



STATES OF JERSEY ORDER PAPER

26th SEPTEMBER 2017

SUMMARY

- 9.30 a.m. Communications by the Presiding Officer and other announcements
- Appointments, matters of privilege, petitions (if any)
- Resignation of Deputy Andrew David Lewis of St. Helier as Chairman of the Public Accounts Committee
 - Nomination of Chairman of the Public Accounts Committee
- Approx. 9.40 a.m. Summary of written questions
- Up to 2 hours Oral questions with notice
- Urgent questions (if any)*
- Up to 30 minutes, divided between the two Ministers Oral questions without notice:
- Minister for Health and Social Services
 - Chief Minister
- Statements (if any)*
- Approx. 12.10 p.m. **Draft Education (Amendment No. 3) (Jersey) Law 201-** (P.56/2017)
- Bailiff of Jersey: cessation of dual role and the appointment of an elected Speaker of the States** (P.62/2017)
- Bailiff of Jersey: cessation of dual role and the appointment of an elected Speaker of the States (P.62/2017) – amendment (P.62/2017 Amd.)**
- United Nations Convention on the Rights of the Child: compliance of draft Laws and training of States of Jersey employees (P.63/2017)**
- United Nations Convention on the Rights of the Child: compliance of draft Laws and training of States of Jersey employees (P.63/2017) – amendment (P.63/2017 Amd.)**
- Draft Act annulling the Motor Traffic (Cabs – Fares and Charges) (Jersey) Order 2017** (P.64/2017)
- Draft Asian Infrastructure Investment Bank (Immunities and Privileges) (Jersey) Regulations 201-** (P.68/2017)
- Draft Taxation (Implementation) (International Tax Compliance) (Common Reporting Standard) (Amendment) (Jersey) Regulations 201-** (P.69/2017)
- Jersey Financial Services Commission: appointment of Commissioner** (P.70/2017)
- Draft Statutory Nuisances (Jersey) Regulations 201-** (P.71/2017)



States Assembly: selection and appointment of Ministers, Committees and Panels – return to secret ballots (P.73/2017)

States Assembly: selection and appointment of Ministers, Committees and Panels – return to secret ballots (P.73/2017) – amendment (P.73/2017 Amd.)

Draft Sea Fisheries (Trawling, Netting and Dredging) (Amendment No. 4) (Jersey) Regulations 201- (P.74/2017)

Warwick Farm: feasibility study for incorporating the site into the St. Helier Country Park (P.75/2017)

Chief Minister: election by Island-wide vote of registered electors (P.78/2017)

Arrangement of public business at subsequent meetings

Lunch adjournment likely around 12.45 p.m., until 2.15 p.m.

If business is not completed by around 5.30 p.m. the Assembly usually adjourns for the evening and will resume its meeting at 9.30 a.m. on Wednesday 27th and Thursday 28th September 2017, if necessary.



STATES OF JERSEY ORDER PAPER

26th SEPTEMBER 2017

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Prison (Amendment No. 2) (Jersey) Rules 2017. R&O.91/2017.
Minister for Home Affairs.

Road Traffic (St. Saviour) (Amendment No. 11) (Jersey) Order 2017. R&O.92/2017
Minister for Infrastructure. (renumbered).

Health Insurance (Medical Benefit) (General Provisions) (Amendment No. 9) R&O.93/2017
(Jersey) Order 2017. (renumbered).
Minister for Social Security.

Taxation (Implementation) (Convention on Mutual Administrative Assistance in R&O.95/2017.
Tax Matters) (Amendment of Regulations No. 3) (Jersey) Order 2017.
Minister for External Relations.
[Signed by the Chief Minister for and on behalf of the Minister for External Relations.]

C. DOCUMENTS PRESENTED

States of Jersey Complaints Board: findings – complaint against the States R.53/2017.
Employment Board by Mrs. X regarding the way in which her request for ill-health Res.Res.
retirement was handled (R.53/2017) – response of the States Employment Board
(R.53/2017 Res.) – response of PPC.
Presented: 21st September 2017, *Privileges and Procedures Committee.*

Contingency allocation: revised policy. R.110/2017.
Presented: 15th September 2017, *Minister for Treasury and Resources.*

Land Transactions under Standing Order 168(3) – La Palloterie, Les Marais R.111/2017.
Avenue, La Route de la Haule, St. Lawrence – sale – Assisted House Purchase.
Presented: 20th September 2017, *Minister for Infrastructure.*

Jersey International Finance Centre (S.R.8/2017): response of the Minister for S.R.8/2017.
Treasury and Resources. Res.
Presented: 20th September 2017, *Minister for the Environment.*

D. NOTIFICATION OF LODGED PROPOSITIONS

United Nations Convention on the Rights of the Child: compliance of draft Laws P.63/2017.
and training of States of Jersey employees (P.63/2017) – amendment. Amd.
Lodged: 19th September 2017, *Deputy L.M.C. Doublet of St. Saviour.*

States of Jersey Budget 2017: allocation to the Parishes of funds set aside for the P.81/2017.
payment of rates on States' properties.
Lodged: 19th September 2017, *Connétable of St. Helier.*



Draft Social Security (Christmas Bonus) (Amendment) (Jersey) Regulations 201-. P.82/2017.
Lodged; 19th September 2017, *Minister for Social Security*.

