



STATES OF JERSEY ORDER PAPER

Tuesday 10th September 2013
CONSOLIDATED

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Battle of Flowers (Jersey) Order 2013. <i>Minister for Transport and Technical Services.</i>	R&O.108/2013.
Education (Discretionary Grants – General) (Amendment No. 2) (Jersey) Order 2013. <i>Minister for Education, Sport and Culture.</i>	R&O.109/2013.
Education (Discretionary Grants – Amounts) (Amendment No. 5) (Jersey) Order 2013. <i>Minister for Education, Sport and Culture.</i>	R&O.110/2013.
Gorey Fête (Jersey) Order 2013. <i>Minister for Transport and Technical Services.</i>	R&O.111/2013.
Control of Housing and Work (Exemptions) (Amendment) (Jersey) Order 2013. <i>Chief Minister.</i>	R&O.112/2013.
Community Provisions (Restrictive Measures – North Korea) (Amendment No. 2) (Jersey) Order 2013. <i>Chief Minister.</i>	R&O.113/2013.
Community Provisions (Restrictive Measures – Syria) (Jersey) Order 2013. <i>Chief Minister.</i>	R&O.114/2013.
Money Laundering (Amendment No. 5) (Jersey) Order 2013. <i>Chief Minister.</i>	R&O.115/2013.
Road Racing (Festival of Speed) (Jersey) Order 2013. <i>Minister for Transport and Technical Services.</i>	R&O.116/2013.
Jersey International Air Display (Jersey) Order 2013. <i>Minister for Transport and Technical Services.</i>	R&O.117/2013.
Advocates (Specified Examinations and Assessments) Rules 2013. <i>Superior Number of the Royal Court.</i>	R&O.118/2013.
Health Insurance (Pharmaceutical Benefit) (General Provisions) (No. 2) (Amendment No. 11) (Jersey) Order 2013. <i>Minister for Social Security.</i>	R&O.119/2013.
Residential Tenancy (Supply of Services) (Jersey) Order 2013. <i>Minister for Housing.</i>	R&O.120/2013.
* Employment (Redundancy – Maximum Weekly Amount) (Amendment) (Jersey) Order 2013. <i>Minister for Social Security.</i>	R&O.121/2013.



- * Taxation (Double Taxation) (Date in Force (Guernsey, Hong Kong and Isle of Man)) (Jersey) Order 2013. R&O.122/2013.
Chief Minister.
- * Taxation (Exchange of Information with Third Countries) (Specified Date (Japan and Turkey)) (Jersey) Order 2013. R&O.123/2013.
Chief Minister.
- * Teachers' Superannuation (Commutation of Small Pensions – Amendments) (Jersey) Order 2013. R&O.124/2013.
Chief Minister.

C. DOCUMENTS PRESENTED OR LAID

- Public Elections: Single Transferable Voting System (STV) and an Alternative Voting System (AV) (P.86/2013) – comments. P.86/2013.
Presented: 4th September 2013. Com.
Comité des Connétables.
- * Organ Donors' Register (P.89/2013): comments. P.89/2013.
Presented: 9th September 2013. Com.
Minister for Health and Social Services.
 - * Composition and election of the States Assembly: reform – proposals 1, 2 and 3 (P.93/2013, P.94/2013 and P.98/2013) – comments. P.93/2013.
Presented: 10th September 2013. P.94/2013.
Privileges and Procedures Committee. P.98/2013.
Com.
- Jersey Competition Regulatory Authority: Annual Report 2012. R.90/2013.
Presented: 22nd July 2013.
Minister for Economic Development.
- States of Jersey Law 2005: delegation of functions – Treasury and Resources – signing of contracts for the Starter Homes Deposit Loan Scheme. R.91/2013.
Presented: 23rd July 2013.
Minister for Treasury and Resources.
- Land Transactions under Standing Order 168(3) – R.92/2013.
(a) Field 442A, St. Catherine – sale;
(b) Les Quennevais Park and Le Clos des Sables – tarmac areas and grassed areas in public ownership;
(c) F.B. Cottage, La Grande Route de St. Clement – lease;
(d) Les Creux Country Park, La Moye, St. Brelade – sub-lease of Field 195 to Les Creux Allotment Association Ltd.;
(e) No. 46 Rouge Bouillon – Garage, Store and Yard – lease renewal to the sitting tenant.
Presented: 23rd July 2013.
Minister for Treasury and Resources.
- States of Jersey Complaints Board: findings – complaint against a decision of the Minister for Transport and Technical Services (R.67/2013) – response of the Minister. R.93/2013.
Presented: 2nd August 2013.
Privileges and Procedures Committee.



