

# STATES OF JERSEY ORDER PAPER

Tuesday 15th February 2011  
CONSOLIDATED

## A. COMMUNICATIONS BY THE PRESIDING OFFICER

## B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

Road Racing (Karts) (Jersey) Order 2011. R&O.16/2011.  
*Minister for Transport and Technical Services.*

Road Traffic (Trinity) (Amendment No. 6) (Jersey) Order 2011. R&O.17/2011.  
*Minister for Transport and Technical Services.*

Employment (Minimum Wage) (Amendment No. 14) (Jersey) Order 2011. R&O.18/2011.  
*Minister for Social Security.*

Community Provisions (Restrictive Measures – Zimbabwe) (No. 6) R&O.19/2011.  
(Amendment No. 3) (Jersey) Order 2011.  
*Chief Minister.*

## C. DOCUMENTS PRESENTED OR LAID

\* Composition of the States: implementation of remaining Clothier reforms – P.3/2011.  
referendum (P.3/2011) – comments. Com.  
Presented: 14th February 2011.  
*Council of Ministers.*

\* Cold weather payments: amendment to income support (P.4/2011) – P.4/2011.  
comments. Com.  
Presented: 14th February 2011.  
*Council of Ministers.*

\* Minister for Treasury and Resources: request to Chief Minister to lodge P.16/2011.  
proposition for dismissal – petition (P.16/2011) – comments. Com.  
Presented: 14th February 2011.  
*Chief Minister.*

\* Minister for Treasury and Resources: request to Chief Minister to lodge P.16/2011.  
proposition for dismissal – petition (P.16/2011) – comments. Com.(2)  
Presented: 14th February 2011.  
*Council of Ministers.*

\* Historical Child Abuse: request to Council of Ministers (P.19/2011) – P.19/2011.  
comments. Com.  
Presented: 14th February 2011.  
*Education and Home Affairs Scrutiny Panel.*

States of Jersey Law 2005: delegation of functions – Treasury and Resources R.10/2011.  
February 2011.  
Presented: 7th February 2011.  
*Minister for Treasury and Resources.*

Making Jersey Safer: States of Jersey Police – Policing Plan 2011. R.11/2011.  
Presented: 8th February 2011.  
*Minister for Home Affairs.*

States of Jersey Law 2005: delegation of functions – Economic Development R.12/2011.

February 2011.  
Presented: 9th February 2011.  
*Minister for Economic Development.*

Jersey Police Complaints Authority: report for 2010. R.13/2011.  
Presented: 11th February 2011.  
*Minister for Home Affairs.*

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

Cold weather payments: amendment to income support (P.4/2011) – amendment. P.4/2011.  
Lodged: 8th February 2011. Amd.  
*Senator B.E. Shenton.*

\* Historical Child Abuse: request to Council of Ministers (P.19/2011) – amendment. P.19/2011.  
Lodged: 15th February 2011. Amd.  
*Deputy of St. Martin.*

Green waste from commercial operators: introduction of charge. P.20/2011.  
Lodged: 4th February 2011. (re-issue)  
*Deputy P.V.F. Le Claire of St. Helier.*

Importation of Fireworks in 2007 for a Charity Event: investigation. P.21/2011.  
Lodged: 8th February 2011.  
*Deputy of St. John.*

\* Elected members' access to information: media releases. P.22/2011.  
Lodged: 14th February 2011.  
*Deputy P.V.F. Le Claire of St. Helier.*

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

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

#### **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 –

\* Esplanade Quarter: deferment of works. P.181/2010.  
Lodged: 7th December 2010.  
*Deputy of St. John.*

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

Nomination by the Chief Minister of Deputy Andrew Kenneth Francis Green of St. Helier as the Minister for Housing. (*note attached*)