Ratification of the Multilateral Convention to Implement Tax Treaty Related P.83/2017.
Measures to Prevent Base Erosion and Profit Shifting.
Lodged: 20th September 2017, *Minister for External Relations*.

E. WITHDRAWAL OF LODGED PROPOSITIONS

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

Resignation of Deputy Andrew David Lewis of St. Helier as Chairman of the Public Accounts Committee.

Nomination of the Chairman of the Public Accounts Committee.

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

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

- 1(495) 1. Deputy S.Y. Mézec of St. Helier will ask a question of the Chief Minister regarding meetings held with representatives of the Republic of the Union of Myanmar.
- 1(496) 2. Deputy J.M. Maçon of St. Saviour will ask a question of the Minister for Health and Social Services regarding the treatment of HIV.
- 1(497) 3. Deputy G.P. Southern of St. Helier will ask a question of the Minister for Housing regarding rental figures for 1- and 2-bedroom flats and 3-bedroom houses.
- 1(498) 4. Deputy S.Y. Mézec of St. Helier will ask a question of the Chief Minister regarding the resourcing of the Law Draftsman's Office.
- 1(499) 5. Deputy S.Y. Mézec of St. Helier will ask a question of the Minister for Infrastructure regarding residential properties owned by States Departments.
- 1(500) 6. Deputy S.Y. Mézec of St. Helier will ask a question of the Chief Minister regarding attendance at political party conferences in the United Kingdom.
- 1(501) 7. Deputy G.P. Southern of St. Helier will ask a question of the Chief Minister regarding initiatives funded by the Economic and Productivity Growth Drawdown Provision.
- 1(502) 8. Deputy J.A. Martin of St. Helier will ask a question of the President of the Chairmen's Committee regarding the budget for the Scrutiny function.
- 1(503) 9. Deputy G.P. Southern of St. Helier will ask a question of the Minister for Health and Social Services regarding bodies currently engaged in the delivery of home care services.



- 1(504) 10. Deputy G.P. Southern of St. Helier will ask a question of the Chief Minister regarding the ownership of companies operating in Jersey and the revenues received from them in tax.
- 1(505) 11. Deputy M.R. Higgins of St. Helier will ask a question of the Minister for Health and Social Services regarding hospitals and medical centres used by the States of Jersey Prison Service.
- 1(506) 12. Deputy M.R. Higgins of St. Helier will ask a question of the Minister for Health and Social Services regarding the monitoring of staff morale.
- 1(508) 13. Deputy M.R. Higgins of St. Helier will ask a question of the Minister for Health and Social Services regarding the investigation of complaints against senior staff in his Department.

(b) – Oral Questions

(120 minutes)

- 1(522) 1. Deputy M. Tadier of St. Brelade will ask the following question of the Chief Minister –
- “Is it the Chief Minister’s policy position that the question of the States Assembly electing its own Speaker should be put to a public referendum; and, if not, why not?”
- 1(516) 2. The Deputy of St. Ouen will ask the following question of H.M. Attorney General –
- “When presenting a contract of sale and purchase to be passed before the Royal Court, is it permissible for an individual or private company to omit reference to the amount of consideration payable under the contract on the grounds of commercial sensitivity, in the same way as recent contracts passed by Andium Homes Ltd for the purchase of properties adjacent to the Town Park?”
- 1(520) 3. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Housing –
- “Will the Minister inform members of her estimate of the increase in average rent levels over the period 2014 – 2017 in the private sector and in relation to Andium Homes and the Housing Trusts for 1-bed flats, 2-bed flats and 3-bed houses; and will she state what measures she can take or is considering to control such rent levels?”
- 1(515) 4. Deputy K.C. Lewis of St. Saviour will ask the following question of the Minister for Infrastructure –
- “Has the Minister ordered a reduction in the cleaning of States roads and, if so, is this a temporary measure?”
- 1(524) 5. Deputy S.Y. Mézec of St. Helier will ask the following question of the Minister for the Environment –
- “What work, if any, is being done to consider the environmental impact of the residential properties planned for development around the Ann Court area of town; and, if no such work is being done or planned, will the Minister agree to implement a study of this matter to ensure that quality of life is maintained for the residents of that part of town?”
- 1(512) 6. Deputy J.M. Maçon of St. Saviour will ask the following question of the Chairman of the States Employment Board –
- “Will the Chairman explain for what period of time the former Chief Officer of the States of Jersey Police is expected to remain formally in post; whether he is continuing to be paid his full salary; and whether, with an acting Chief Officer now in post, it would be accurate to say that two Chief Officer salaries are now being paid?”