States of Jersey Law 2005: delegation of functions – Economic Development – revised delegations August 2013. Presented: 2nd August 2013. <i>Minister for Economic Development.</i>	R.94/2013.
Cancer in Jersey: report of the Public Health England Knowledge and Intelligence Team (South West), for the Jersey Medical Officer of Health. Presented: 2nd August 2013. <i>Minister for Health and Social Services.</i>	R.95/2013.
Jersey Safety Council: Report and Audited Financial Statements for the year ended 31st December 2012. Presented: 5th August 2013. <i>Minister for Social Security.</i>	R.96/2013.
International Conventions and Agreements: progress report for period 1st July 2011 to 30th June 2013. Presented: 6th August 2013. <i>Chief Minister.</i>	R.97/2013.
Employment Law Codes of Practice: Employment Forum’s Recommendation and Minister’s response. Presented: 6th August 2013. <i>Minister for Social Security.</i>	R.98/2013.
Jersey Overseas Aid Commission: Annual Report for 2012. Presented: 7th August 2013. <i>Jersey Overseas Aid Commission.</i>	R.99/2013.
Land Transactions under Standing Order 168(3) – (a) JEC Sub-station No. 816 Bellozanne – lease; (b) N18A, New North Quay – lease. Presented: 13th August 2013. <i>Minister for Treasury and Resources.</i>	R.100/2013.
Youth Offending in Jersey: Report. Presented: 22nd August 2013. <i>Minister for Home Affairs.</i>	R.101/2013.
Remuneration Report for Employees Remunerated £70,000 and above in 2012. Presented: 30th August 2013. <i>States Employment Board.</i>	R.102/2013.
Land Transactions under Standing Order 168(3) – Maisonette 175 Clos des Sables – transfer of the Public’s flying freehold ownership and cancellation of existing 99 year lease. Presented: 5th September 2013. <i>Minister for Treasury and Resources.</i>	R.103/2013.
Jersey Competition Regulatory Authority: re-appointment of Non-Executive Director. Presented: 6th September 2013. <i>Minister for Economic Development.</i>	R.104/2013.
* Machinery of Government Review Sub-Committee: Final Report. Presented: 9th September 2013. <i>Privileges and Procedures Committee.</i>	R.105/2013.



- * Jersey Employment Tribunal: re-appointment of Side Member. R.106/2013.
Presented: 10th September 2013.
Minister for Social Security.
- * Land Transactions under Standing Order 168(3) – R.107/2013.
(a) 1 La Petite Ruelle, La Grande Route de St. Laurent, St. Lawrence –
acquisition of new footway;
(b) 25 Oak Tree Gardens, St. Helier – sale.
Presented: 10th September 2013.
Minister for Treasury and Resources.
- * Building a Safer Society: Annual Report 2012. R.108/2013.
Presented: 10th September 2013.
Minister for Home Affairs.
- * Employment: Disciplinary and Grievance Procedures – Code of Practice – White R.109/2013.
Paper – September 2013.
Presented: 10th September 2013.
Minister for Social Security.

D. NOTIFICATION OF LODGED PROPOSITIONS

- Draft Public Finances (Amendment No. 4) (Jersey) Law 201- (P.73/2013): R.73/2013.
amendment. Amd.
Lodged: 27th August 2013.
Corporate Services Scrutiny Panel.
- Draft Public Finances (Amendment No. 4) (Jersey) Law 201- (P.73/2013): second R.73/2013.
amendment. Amd.(2)
Lodged: 27th August 2013.
Minister for Treasury and Resources.
- Planning Appeals: revised system. P.87/2013.
Lodged: 22nd July 2013.
Minister for Planning and Environment.
- Planning Appeals: revised system (P.87/2013) – amendment. P.87/2013.
Lodged: 13th August 2013. Amd.
Deputy J.H. Young of St. Brelade.
- Planning Appeals: revised system (P.87/2013) – second amendment. P.87/2013.
Lodged: 27th August 2013. Amd.(2)
Deputy R.G. Le Hérisier of St. Saviour.
- Draft Taxation (Double Taxation) (Amendment No. 3) (Jersey) Regulations 201-. R.88/2013.
Lodged: 22nd July 2013.
Chief Minister.
- Organ Donors' Register. P.89/2013.
Lodged: 24th July 2013.
Deputy R.G. Le Hérisier of St. Saviour.
- Sunstone Holdings Ltd. and De Lec Ltd. – *ex gratia* payments to investors. P.90/2013.
Lodged: 26th July 2013.
Senator A. Breckon.



Public Sector Reform. Lodged: 26th July 2013. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.91/2013.
Justice policy and resources: responsibility. Lodged: 31st July 2013. <i>Chief Minister.</i>	P.92/2013.
Composition and election of the States Assembly: reform – proposal 1. Lodged: 2nd August 2013. <i>Senator P.F.C. Ozouf.</i>	P.93/2013.
Composition and election of the States Assembly: reform – proposal 1 (P.93/2013) – amendment. Lodged: 3rd September 2013. <i>Senator L.J. Farnham.</i>	P.93/2013. Amd.
Composition and election of the States Assembly: reform – proposal 2. Lodged: 2nd August 2013. <i>Deputy T.M. Pitman of St. Helier.</i>	P.94/2013.
Composition and election of the States Assembly: reform – proposal 2 (P.94/2013) – amendment. Lodged: 3rd September 2013. <i>Senator L.J. Farnham.</i>	P.94/2013. Amd.
Draft Motor Vehicle Registration (Amendment No. 4) (Jersey) Law 201-. Lodged: 9th August 2013. <i>Minister for Transport and Technical Services.</i>	P.95/2013.
Draft Security Interests (Amendment of Law) (No. 2) (Jersey) Regulations 201-. Lodged: 15th August 2013. <i>Chief Minister.</i>	P.96/2013. (re-issue)
Draft Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 6) (Jersey) Regulations 201-. Lodged: 16th August 2013. <i>Minister for Economic Development.</i>	P.97/2013.
Composition and election of the States Assembly: reform – proposal 3. Lodged: 19th August 2013. <i>Deputy G.P. Southern of St. Helier.</i>	P.98/2013.
Long-Term Care Scheme. Lodged: 22nd August 2013. <i>Minister for Social Security.</i>	P.99/2013.
Zero-hours contracts: regulation. Lodged: 27th August 2013. <i>Deputy G.P. Southern of St. Helier.</i>	P.100/2013.
Draft Income Support (Miscellaneous Provisions) (Jersey) Regulations 201-. Lodged: 27th August 2013. <i>Minister for Social Security.</i>	P.101/2013.



- Committee of Inquiry: planning applications by the Channel Islands Co-operative Society Ltd. P.102/2013.
Lodged: 28th August 2013.
Deputy R.G. Le Hérisier of St. Saviour.
- Jersey Law Commission: appointment of Commissioner. P.103/2013.
Lodged: 3rd September 2013.
Chief Minister.
- The Law Society of Jersey Disciplinary Panel: appointment of lay members. P.104/2013.
Lodged: 3rd September 2013.
Chief Minister.
- Draft Public Employees (Contributory Retirement Scheme) (Commutation of Small Pensions) (Amendments) (Jersey) Regulations 201-. P.105/2013.
Lodged: 6th September 2013.
States Employment Board.
- * States of Jersey Complaints Panel: appointment of members. P.106/2013.
Lodged: 9th September 2013.
Privileges and Procedures Committee.
- * Commissioner for Standards: establishment. P.107/2013.
Lodged: 9th September 2013.
Privileges and Procedures Committee.
- * Jersey Mutual Insurance Society Incorporated: alteration of fundamental rules – petition. P.108/2013.
Lodged: 10th September 2013.
Deputy J.A.N. Le Fondré of St. Lawrence.

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 –

- Hospital Outpatients: re-introduction of prescriptions charges. P.72/2013.
Lodged: 4th June 2013.
Minister for Health and Social Services.
- * Draft Taxation (Double Taxation) (Amendment No. 3) (Jersey) Regulations 201-. P.88/2013.
Lodged: 22nd July 2013.
Chief Minister.

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

Appointment of Jersey Police Authority members (*explanatory note attached*)

G. MATTERS OF PRIVILEGE

H. PETITIONS

Deputy J.A.N. Le Fondré of St. Lawrence will present a petition concerning the alteration of the fundamental rules of the Jersey Mutual Insurance Society Incorporated (P.108/2013 refers).