Nomination of Deputy Sean Seamus Patrick Augustine Power of St. Brelade as a member of the Environment 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 the Deputy of St. John regarding the use of self-employed or agency staff.
2. The Minister for Social Security will table an answer to a question asked by Senator F. du H. Le Gresley regarding claims for the GST Food Costs Bonus in 2010.
3. The Chief Minister will table an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding the roles and responsibilities of Assistant Ministers.
4. The Minister for Treasury and Resources will table an answer to a question asked by the Connétable of Grouville regarding the future of the former Jersey College for Girls site.
5. The Chief Minister will table an answer to a question asked by Senator B.E. Shenton regarding the work involved in preparing answers for States meetings.
6. The Chief Minister will table an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding the new Migration legislation.
7. The Chairman of the Comité des Connétables will table an answer to a question asked by Senator J.L. Perchard regarding parish recycling schemes.
8. The Minister for Planning and Environment will table an answer to a question asked by the Deputy of St. Martin regarding access to properties under the Water (Jersey) Law 1972.
9. The Chief Minister will table an answer to a question asked by the Deputy of St. Martin regarding the Napier Terms of Reference.
10. The Minister for Treasury and Resources will table an answer to a question asked by Senator F. du H. Le Gresley regarding the funding of a Committee of Inquiry.
11. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the future of zero/ten.
12. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding weekly benefits payments.
13. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the tax transparency of the Island.
14. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding foreign owned non-finance companies subject to 0% tax.
15. The Minister for Planning and Environment will table an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the Odeon Cinema site.
16. The Chief Minister will table an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the cost of advice on EU issues over the past 5 years.
17. The Minister for Transport and Technical Services will table an answer to a question asked by the Deputy of St. Mary regarding the Liquid Waste Strategy.
18. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. Mary regarding trends in activity within certain sections of the hospital.
19. The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by the Deputy of St. Mary regarding facilities for States members.

20. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. Mary regarding health screening for residents in the vicinity of the Energy from Waste Plant.
21. The Minister for Economic Development will table an answer to a question asked by the Deputy of St. Mary regarding funding for repairs at Gorey Pier.

**(b) – Oral Questions**

(120 minutes)

1. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Economic Development –

“With many Public Sector workers facing redundancy due to the savings targets of £65 million, how does the Minister justify his statement that £125,000 per annum for the Chairman and six members of the Harbours and Airport Shadow Board is ‘a competitive rate’ and does he not concede that in reality payments of between £450 and £650 per day are both excessive and unjustifiable?”

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

“Since the introduction of the 20 hours a week free nursery education for children can the Minister advise whether up to 30 hours per week have been given free for children and, if so, how this has been funded, how many children have received longer free care, what is the total annual cost for children receiving 20 hours and 30 hours and will charges for early years education be reviewed?”

3. The Deputy of St. Mary will ask the following question of the Minister for Transport and Technical Services –

“What criteria, if any, does the Minister use when assessing which new buses to buy for our public transport network, and can he update members on progress with the purchase of these new vehicles?”

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

“Will the Treasury Minister accept that his assurances to States members over zero/ten have now been disproved and the Island’s position on this matter is now clearly unsound?”

5. Senator S.C. Ferguson will ask the following question of the Minister for Health and Social Services –

“How many middle grade doctors’ posts exist at the hospital, how many are vacant or filled by locums, and how many adhere to the 48 hour European Working Time Directive?”

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

“Will the Minister state the total income tax paid in 2009 by the finance sector at 10% and utilities at 20%, and indicate the income anticipated in the accounts of the States for 2009 from income tax on deemed distributions from locally owned non-finance companies and, if there was no income, would he explain why and state what equivalent figures have been budgeted for these items in 2010 and 2011?”

7. Deputy M.R. Higgins will ask the following question of the Minister for Economic Development –

“Following the agreement between the Chancellor of the Exchequer and the banks in the United

Kingdom to increase lending to small businesses, what steps, if any, is the Minister taking to ensure that businesses in the Island will also benefit from increased lending at reasonable terms?"

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

“Was part (d) removed from the Terms of Reference on 9th April 2010 following a discussion between the Deputy Chief Executive and Mr Napier and, if so, was that fact made known to the Chief Minister when he signed the Ministerial decision on 13th April 2010 approving the appointment of Mr Napier and for his CV and Terms of Reference, containing the original part (d), to be included in R.39/2010?”

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

“Will the Minister inform Members of the cost of the Metropolitan Police Review of the Haut de la Garenne investigation and of redacting the Wiltshire Report; advise when the rest of that report will be published in line with assurances made in July 2010 and in R.8/2011 and whether the statements made to the Wiltshire Police by the former Chief Officer of the States of Jersey Police will be published?”

10. Senator S.C. Ferguson will ask the following question of the Minister for Health and Social Services –

“As CSR growth allowed £1.2 million for reorganising the middle grade doctors and surgeons, what are the Minister’s plans in this respect?”

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

“Can the Minister advise members what progress has been made regarding the referral of a pollution incident which occurred in early 2009 at La Collette during construction of the Energy from Waste Plant to H.M. Attorney General for possible prosecution, and would the Minister advise whether the case file was referred without the person who raised the alarm being interviewed by his department, and if so, why?”

