



STATES OF JERSEY ORDER PAPER

Tuesday 25th September 2012

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Misuse of Drugs (Miscellaneous Amendments) (No. 2) (Jersey) Order 2012. R&O.106/2012.
Minister for Health and Social Services.

C. DOCUMENTS PRESENTED OR LAID

Land Transactions under Standing Order 168(3) – R.112/2012.
(a) Café des Sports at Les Quennevais Sports Facility, St. Brelade – lease;
(b) Rainbow Tots Nursery, Les Quennevais, St. Brelade – lease.
Presented: 19th September 2012.
Minister for Treasury and Resources.

Aircraft Registry. S.R.6/2012.
Presented: 14th September 2012.
Economic Affairs Scrutiny Panel.

D. NOTIFICATION OF LODGED PROPOSITIONS

Ratification of the Agreement for the exchange of information relating to Tax P.85/2012.
Matters between the Government of Jersey and the Government of the Republic of
Austria.
Lodged: 17th September 2012.
Chief Minister.

E. WITHDRAWAL OF LODGED PROPOSITIONS

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

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

1. The Minister for Economic Development will table an answer to a question asked by the Connétable of St. John regarding benefits associated with the grant to the Jersey Rugby Club.
2. The Chief Minister will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the clarification of certain issues by the former Comptroller and Auditor General and former Interim Treasurer.



3. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the movement and removal of seaweed from the Island's beaches.
4. The Minister for Transport and Technical Services will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding background checks on off-Island companies awarded contracts for capital projects.
5. The Minister for Education, Sport and Culture will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding policy changes in response to child abuse allegations.
6. H.M. Attorney General will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the way in which custodial sentences arising from child abuse cases are determined.
7. The Minister for Education, Sport and Culture will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the teaching of modern foreign languages in Jersey schools.
8. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding economic growth forecasts.
9. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the effect of economic growth on population levels.
10. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the economic basis for the increase in personal tax yields and the reasons for certain departmental underspends for 2012.
11. H.M. Attorney General will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the election of Jurats.
12. The Minister for Treasury and Resources will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the impact, in terms of negative equity, of the loss of the finance industry in Jersey

(b) – Oral Questions

(120 minutes)

1. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Social Security –

“Will the Minister advise what criteria, if any, exist for allowing mature students to maintain their Income Support allocation whilst studying in further education and confirm whether some potential students are more at risk of having their Income Support cut if they go on to study than others and if so, why?”
2. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Does the Minister believe that the managed print service tender process was well handled and that the contract entered into with Danwood represents the best value for the Jersey taxpayer and, if so, would he please explain to the Assembly why?”



3. Deputy R.J. Rondel of St. Helier will ask the following question of the Minister for Social Security –

“As the Social Security (Jersey) Law 1974 requires pensions to be increased in line with the Jersey Earnings Index, would the Minister advise whether he is looking at alternative payments to bring pension increases for 2013 closer in line with the cost of living?”

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

“Will the Assistant Chief Minister be discussing our justice system when he attends the forthcoming Liberal Democrat Conference and, if not, why not?”

5. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Transport and Technical Services –

“Following CT Plus’ confirmation that current employees of Connex will be required to attend an interview prior to their transfer, what steps, if any, has the Minister taken to deliver the assurances he gave to members on 12th June 2012, that he would use his ‘best endeavours to transfer all staff to the new company’ and will the transfer of staff and their terms and conditions follow TUPE principles?”

6. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Home Affairs –

“With regard to the crash on St Clement’s Coast Road which claimed the life of the Latvian lady passenger, would the Minister advise whether the States of Jersey Police consider that the case is now closed and, if so, will he be requesting an outside police force to review the case following the removal of the death by dangerous driving charge and, if not, why not?”

7. Deputy S. Pitman of St. Helier will ask the following question of the Minister for Economic Development –

“Following reports that Condor Ferries are operating two vessels from Portsmouth with crew paid as low as £2.35 per hour, is the Minister concerned that Jersey has become a port of convenience for exploited seafarers and that the health and safety of Islanders travelling by sea could be at risk if ferry staff are working long shifts on a three month rotation?”

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

“Does the Minister give his proposed listing of private gardens a higher priority than the major development planning applications that are awaiting his determination that would contribute to the necessary stimulus to our local economy?”

9. Deputy R.J. Rondel of St. Helier will ask the following question of the Minister for Treasury and Resources –

“Would the Minister advise the Assembly of the details of the loan that has been agreed for the Parish of Trinity in order for the parish to provide ‘affordable’ homes?”

10. Deputy T.M. Pitman of St. Helier will ask the following question of the President of the Scrutiny Chairmen’s Committee –

“Is the Chairman planning to pursue an investigation by Scrutiny into the establishment of a media ombudsman?”