I. QUESTIONS

(a) – **Written Questions**

(attached)

1. The Chief Minister will table an answer to a question asked by Senator S.C. Ferguson regarding legislation associated with the agreement of Protocol 3 of the Treaty of Accession to the European Economic Community.
2. The Minister for Treasury and Resources will table an answer to a question asked by Senator S.C. Ferguson regarding JT's compliance with the conditions of the loan to fund the Gigabit Jersey fibre network.
- * 3. The Minister for Health and Social Services will table an answer to a question asked by the Connétable of St. John regarding the testing of the water supplies of households not on mains water.
4. The Minister for Planning and Environment will table an answer to a question asked by the Connétable of St. John regarding the total cost associated with the listing of property on the various Registers for Buildings and Sites of Importance.
5. The Minister for Health and Social Services will table an answer to a question asked by the Connétable of St. John regarding the prescribing of the drug Arbiraterone to patients over the past 24 months.
6. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the installation of a new land cable by the JEC.
7. The Minister for Planning and Environment will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the prevalence of Ragwort in the Island.
8. 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 traffic disruptions caused by roadworks in recent months.
9. The Minister for Housing will table an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the impact of the reinstatement of the No. 18 bus route on the redevelopment of Le Marais Estate.
10. 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 changes to the traffic circulation off La Route du Fort into St. Clement's Road.
11. The Minister for Health and Social Services will table an answer to a question asked by the Connétable of St. John regarding cosmetic surgery procedures conducted at the hospital in the past 10 years.
12. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the current policy applied by the Immigration Department in respect of applications for indefinite leave to remain in the Island.
13. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the policy for investigating complaints against police officers.
14. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding who was responsible for instigating 'Operation Invicta'.



15. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding complaints from former police officers against the Chief and Deputy Chief Officer of the States of Jersey Police.
16. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding pension rights and contributions options available to members of the Public Employees Contributory Pension Retirement Scheme.
17. H.M. Attorney General will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the monitoring of standards of honesty, integrity and behaviour amongst Jurats.
18. The Chief Minister will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding delays in the start of the independent inquiry into Historic Child Abuse.
19. The Minister for Social Security will table an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding policy proposals relating to members of the public leaving employment 'without good reason'.
20. The Minister for Treasury and Resources will table an answer to a question asked by Senator S.C. Ferguson regarding the planned funding stream for the Esplanade development.
21. The Minister for Health and Social Services will table an answer to a question asked by Senator S.C. Ferguson regarding the number of temporary consultants employed on individual and block contracts to modernise, reform and update the health service.
22. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding a definition of 'aggressive' tax avoidance.
23. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the net immigration underpinning proposals for long-term care.
24. The Chief Minister will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the progress of the Transfer of Undertakings (Protection of Employment) Regulations.

(b) – Oral Questions

(120 minutes)

1. Deputy T.M. Pitman of St. Helier will ask the following question of the Minister for Education, Sport and Culture –

“Following the recent conviction of a teacher relating to an incident where a pupil suffered eye injuries resulting from an alleged prank discharge of a starting pistol in the school gym, will the Minister provide an update on the matter and advise whether the injured pupil’s mother has been kept informed throughout?”
2. Deputy R.G. Le Hérissier of St. Saviour will ask the following question of the Minister for Home Affairs –

“Given the appointee’s chairmanship of Jersey Finance, would the Minister advise whether the issue of any conflict of interest in his appointment as the Chairman of the Police Authority was considered by the Appointments Commission and, if so, why was it decided that the appointment should proceed?”



3. Deputy J.A. Hilton of St. Helier will ask the following question of the Minister for Planning and Environment –

“Has the Minister or any member of his Planning Applications Panel met or spoken with the management team of the Channel Islands Co-operative Society to discuss their planning application for Pitt Street/Dumaresq Street without Planning Officers being present?”

4. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Treasury and Resources –

“How many Tax Information Exchange Agreement requests, if any, have been received from the French tax authorities since the agreement was set up and how many have we been able to comply with fully?”

5. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –

“Will the Minister state how many Household Medical Accounts (HMA) currently exist in Income Support and inform members what progress, if any, he has made, in conjunction with the Minister for Health and Social Services, towards drafting policies to ensure access to primary health care provision for those on low incomes or those with chronic health care needs and, if none, why not?”

6. The Connétable of St. Helier will ask the following question of the Chairman of the Privileges and Procedures Committee –

“Would the Chairman advise whether the Privileges and Procedures Committee is intending to continue its investigation into whether certain recommendations of the Carswell Report should be implemented and, if not, why not?”

7. 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 closing-off of a section of Snow Hill car park, would the Minister advise whether, despite the area being fenced off for the whole of July, only approximately 2 days’ work was undertaken in that time and, if so, given that expensive plant machinery, such as a crane, spent considerable idle time on site, would the Minister confirm that the tender was competitively priced?”

8. Deputy J.H. Young of St. Brelade will ask the following question of the Minister for Planning and Environment –

“Will the Minister explain the reasons for the delay in signing a Planning Obligation agreement following his decision to approve development at Plémont Holiday Village on 23rd November 2012, advise how and by whom the agreement was drafted, whether its terms have been thoroughly reviewed and whether he has personally reviewed and is entirely satisfied that the agreement completely fulfils the environmental promises which were publicly made by the applicant?”

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

“Can the Minister give the number of occasions over the last 24 months that recommendations have been made for Cancer Patients to be given Cabazitaxel, giving details of the numbers approved and declined, and of those declined, the reason for so doing, and whether the patients’ General Practitioners were consulted in reaching this decision, and if not, why not?”



10. Deputy J.H. Young of St. Brelade will ask the following question of the Minister for Housing –
- “Does the Minister concur with the Planning Inspector’s conclusions, in the report published on 27th August 2013 in respect of the refused application for sheltered housing in St. Ouen (MD-PE-2013-0095), that there is no evidence of local need for sheltered housing available and, if not, what action will he take to provide that information to the current Island Plan review in respect of all parish housing needs?”
11. Deputy J.A. Hilton of St. Helier will ask the following question of the Minister for Health and Social Services –
- “Can the Minister inform members whether any discussions have taken place with clinicians from the hospital and medical community on the continuing use of the Liverpool Care Pathway and, if so, could she advise members the outcome of those discussions?”
12. Deputy T.M. Pitman of St. Helier will ask the following question of the Chief Minister –
- “Why has the UK Justice Minister been requested to intervene regarding Jersey’s placement on the French tax ‘black list’?”
13. The Connétable of St. Helier will ask the following question of the Minister for Treasury and Resources –
- “Is the Minister, as the shareholder representative of JT, satisfied with the distribution of this year’s telephone directory?”
14. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –
- “Given the prevalence of UK candidates in recruitment to professions such as teaching and nursing in the Island, will the Minister inform members what aspirations, if any, he has to bring Jersey’s public sector and statutory maternity leave provisions into closer alignment with those that exist in the UK, and, if none, why not?”
15. Deputy G.C.L. Baudains of St. Clement will ask the following question of the Minister for Transport and Technical Services –
- “Would the Minister advise why he intends resurfacing Rue à Don and the expected cost of doing so?”
16. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Education, Sport and Culture –
- “Will the Minister advise what sites, if any, have been identified for a possible rebuild of Les Quennevais School, whether a rebuild is the preferred option and what the timetable is for action?”

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

1st question period – Minister for Social Security

2nd question period – Chief Minister

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY



L. PUBLIC BUSINESS

- Draft States of Jersey (Minister for External Relations) (Jersey) Regulations 201-. P.67/2013.
Lodged: 4th June 2013.
Chief Minister.
- Draft Loi (201-) (Amendement) sur la Voirie. P.70/2013.
Lodged: 4th June 2013.
Comité des Connétables.
- Draft Public Finances (Amendment No. 4) (Jersey) Law 201-. P.73/2013.
Lodged: 6th June 2013.
Minister for Treasury and Resources.
- Draft Public Finances (Amendment No. 4) (Jersey) Law 201- (P.73/2013): P.73/2013.
amendment. Amd.
Lodged: 27th August 2013.
Corporate Services Scrutiny Panel.
- Draft Public Finances (Amendment No. 4) (Jersey) Law 201- (P.73/2013): second P.73/2013.
amendment. Amd.(2)
Lodged: 27th August 2013.
Minister for Treasury and Resources.
- Jersey Appointments Commission: re-appointment of member. P.79/2013.
Lodged: 25th June 2013.
Chief Minister.
- Draft Adoption (Amendment No. 6) (Jersey) Law 201-. P.80/2013.
Lodged: 25th June 2013.
Chief Minister.
- British Nationality Act (H.M. Armed Forces Exemption) Bill: extension to Jersey. P.81/2013.
Lodged: 25th June 2013.
Chief Minister.
- Commissioners of Appeal for Taxes Office: re-appointment of members. P.83/2013.
Lodged: 28th June 2013.
Minister for Treasury and Resources.
- Draft Customs and Excise (Amendment No. 7) (Jersey) Law 201-. P.85/2013.
Lodged: 11th July 2013.
Minister for Home Affairs.

NOTE: The Greffier has been advised by the proposers of the following propositions that, in accordance with Standing Order 32, which requires at least two clear working days' notice to be given before the meeting date for a proposition not previously agreed to be debated, they wish the following propositions to be considered by the States at this meeting –

- Planning Appeals: revised system. P.87/2013.
Lodged: 22nd July 2013.
Minister for Planning and Environment.



	Planning Appeals: revised system (P.87/2013) – amendment. Lodged: 13th August 2013. <i>Deputy J.H. Young of St. Brelade.</i>	P.87/2013. Amd.
	Planning Appeals: revised system (P.87/2013) – second amendment. Lodged: 27th August 2013. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.87/2013. Amd.(2)
	Organ Donors’ Register. Lodged: 24th July 2013. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.89/2013.
*	Organ Donors’ Register (P.89/2013): comments. Presented: 9th September 2013. <i>Minister for Health and Social Services.</i>	P.89/2013. Com.
	Composition and election of the States Assembly: reform – proposal 2. Lodged: 2nd August 2013. <i>Deputy T.M. Pitman of St. Helier.</i>	P.94/2013.
*	Composition and election of the States Assembly: reform – proposals 1, 2 and 3 (P.93/2013, P.94/2013 and P.98/2013) – comments. Presented: 10th September 2013. <i>Privileges and Procedures Committee.</i>	P.93/2013. P.94/2013. P.98/2013. Com.
	Composition and election of the States Assembly: reform – proposal 2 (P.94/2013) – amendment. Lodged: 3rd September 2013. <i>Senator L.J. Farnham.</i>	P.94/2013. Amd.
M.	ARRANGEMENT OF PUBLIC BUSINESS	
	<u>24th September 2013</u>	
	Draft Criminal Justice (Mandatory Minimum Periods of Actual Imprisonment) (Amendment) (Jersey) Law 201-. Lodged: 2nd July 2013. <i>Chief Minister.</i>	P.84/2013.
*	Public Elections: Single Transferable Voting System (STV) and an Alternative Voting System (AV). Lodged: 17th July 2013. <i>Deputy M. Tadier of St. Brelade.</i>	P.86/2013.
*	Public Elections: Single Transferable Voting System (STV) and an Alternative Voting System (AV) (P.86/2013) – comments. Presented: 4th September 2013. <i>Comité des Connétables.</i>	P.86/2013. Com.
	Sunstone Holdings Ltd. and De Lec Ltd. – <i>ex gratia</i> payments to investors. Lodged: 26th July 2013. <i>Senator A. Breckon.</i>	P.90/2013.
	Public Sector Reform. Lodged: 26th July 2013. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.91/2013.



Justice policy and resources: responsibility. Lodged: 31st July 2013. <i>Chief Minister.</i>	P.92/2013.
Draft Motor Vehicle Registration (Amendment No. 4) (Jersey) Law 201-. Lodged: 9th August 2013. <i>Minister for Transport and Technical Services.</i>	P.95/2013.
Composition and election of the States Assembly: reform – proposal 3. Lodged: 19th August 2013. <i>Deputy G.P. Southern of St. Helier.</i>	P.98/2013.
* Composition and election of the States Assembly: reform – proposals 1, 2 and 3 (P.93/2013, P.94/2013 and P.98/2013) – comments. Presented: 10th September 2013. <i>Privileges and Procedures Committee.</i>	P.93/2013. P.94/2013. P.98/2013. Com.
Zero-hours contracts: regulation. Lodged: 27th August 2013. <i>Deputy G.P. Southern of St. Helier.</i>	P.100/2013.
<u>8th October 2013</u>	
Chief Minister and Chairman of Comité des Connétables: monthly meetings. Lodged: 16th April 2013. <i>Deputy M. Tadier of St. Brelade.</i>	P.51/2013.
Chief Minister and Chairman of Comité des Connétables: monthly meetings (P.51/2013) – comments. Presented: 13th May 2013. <i>Comité des Connétables.</i>	P.51/2013. Com.
Chief Minister and Chairman of Comité des Connétables: monthly meetings (P.51/2013) – comments. Presented: 13th May 2013. <i>Council of Ministers.</i>	P.51/2013. Com.(2).
Draft Security Interests (Amendment of Law) (No. 2) (Jersey) Regulations 201-. Lodged: 15th August 2013. <i>Chief Minister.</i>	P.96/2013. (re-issue)
Draft Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 6) (Jersey) Regulations 201-. Lodged: 16th August 2013. <i>Minister for Economic Development.</i>	P.97/2013.
Long-Term Care Scheme. Lodged: 22nd August 2013. <i>Minister for Social Security.</i>	P.99/2013.
Draft Income Support (Miscellaneous Provisions) (Jersey) Regulations 201-. Lodged: 27th August 2013. <i>Minister for Social Security.</i>	P.101/2013.



- Committee of Inquiry: planning applications by the Channel Islands Co-operative Society Ltd. P.102/2013.
Lodged: 28th August 2013.
Deputy R.G. Le Hérissier of St. Saviour.
- Jersey Law Commission: appointment of Commissioner. P.103/2013.
Lodged: 3rd September 2013.
Chief Minister.
- The Law Society of Jersey Disciplinary Panel: appointment of lay members. P.104/2013.
Lodged: 3rd September 2013.
Chief Minister.
- * States of Jersey Complaints Panel: appointment of members. P.106/2013.
Lodged: 9th September 2013.
Privileges and Procedures Committee.
- * Jersey Mutual Insurance Society Incorporated: alteration of fundamental rules – petition. P.108/2013.
Lodged: 10th September 2013.
Deputy J.A.N. Le Fondré of St. Lawrence.
- 22nd October 2013**
- Committee of Inquiry: costs for local businesses. P.82/2013.
Lodged: 27th June 2013.
Senator A. Breckon.
- * Composition and election of the States Assembly: reform – proposal 1. P.93/2013.
Lodged: 2nd August 2013.
Senator P.F.C. Ozouf.
- * Composition and election of the States Assembly: reform – proposals 1, 2 and 3 (P.93/2013, P.94/2013 and P.98/2013) – comments. P.93/2013.
Presented: 10th September 2013. P.94/2013.
Privileges and Procedures Committee. P.98/2013.
Com.
- * Composition and election of the States Assembly: reform – proposal 1 (P.93/2013) – amendment. P.93/2013.
Lodged: 3rd September 2013. Amd.
Senator L.J. Farnham.
- Draft Public Employees (Contributory Retirement Scheme) (Commutation of Small Pensions) (Amendments) (Jersey) Regulations 201-. P.105/2013.
Lodged: 6th September 2013.
States Employment Board.
- * Commissioner for Standards: establishment. P.107/2013.
Lodged: 9th September 2013.
Privileges and Procedures Committee.

M.N. DE LA HAYE
Greffier of the States

9th September 2013

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 5th September 2013, or an item which has been moved.⁷



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.121/2013.

This Order amends the Employment (Redundancy – Maximum Weekly Amount) (Jersey) Order 2011 so as to increase from £650 to £660 the weekly amount to be taken into account for calculating a statutory redundancy payment. The increase takes effect from 1st October 2013.

The Order was made on 6th September 2013 and comes into force on 1st October 2013.

R&O.122/2013.

Article 1 amends the Schedule to the Taxation (Double Taxation) (Jersey) Regulations 2010 by inserting the dates upon which the double taxation agreements between Jersey and Guernsey, Jersey and the Hong Kong Special Administrative Region of the People's Republic of China and Jersey and the Isle of Man came into force. These dates are 9th July 2013, 3rd July 2013 and 10th July 2013 respectively.

Article 2 sets out the title of this Order and provides that it will come into force forthwith.

The Order was made on 6th September 2013 and came into force on being made.

R&O.123/2013.

Article 1 amends the Schedule to the Taxation (Exchange of Information with Third Countries) (Jersey) Regulations 2008 by inserting the dates upon which the tax information exchange agreements between Jersey and Japan and Jersey and Turkey came into force. These dates are 30th August 2013 and 11th September 2013 respectively.

Article 2 sets out the title of this Order and provides that it will come into force on 11th September 2013.

The Order was made on 6th September 2013 and comes into force on 11th September 2013.

R&O.124/2013.

This amending Order analogously amends the Teachers' Superannuation (New Members) (Jersey) Order 2007 (the "New Members Order") under Part 1 of this Order, and the Teachers' Superannuation (Existing Members) (Jersey) Order 1986 (the "Existing Members Order") under Part 2, together referred to as the "Superannuation Orders".

The amendments concern the arrangement to convert a teacher's or former teacher's entitlement to a very small pension, into a cash lump sum based on the value of his or her benefits which have accrued in the Teacher's Superannuation Fund (the "Fund"). This arrangement is also known as a "commutation of a trivial pension".

Currently, Article 34 of the New Members Order provides that the Fund's Management Board has the discretion, on a teacher's retirement, to commute for a lump sum payment, 100% of any pension which is a trivial pension, i.e. a sum of not more than £104 per year, or such greater amount as may be specified by the Comptroller of Taxes. And, where a teacher dies (whether in retirement or not), any person entitled to receive contingent benefits under the scheme, may at the discretion of the Management Board, have any trivial pension to which he or she is entitled commuted into a lump sum payment.

Up until 1st January 2009 the amount specified by the Comptroller was £520 per year (instead of £104). Since that date the Comptroller has withdrawn that specified amount and the sum of £104 per year now applies in default.