- 1(510) 7. The Deputy of Grouville will ask the following question of the Minister for Treasury and Resources –

“Will the Minister, as shareholder representative, request Jersey Electricity plc to advise how many businesses have been subject to the company’s Standby Charge during the last 15 years and how much it has been charged at; and will he request Jersey Electricity plc to explain how it is envisaged the charge will be varied in the future and whether there is any intention to extend it to domestic customers?”

- 1(514) 8. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Home Affairs –

“Will the Minister explain who is in *de jure* operational control of the States of Jersey Police at this time, and who is in *de facto* control; and, if it is not the same person, will she advise how long this situation is likely to continue?”

- 1(521) 9. Deputy J.M. Maçon of St. Saviour will ask the following question of the Minister for Treasury and Resources –

“Given that the States of Jersey Development Company has requested an extension to the period of its repayment of £2.5 million, is it the Minister’s assessment that this indicates a lack of desire and need by businesses for the type of office space being developed in Jersey by the Company; and, if it is not, will he explain why not?”

- 1(511) 10. The Deputy of Grouville will ask the following question of the Minister for Treasury and Resources –

“Will the Minister, as shareholder representative, clarify what costs are involved for Jersey Electricity plc in providing a backup service to embedded generators; will he explain how the company’s funding of the grid works and whether it is factored into the company’s Service Charge; and will he advise whether the Service Charge applies to all customers of the company?”

- 1(523) 11. Deputy M. Tadier of St. Brelade will ask the following question of the Chairman of the Privileges and Procedures Committee –

“Will the Privileges and Procedures Committee give consideration to bringing forward proposals to adopt Jèrriais as one of the official languages of the States Assembly, alongside English and French?”

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

1st question period – Minister for Health and Social Services

2nd question period – Chief Minister

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY



L. PUBLIC BUSINESS

Draft Education (Amendment No. 3) (Jersey) Law 201- P.56/2017.
Lodged: 19th June 2017, *Minister for Education*.

Note: The 2nd reading of the Draft Law will resume, following adoption of the principles on 12th September 2017 and the subsequent referral to the Education and Home Affairs Scrutiny Panel under Standing Order 72(1).

Bailiff of Jersey: cessation of dual role and the appointment of an elected Speaker of the States. P.62/2017.
Lodged: 4th July 2017, *Deputy M. Tadier of St. Brelade*.

Bailiff of Jersey: cessation of dual role and the appointment of an elected Speaker of the States (P.62/2017) – comments. P.62/2017.
Presented: 21st August 2017, *Privileges and Procedures Committee*. Com.

Bailiff of Jersey: cessation of dual role and the appointment of an elected Speaker of the States (P.62/2017) – amendment. P.62/2017.
Lodged: 6th September 2017, *Senator Sir P.M. Bailhache*. Amd.
(re-issue)

United Nations Convention on the Rights of the Child: compliance of draft Laws and training of States of Jersey employees. P.63/2017.
Lodged: 7th July 2017, *Deputy L.M.C. Doublet of St. Saviour*.

United Nations Convention on the Rights of the Child: compliance of draft Laws and training of States of Jersey employees (P.63/2017) – amendment. P.63/2017.
Lodged: 19th September 2017, *Deputy L.M.C. Doublet of St. Saviour*. Amd.

Draft Act annulling the Motor Traffic (Cabs – Fares and Charges) (Jersey) Order 2017. P.64/2017.
Lodged: 7th July 2017, *Senator S.C. Ferguson*.

Draft Act annulling the Motor Traffic (Cabs – Fares and Charges) (Jersey) Order 2017 (P.64/2017): comments. P.64/2017.
Presented: 11th September 2017, *Minister for Infrastructure*. Com.

Draft Asian Infrastructure Investment Bank (Immunities and Privileges) (Jersey) Regulations 201- P.68/2017.
Lodged: 21st July 2017, *Minister for External Relations*. (re-issue)

Draft Taxation (Implementation) (International Tax Compliance) (Common Reporting Standard) (Amendment) (Jersey) Regulations 201- P.69/2017.
Lodged: 25th July 2017, *Minister for External Relations*.

Jersey Financial Services Commission: appointment of Commissioner. P.70/2017.
Lodged: 27th July 2017, *Chief Minister*.

Note: In accordance with Article 3(2) of the Financial Services Commission (Jersey) Law 1998, this proposition must be debated ‘in camera’.

Draft Statutory Nuisances (Jersey) Regulations 201- P.71/2017.
Lodged: 31st July 2017, *Minister for the Environment*.

States Assembly: selection and appointment of Ministers, Committees and Panels – return to secret ballots. P.73/2017.
Lodged: 10th August 2017, *Deputy R. Labey of St. Helier*.



States Assembly: selection and appointment of Ministers, Committees and Panels – return to secret ballots (P.73/2017) – comments. P.73/2017.
Com.
Presented: 7th September 2017, *Privileges and Procedures Committee*.

States Assembly: selection and appointment of Ministers, Committees and Panels – return to secret ballots (P.73/2017) – amendment. P.73/2017.
Amd.
Lodged: 24th August 2017, *Deputy S.Y. Mézec of St. