>	P.75/2011.
<b><u>5th July 2011</u></b>	
Draft Control of Housing and Work (Jersey) Law 201-. Lodged: 15th March 2011. Chief Minister.	P.37/2011.
Draft Register of Names and Addresses (Jersey) Law 201-. Lodged: 15th March 2011. Chief Minister.	P.38/2011.
Draft Health Insurance (Medical Benefit) (Amendment No. 4) (Jersey) Regulations 201-. Lodged: 10th May 2011. <i>Minister for Social Security.</i>	P.71/2011.
Draft Public Employees (Contributory Retirement Scheme) (General) (Amendment No. 11) (Jersey) Regulations 201-. Lodged: 12th May 2011. <i>States Employment Board.</i>	P.74/2011.

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

12th May 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 18th May and Thursday 19th May 2011.**

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

(See Item B)

### **R&O.56/2011.**

These Rules are made as required by Schedule 1 to the Terrorist Asset Freezing (Jersey) Law 2011 (“the Law”). Schedule 1 requires Rules of Court to be made governing appeals and reviews under Articles 28 and 29 respectively, of the Law.

Article 28 applies to any decision of the Chief Minister–

- (a) to make or vary an interim or final designation of a person;
- (b) to renew a final designation of a person; or
- (c) not to vary or revoke an interim or final designation of a person,

under the Law, and enables the person to appeal to the Royal Court against the decision.

Article 29 applies to any decision of the Chief Minister taken in the performance of, or in connection with, his or her functions under the 2011 Law, other than a decision to which Article 28 applies. A person affected by the decision may apply to the Royal Court for the decision to be set aside.

These Rules insert a new Part 16A into the Royal Court Rules 2004. It –

- (a) treats an Article 28 appeal on a similar footing to an administrative appeal under Part 15 of the Royal Court Rules, subject to modifications relating to special counsel (*see below*) and public interest restrictions on disclosure of material;
- (b) treats an Article 29 application on a similar footing to an application for judicial review under Part 16 of the Royal Court Rules, again subject to modifications relating to special counsel (*see below*) and public interest restrictions on disclosure of material.

The modifications mentioned in (a) and (b) stem from Schedule 1 to the Law which requires the Royal Court, in making Rules of Court, to have regard to the need to secure that –

- (a) the decisions that are the subject of the proceedings are properly reviewed; and
- (b) disclosures of information are not made where they would be contrary to the public interest.

Having regard to (a) and (b), these Rules empower the Royal Court to appoint special counsel, as defined in the Rules, to represent the interests of a party to proceedings from which the party is excluded on public interest grounds.

The Rules were made by the Superior Number of the Royal Court on 3rd May 2011 and came into force 7 days thereafter on 10th May 2011.

### **R&O.57/2011.**

These Rules provide for the mode of service of summonses under Article 9 of the Magistrate’s Court (Miscellaneous Provisions) (Jersey) Law 1949, following the repeal of the existing provisions regarding service in Article 10 of that Law by the Magistrate’s Court (Miscellaneous Provisions) (Amendment No. 10) (Jersey) Law 2011.

The Rules were made by the Superior Number of the Royal Court on 3rd May 2011 and come into force on the same day as the Magistrate’s Court (Miscellaneous Provisions) (Amendment No. 10) (Jersey) Law 2011.

### **R&O.58/2011.**

This Order further amends the Community Provisions (Restrictive Measures – Côte d’Ivoire) (Jersey) Order 2011 to take account of amendments to Regulation (EC) No. 560/2005 made by Council Implementing Regulation (EU) No. 348/2011 of 8 April 2011 and Council Implementing Regulation (EU) No. 419/2011 of 29 April 2011.

The Order was made on 4th May 2011 and came into force on 5th May 2011.

### **R&O.59/2011.**

Community Provisions (Restrictive Measures – North Korea) (Amendment No. 4) (Jersey) Order 2011.  
Chief Minister.

This Order further amends the Community Provisions (Restrictive Measures – North Korea) (Jersey) Order 2007 (“the principal Order”) in order to give effect in Jersey to Council Regulation (EU) No. 567/2010 of 29 June 2010 (OJ No. L 163/15, 30.6.2010), and Commission Regulation (EU) No. 1251/2010 of 22 December 2010 (OJ No. L 341/15, 23.12.2010), which both amend Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People’s Republic of Korea (OJ No. L88/1, 29.3.2007). Council Regulation (EU) No. 567/2010 amends the list of goods and technology in Annex IA to Council Regulation (EU) No. 329/2007 that it is prohibited to sell, supply, transfer or export to any natural or legal person in, or for use in, North Korea. The Commission Regulation amends the list of persons, entities and bodies in Annex V of Council Regulation (EC) No. 327/2007 whose funds and economic resources must be frozen. This Order also amends the disclosure provisions contained in the principal Order to align them with similar provisions made in respect of other restrictive measures Orders and, in particular, expressly enables information to be disclosed by the Chief Minister to the Jersey Financial Services Commission for the purpose of any of its functions, where the Chief Minister believes the exercise of such a function may assist in achieving compliance with the Council Regulation (EC) No. 329/2007.