At present there are no trivial commutation provisions under the Existing Members Order.

The Income Tax (Superannuation Funds) (Jersey) Order 1972 (the "1972 Order") provides for the treatment of commuted pension benefits for income tax purposes in respect of tax approved pension



schemes. The sum of £520 per year that was previously specified by the Comptroller has in effect been superseded by sums prescribed in the 1972 Order. That Order provides for the income tax treatment in certain cases of lump sums representing commuted benefits valued up to £5,000 and £30,000.

The amendments will –

- (1) align the New Members Order with the associated provisions in the 1972 Order so as to provide for the circumstances in which a trivial pension, subject to a maximum amount prescribed in the 1972 Order, can be commuted into a lump sum payment upon retirement or leaving service (if earlier); and
- (2) in respect of the Existing Members Order, introduce new commutation provisions dealing with small pensions analogous to those in the New Members Order, as amended by this Order.

Articles 1 and 5 are the interpretation provisions which identify each of the Superannuation Orders that are respectively amended under Parts 1 and 2 of this Order.

Articles 2 and 6 analogously insert a new definition in Article 1 of the respective Superannuation Orders so that any reference to the “Income Tax Law” is taken to mean the Income Tax (Jersey) Law 1961.

Article 7 makes minor amendments to Articles 44 and 45 of the Existing Members Order which are consequential to the introduction of the definition of the Income Tax Law in Article 1 of that Order.

Article 3 substitutes the provisions of Article 34 of the New Members Order with new provisions which will enable a teacher or former teacher to elect on retirement to commute a small pension for a lump sum payment. The making of an election is subject to the person concerned being age 60 and the value of the person’s accrued benefits in the fund aggregated with any other lump sum that the person may have previously elected to receive, must not exceed £30,000. Payment of the commuted lump sum will extinguish the teacher’s or former teacher’s rights as well as the rights of any person contingently entitled to benefits which might otherwise have been payable under the scheme. *Article 8* inserts new Article 59A into the Existing Members Order, which is analogous to substituted Article 34 of the New Members Order.

Article 4 which inserts new Article 34A into the New Members Order and *Article 8* which inserts new Article 59B into the Existing Members Order, will enable a former teacher who has left service other than by reason of retirement, to exchange his or her contingent entitlement to a small deferred pension or to allowances, for receipt of a lump sum subject to certain conditions including the lump sum not exceeding £5,000. The effect of these provisions is that a former teacher will have the choice of whether to receive an immediate lump sum payment representing the value of his or her benefits accrued in the fund at the time he or she leaves service, or of waiting until such time as he or she would ordinarily become entitled under the Order to draw his or her deferred pension (usually on reaching normal retirement age). However, payment of the lump sum will extinguish the former teacher’s rights as well as the rights of any person contingently entitled to benefits which might otherwise have been payable under the scheme.

Article 9 provides for the title of this Order and for its coming into force 7 days after it is made.

The Order was made on 6th September 2013 and comes into force on 13th September 2013.



APPOINTMENTS

(See item F)

Those Articles of the States of Jersey Police Force Law 2012 ('the Law'), which establish a Police Authority for Jersey came into force on 24th July 2013.

Article 5(1) of the Law provides that the Police Authority shall consist of not less than 5 and not more than 7 members, comprising a membership as follows:

- a Chairman, who is not an elected member of the States, appointed by the Minister;
- up to 4 members, not being elected members of the States, who are appointed by the Minister and the chairman; and
- up to 2 members who are elected members of the States, appointed by the States by secret ballot.

Article 5(6) of the Law stipulates that none of the following may be appointed as a member of the Police Authority –

- (a) a police officer;
- (b) a person who is a member of the Honorary Police;
- (c) an office holder of a Crown appointment;
- (d) the Minister or his or her Assistant Minister;
- (e) a Connétable;
- (f) a States' employee;
- (g) a person who is bankrupt, whether under the law of Jersey or under the law of a country or territory outside Jersey;
- (h) a person who has been a police officer at any time during the previous 5 years; or
- (i) a person who has been a member of the Honorary Police at any time during the previous 5 years.

The Minister for Home Affairs has written to all States Members to remind them of these criteria, which will make some States Members ineligible to be considered for membership of the Authority.

Nominations will be invited from the floor at this meeting and each nomination will need to be seconded (Standing Order 102). If there are more than 2 nominations made, a secret ballot will be held and the 2 members receiving the largest number of votes will be elected as members of the Authority. In the ballot each member will be able to cast up to 2 votes.