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

“What action, if any, will the Council of Ministers take to ensure that the transfer of Connex employees to the new bus service provider CT Plus conforms with the principles expressed in the States Employment Board’s comments on P.60/2012 (Transfer of Undertakings Protection of Employment (TUPE) Legislation) that a key aspect of any transfer should require the safeguarding of employment rights?”

12. Deputy M.R. Higgins of St. Helier will ask the following question of the Chief Minister –

“Is the Chief Minister prepared to extend the time limit for the submission of applications under the Child Abuse Redress Scheme until a week after the debate on P.80/2012, currently scheduled for 9th October 2012, and, if not, why not?”

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

“With regard to the proposed new charging system for Sand Street car park, would the Minister explain exactly how the charges are to be levied and the cost involved in so doing; the benefit of running two different parking charge systems simultaneously and whether he foresees any problems arising from the use of the facility by hire cars, non-local vehicles and those with trade plates?”

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

1st question period – Minister for Housing

2nd question period – Minister for Planning and Environment

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Draft Taxation (Miscellaneous Provisions) (Jersey) Regulations 201-. P.74/2012.
Lodged: 9th August 2012.
Chief Minister.

Draft Banking Business (Depositors Compensation) (Amendment and P.78/2012.
Miscellaneous Provision) (Jersey) Regulations 201-.
Lodged: 14th August 2012.
Minister for Economic Development.

Draft Banking (Depositors Compensation Supplementary Provisions) (Jersey) P.77/2012.
Regulations 201-.
Lodged: 14th August 2012.
Minister for Economic Development.

Draft Banking Business (Amendment No. 8) (Jersey) Law 201-. P.76/2012.
Lodged: 14th August 2012.
Minister for Economic Development.

Draft Bankruptcy (Désastre) (Amendment No. 6) (Jersey) Law 201-. P.79/2012.
Lodged: 14th August 2012.
Minister for Economic Development.



M. ARRANGEMENT OF PUBLIC BUSINESS

9th October 2012

Incorporation of Ports of Jersey. P.70/2012.
Lodged: 27th July 2012.
Minister for Economic Development.

Historic Abuse Redress Scheme: approval by the States Assembly. P.80/2012.
Lodged: 3rd September 2012.
Deputy M.R. Higgins of St. Helier.

Draft Social Security (Amendment No. 20) (Jersey) Law 2012 (Appointed Day) P.81/2012.
Act 201-.
Lodged: 10th September 2012.
Minister for Social Security.

Jersey Police Complaints Authority: appointment of Chairman and members. P.83/2012.
Lodged: 11th September 2012.
Minister for Home Affairs.

23rd October 2012

Health and Social Services: A New Way Forward. P.82/2012.
Lodged: 11th September 2012.
Council of Ministers.

Draft Health Care Registration (No. 4) (Jersey) Regulations 201-. P.84/2012.
Lodged: 11th September 2012.
Minister for Health and Social Services.

6th November 2012

Medium Term Financial Plan 2013 – 2015. P.69/2012.
Lodged: 23rd July 2012.
Council of Ministers.

Ratification of the Agreement for the exchange of information relating to Tax P.85/2012.
Matters between the Government of Jersey and the Government of the Republic of
Austria.
Lodged: 17th September 2012.
Chief Minister.

M.N. DE LA HAYE
Greffier of the States

20th September 2012

Note –

In accordance with the meeting dates fixed for 2012 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 26th and Thursday 27th September 2012.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.106/2012.

Article 1 of this Order adds to the list of drugs in Part 2 of Schedule 2 to the Misuse of Drugs (Jersey) Law 1978 (the “Law”) which specifies drugs which are subject to control as Class B drugs under the Law.

Article 2 adds to the list of drugs in Part 1 of the Schedule to the Misuse of Drugs (Designation) (Jersey) Order 1989, which designates controlled drugs which it is unlawful to produce, possess or supply in Jersey.

Article 3 amends the Misuse of Drugs (General Provisions) (Jersey) Order 2009 (“2009 Order”) by substituting Article 2 of the Order and inserting Schedule 6 into the Order. The effect of these amendments is to add to the list of substances that are exempt from the provisions of the Law that prohibit the importation, exportation, production, supply, offer to supply or possession of controlled drugs.

Article 3 also adds to the lists of drugs that are Schedule 1 drugs, Schedule 2 drugs, Schedule 3 drugs or Schedule 4 drugs for the purposes of the 2009 Order.

Article 4 gives the title to this Order and states that it will come into force 7 days after it is made.

The Order was made on 14th September 2012 and came into force on 21st September 2012.



WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Economic Development will table an answer to the following question asked by the Connétable of St. John –

“Were any benefits, such as free dining at home matches, agreed when the £75,000 grant was made to the Jersey Rugby Club and, if so, who will enjoy such hospitality at the taxpayers’ expense?”

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

“Following the Chief Minister’s statement on 10th July 2012 that he and the Chairman of the Public Accounts Committee were “in the process of writing to the former Comptroller and Auditor General and to the former Interim Treasurer for further clarification of issues”, would he update members as to the progress to date and agree to make available to members the details of that clarification?”

In his e-mail circulated to all States members on 25th June 2012, the former Interim Treasurer stated "I'm informed that sections from your report are being quoted for political purposes" can the Chief Minister now tell us as a result of his research by whom the Interim Treasurer was ‘informed’ - and when - or, if not, will he find the answer and communicate it to members?”

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

“Does the Minister consider that, in most instances, moving seaweed from the high water mark to lower down the beach serves little purpose and, if so, why does his Department continue doing it?”

What alternative processes, if any, is he currently considering for dealing with beach seaweed and does that include incineration?”

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

“Will the Minister advise what background checks, if any, are carried out on off-Island companies before awarding contracts for capital projects, in order to be satisfied that the company concerned is a suitable choice?”

Are enquiries made of people in the area in which such companies either reside or operate of the standing of these companies and, if not, why not?”

5. The Minister for Education, Sport and Culture will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“Will the Minister clarify what differences/changes in policy have been put in place with regard to reporting allegations of child abuse since the Victoria College incident and the subsequent Sharp Report and how does the policy both then and now comply with the Children (Jersey) Law 2002?”



6. H.M. Attorney General will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“Given the variation in the custodial sentences arising from recent child abuse cases, will H.M. Attorney General clarify what is actually taken in to consideration by the courts when reaching such decisions?”

7. The Minister for Education, Sport and Culture will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Following the broad support in his response to questions on 11th September 2012, for the improvement of access to modern foreign languages (MFL) in Jersey schools, will the Minister agree to produce a report on the teaching of MFL in schools to include for the period 2002-2012 –

- (a) the range of languages available in Jersey schools to GCSE and A/A2 levels;
- (b) the numbers of classes and of students taking GCSE and A/A2 level in MFL;
- (c) the number of students going on to study MFL at degree level;
- (d) a breakdown of results at GCSE and A/A2 level;
- (e) an analysis of what policy decisions have contributed to the trends revealed by these figures;
- (f) what policy measures might contribute to increasing/improving the teaching of MFL over the period of the Medium Term Financial Plan to 2015 to include a review of the use of modern language teaching assistants and the removal of class size restrictions on class size at exam level?”

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

“Will the Minister include the Office for Budget Responsibility’s figures for growth in the UK economy for 2010-2015 missing from Table 1 in his answer to written question 7053 on 11th September 2012 and state why he did not include these figures in the answer?”

If the Fiscal Policy Panel advise that his forecasts for real growth in GDP/GVA are optimistic will the Minister reduce spending in the Medium Term Financial Plan or maintain spending through borrowing?”

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

“Given that the Treasury forecasts for real growth in GDP/GVA for 2012 – 2015 range from 1.4% to 2.5% over and above inflation this means growth at or above 5% over this period, what measures, if any, does the Chief Minister have under consideration to ensure that such high growth rates are not accompanied by population increases such as were seen during the 2006 – 2007 when growth was at similar levels?”



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

“Following the publication of the half year corporate report 2012, will the Minister explain to members what he believes to be the underlying economic basis for a £13.7 million improvement in personal tax yield over expectations?”

Will the Minister account to members for the Treasury and Resources £1.2 million underspend ‘attributable to the timing of restructuring provision funding for Procure to Pay’ and explain whether this represents a failure to deliver policy objectives in a timely manner?”

11. H.M. Attorney General will table an answer to the following question asked by Deputy T.M. Pitman of St. Helier –

“Will H.M. Attorney General advise whether the present election process for Jurats, whereby Jurats are elected by an electoral college of States Members and individuals from within the judiciary, is compatible with ensuring avoidance of a ‘blurring’ of lines between legislature and judiciary?”

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

“Given the rapidly changing economic climate and growing international opposition to offshore financial centres or ‘tax havens’ will the Minister advise whether the Treasury has estimated the impact, in terms of negative equity, of a collapse or relocation elsewhere of the finance industry and, if so, would be provide details for members?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

October 9th	Social Security	Chief Minister
October 23rd	Transport and Technical Services	Home Affairs
November 6th	Treasury and Resources	Chief Minister
November 20th	Education, Sport and Culture	Health and Social Services
December 4th	Economic Development	Chief Minister
December 11th	Housing	Planning and Environment