The Order was made on 4th May 2011 and came into force on 5th May 2011.

### **R&O.61/2011.**

The object of this Order is to add as shared-use cycle tracks to the list in the Cycle Tracks (Jersey) Order 2000–

- (a) the promenade from Havre des Pas to the power station at La Collette;
- (b) the way from the power station at La Collette to La Rue de Veulle and northwards 50 yards;
- (c) a cycle track along the northern side of La Rue à Don at Gorey;
- (d) the promenade from Gorey Harbour to La Montée des Grèves at Gorey.

The Order was made on 6th May 2011 and comes into force 13th May 2011.

### **R&O.62/2011.**

This Order amends the Pedal Cycles (Jersey) Order 1998 (“principal Order”) in relation to electrically assisted pedal cycles.

*Article 1* is an interpretation provision.

*Article 2* updates the references in the principal Order to the current British Standard specification for motors for battery operated vehicles. The standard is now BS 1727:1987 in place of BS 1727:1971.

*Article 3* amends the requirements in the principal Order for the electric motor that must be fitted in an electrically assisted pedal cycle. The continuous rated output of an electric motor installed in a bicycle is increased from 0.2 kilowatts to 0.25 kilowatts. (Tandem cycles and tricycles may currently be fitted with electric motors the continuous rated output of which does not exceed 0.25 kilowatts). The amendments also specify that, in the case of any pedal cycle constructed on or after 1st June 2011, the electric motor must not be capable of propelling the pedal cycle when it is not being pedalled at more than 4 miles per hour.

*Article 4* sets out the title of the Order and provides that it shall come into force on 1st June 2011.

The Order was made on 6th May 2011 and comes into force on 1st June 2011.

### **R&O.63/2011.**

This Order allows certain roads to be closed and used on, before and after Thursday, 18th August 2011 for holding the annual Gorey Fête. It also sets out certain conditions to be respected, and certain powers that may be exercised, in relation to the event.

The Order was made on 6th May 2011 and came into force on being made.





## WRITTEN QUESTIONS

(See Item I(a))

1. The Chief Minister will table an answer to the following question asked by the Deputy A.E. Jeune of St. Brelade—

“Can the Minister inform members of the teacher/pupil ratio, with and without teaching assistants, in primary and secondary schools in Jersey, in fee-paying and in non-fee-paying sectors, and give members information on the trends in this ratio over the last 10 years?”

2. The Minister for Social Security will table an answer to the following question asked by the Deputy of St. John—

“Would the Minister advise the total number of senior citizens in long-term care within the Island who have never paid Social Security contributions in Jersey in their own right nor had them paid for by their spouse?

Who pays for the upkeep of these residents once a person has been in the Island for over 5 years and would the Minister provide details as to which fund the money comes from?

Would he provide a breakdown of the nationalities of those residents in long-term care?

What action is being taken, if any, to get these people repatriated or to get funding from their country of origin to upkeep people in long-term care?

Do the above receive free medication if it is required and, if so, which fund does the money come from?

What is the total cost to the Island or Social Security to keep the above in care annually?

3. The Minister for Planning and Environment will table an answer to the following question asked by Senator B.E. Shenton –

“Would an applicant have a legitimate expectation of compensation if a planning application is not determined in a timely manner? Can the Minister detail the five longest outstanding planning applications awaiting determination and give reasons for the delay in each case?”

4. The Minister for Transport and Technical Services will table an answer to the following question asked by the Deputy of St. John—

“Despite repeated requests the PVC barriers have yet to be removed from Les Charrières de Bonne Nuit and replaced by an Armco barrier or similar, could the Minister give a firm date as to when this work will be completed and advise whether this will be before the Bonne Nuit Water Carnival on 24th June 2011?”

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

“Following an e-mail from the Chief Executive Officer of Planning and Environment on 29th March 2011 stating that Jersey Property Holdings were leading on this project and hoped to present a response to P.97/2010 (Recycling of waste materials: identification of suitable sites) within a week or thereabout, will the Minister advise when the report will be presented so the residents of sites adjacent to skip sorting operations can be given some peace of mind?”