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

“Now that the Minister has been advised that Jersey cannot use deemed distribution under zero/ten and comply with the European Union Code on Business Taxation (EUCBT), will he inform members what alternatives, if any, he has under consideration to solve this problem?”

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

“Given the High Level Working Party's statement confirming that zero/ten is viewed as harmful and not compliant, as maintained by critics, does the Minister accept that it is now time that both the Council of Ministers and Industry leaders work with the Island’s critics to find the best solution to achieving fair and equitable taxation practices?”

14. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Health and Social Services –

“Mindful of the need to anonymise the response, will the Minister detail the length of time that each of the doctors currently restricted have been under such restrictions; explain what training has been offered to, refused by, or undertaken by them and give a categorical assurance that every assistance has been given to them to enable a full return to medical duties and that there have been no deliberate impediments?”

**(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**

- \* The Chief Minister will make a statement regarding zero-ten.
- \* The Minister for Economic Development will make a statement regarding the regulation of Channel Island ferry services.

**L. PUBLIC BUSINESS**

- Minister for Treasury and Resources: request to Chief Minister to lodge proposition for dismissal – petition. P.16/2011.  
Lodged: 1st February 2011.  
*Deputy G.P. Southern of St. Helier.*
- \* Minister for Treasury and Resources: request to Chief Minister to lodge proposition for dismissal – petition (P.16/2011) – comments. P.16/2011.  
Presented: 14th February 2011. Com.  
*Chief Minister.*
  - \* Minister for Treasury and Resources: request to Chief Minister to lodge proposition for dismissal – petition (P.16/2011) – comments. P.16/2011.  
Presented: 14th February 2011. Com.(2)  
*Council of Ministers.*
- Ratification of the Agreement for the exchange of information relating to tax matters between the Government of Jersey and the Government of the Republic of Turkey. P.195/2010.  
Lodged: 23rd December 2010.  
*Chief Minister.*
- Ratification of the Agreement for the exchange of information relating to tax matters between the Government of Jersey and the Government of the Republic of the United Mexican States. P.196/2010.  
Lodged: 23rd December 2010.  
*Chief Minister.*
- Draft Companies (Amendment No. 5) (Jersey) Regulations 201-. P.197/2010.  
Lodged: 29th December 2010.  
*Minister for Economic Development.*
- Draft Gambling (Remote Gambling Disaster Recovery) (Amendment) (Jersey) Regulations 201-. P.199/2010.  
Lodged: 31st December 2010.  
*Minister for Economic Development.*
- Cold weather payments: amendment to income support. P.4/2011.  
Lodged: 19th January 2011.  
*Senator F. du H. Le Gresley.*
- \* Cold weather payments: amendment to income support (P.4/2011) – comments. P.4/2011.  
Presented: 14th February 2011. Com.  
*Council of Ministers.*
- Cold weather payments: amendment to income support (P.4/2011) – amendment. P.4/2011.  
Amd.

Lodged: 8th February 2011. <i>Senator B.E. Shenton.</i>	
Income Support Medical Appeal Tribunal: appointment of members. Lodged: 27th January 2011. <i>Minister for Social Security.</i>	P.11/2011.
Social Security Tribunal: appointment of members. Lodged: 27th January 2011. <i>Minister for Social Security.</i>	P.12/2011.
Jersey Employment Tribunal: appointment of members. Lodged: 27th January 2011. <i>Minister for Social Security.</i>	P.13/2011.
Manual Workers' Joint Council: Employers' Side membership. Lodged: 1st February 2011. <i>States Employment Board.</i>	P.17/2011.

## **M. ARRANGEMENT OF PUBLIC BUSINESS**

### **1st March 2011**

Housing issues in Jersey. Lodged: 21st December 2010. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.189/2010.
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)
Standing Orders: time limits on speeches during debates. Lodged: 4th January 2011. <i>Senator P.F. Routier.</i>	P.1/2011.
Composition of the States: implementation of remaining Clothier reforms – referendum. Lodged: 18th January 2011. <i>Deputy S. Pitman of St. Helier.</i>	P.3/2011.
* Composition of the States: implementation of remaining Clothier reforms – referendum (P.3/2011) – comments. Presented: 14th February 2011. <i>Council of Ministers.</i>	P.3/2011. Com.
Composition of the States: implementation of remaining Clothier reforms – referendum (P.3/2011) – amendment. Lodged: 26th January 2011. <i>Senator F. du H. Le Gresley.</i>	P.3/2011. Amd.

	Electoral Commission: establishment. Lodged: 31st January 2011. <i>Deputy of St. Mary.</i>	P.15/2011.
	Standing Orders: oral questions with notice. Lodged: 1st February 2011. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.18/2011.
	Historical Child Abuse: request to Council of Ministers. Lodged: 2nd February 2011. <i>Senator F. du H. Le Gresley.</i>	P.19/2011.
*	Historical Child Abuse: request to Council of Ministers (P.19/2011) – comments. Presented: 14th February 2011. <i>Education and Home Affairs Scrutiny Panel.</i>	P.19/2011. Com.
*	Historical Child Abuse: request to Council of Ministers (P.19/2011) – amendment. Lodged: 15th February 2011. <i>Deputy of St. Martin.</i>	P.19/2011. Amd.
	Green waste from commercial operators: introduction of charge. Lodged: 4th February 2011. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.20/2011. (re-issue)
*	Importation of Fireworks in 2007 for a Charity Event: investigation. Lodged: 8th February 2011. <i>Deputy of St. John.</i>	P.21/2011.
*	Elected members' access to information: media releases. Lodged: 14th February 2011. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.22/2011.
*	Income Tax: introduction of higher rate. Lodged: 14th February 2011. <i>Deputy G.P. Southern of St. Helier.</i>	P.23/2011.

### **15th March 2011**

	Draft Loi (No. 7) (201-) concernant la charge de Juge d'Instruction. Lodged: 19th October 2010. <i>Chief Minister.</i>	P.148/2010.
	Pomme d'Or Farm: refurbishment. Lodged: 1st December 2010. <i>Deputy A.K.F. Green of St. Helier.</i>	P.177/2010.
	Ratification of a Double Taxation Agreement between the States of Jersey and the Government of Estonia. Lodged: 24th January 2011. <i>Chief Minister.</i>	P.7/2011.
	Ratification of the Agreement for the Exchange of Information relating to Tax Matters between the Government of Jersey and the Government of Canada. Lodged: 24th January 2011. <i>Chief Minister.</i>	P.8/2011.
	Geneva Conventions: Additional Protocol III – extension to Jersey. Lodged: 24th January 2011.	P.9/2011.



*Chief Minister.*

Draft Public Elections (Amendment No. 4) (Jersey) Law 2011. P.14/2010.  
Lodged: 27th January 2011.  
*Privileges and Procedures Committee.*

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

**29th March 2011**

Samarès Nursery site, St. Clement: removal from draft Island Plan– petition. P.131/2010.  
Lodged: 1st October 2010.  
*Connétable of St. Clement.*

Samarès Nursery site, St. Clement: removal from draft Island Plan– petition P.131/2010.  
(P.131/2010) – comments. Com.  
Presented: 22nd December 2010.  
*Minister for Planning and Environment.*

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

Assistant Ministers: appointment by the States. P.6/2011.  
Lodged: 19th January 2011.  
*Deputy of St. John.*

**5th April 2011**

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.*

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

14th February 2011

**Note –**

**An asterix \* in the left hand margin denotes either a new item added to this Order Paper since the principal Order Paper was published on 10th February 2011, or an item which has been moved.**

## **APPOINTMENT OF THE MINISTER FOR HOUSING**

(see item F)

Following the resignation of Deputy S.S.P.A. Power of St. Brelade as Minister for Housing the Chief Minister has notified me, as required by Standing Order 117(2) (read in conjunction with Standing Order 117(18)), that he intends to nominate Deputy A.K.F. Green of St. Helier for this position at this meeting.

Once the Chief Minister has nominated Deputy Green the Bailiff will ask if the Chief Minister's nomination is seconded. The Bailiff will then invite alternative nominations. Each nomination must be proposed and seconded.

Once all nominations have been made each candidate will be permitted to address the Assembly for up to 10 minutes and will be questioned by members for up to 20 minutes. While a candidate is speaking or being questioned, other candidates must withdraw from the Chamber to a place where they cannot hear the proceedings. In accordance with Standing Order 117(6) the candidates will speak and be questioned in the order they were nominated.

Once all candidates have spoken and been questioned a secret ballot will be held. If there are more than 2 candidates, and no candidate obtains more than half of the votes cast in the first ballot, the candidate with the lowest number of votes will withdraw and a further secret ballot will be held. The process will be repeated until a candidate obtains more than half of the votes cast.

**Greffier of the States**