6. The Chairman of the Comité des Connétables will table an answer to the following question asked by the Deputy of St. Mary–

“Could the Chairman advise what changes, if any, have been made in relation to Parish Assemblies since my question 4706 of 8th September 2009 in relation to the following –

- 1 The precise measures taken, in each parish, to publicise the date and time of each Parish Assembly before it takes place, and how long in advance of the meeting it is publicised?
- 2 The precise measures taken, in each parish, to publicise the Agenda of each Assembly before it takes place, and how long in advance of the meeting it is publicised?
- 3 When and how the date for an Assembly is fixed?
- 4 Whether any individuals or groups are notified directly by arrangements other than by publication or public display of a notice or notices, and if so, who?
- 5 Whether there is a fixed schedule of Assemblies or whether they are arranged as required, and in the former case, what steps are taken to publicise this Schedule?
- 6 Whether a note is kept of the numbers attending each meeting and if this note is an estimate or an actual count, and if a note is kept, how many attended the last meeting to set the parish rate?”

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

“What training, if any, do Ministers receive?”

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

“When the former Chief Officer of the States of Jersey Police wrote to the Deputy Chief Executive on 31st March 2010 saying that he would cooperate with the Napier inquiry into his suspension, were there any qualifications or provisos made by him in that letter as to his willingness to cooperate with the inquiry?”

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

“What work, if any, has the Department carried out with respect to the prediction of tidal surges and preventing damage to the Island from them?”

10. 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 advise what measures, if any, are in place to ensure that the utilities should not only do their streetworks in a satisfactory manner and make good the road they have worked in if they do not but

also that they should do those works in a timely manner so as to minimise disruption and traffic delay on our roads?

Can the Minister tell members what steps, if any, he is taking to ensure that the utilities are incentivised to complete their works speedily or be penalised if they do not, and will such incentives and penalties feature in the new streetworks law which he is preparing, and if not why not?"

11. The Minister for Health and Social Services will table an answer to the following question asked Deputy D.J. de Sousa of St. Helier—

“Following recent reports in the media, would the Minister inform members as to whether she will commit to a full and independent investigation into the provision and delivery of services to adults with mental health and related conditions within the remit of Health and Social Services and, if not, why not?”

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

“Having received complaints from several boat yards and users over the last month regarding the 25 ton hoist being out of action for an extended period, as well as the 65 ton hoist over the week of the Boat Show, can members be advised—

- (a) the details of the breakdowns?
- (b) the reasons for lack of action in repairing the 25 ton hoist?
- (c) the age of both hoists?
- (d) the details as to the frequency of the servicing of the equipment?
- (e) who is responsible for ensuring that all cranes, hoists etc at Harbours are in good working order?
- (f) whether the 25 ton hoist was transporting a vessel at the time it lost its wheel, and, if so, were officers from the Health and Safety Inspectorate called to investigate and, if so what were the findings?
- (g) what measures were necessary at the end of the Boat Show to put boats in the water given both hoists were out of action?
- (h) was this same service offered to local boat owners whose boats were left stranded in the boat park?
- (i) will the Department now put in place a proper maintenance programme to prevent this happening again?”

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

“Would the Minister advise how many senior officers of Health and Social Services, if any, reside in the UK, and who they are?”

14. The Minister for Treasury and Resources will table an answer to the following question asked Deputy T.M. Pitman of St. Helier–

“Will the Minister clarify how many 1(1)(k) residents currently reside in the Island; further still, clarify with the latest tax year figures available how many of these paid less than the £100,000 benchmark and within this figure how many paid in the following lower brackets?

- (a) Less than £5,000
- (b) Between £5,000 – £10,000
- (c) Between £10,000 – £15,000
- (d) Between £15,000 – £20,000?”

15. H.M. Attorney General will table an answer to the following question asked Senator F. du H. Le Gresley–

“Could HM Attorney General advise if the Gambling (Gaming and Lotteries) (Jersey) Regulations 1965, or any related Orders, enable the Minister for Economic Development to issue a gaming machine licence to a business which is not a licensed betting office? Could he also advise if the definition of a gaming machine in the legislation could include a server based, touch screen, lottery terminal?”

## ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

<b><u>2011</u></b>	<b>First 15 minute period Minister</b>	<b>Second 15 minute period Minister</b>
<b><u>First session</u></b>		
<b>June 7th</b>	Home Affairs	Chief Minister
<b>June 21st</b>	Social Security	Planning and Environment
<b>July 5th</b>	Housing	Chief Minister
<b>July 18th (Monday)</b>	Transport and Technical Services	Economic Development
<b><u>2nd session</u></b>		
<b>September 13th</b> (Annual Business Plan 2012)	Treasury and Resources	Chief Minister
<b>September 20th</b>	Education, Sport and Culture	Health and Social Services
<b>November 8th</b> (Budget 2012)	Home Affairs	Chief Minister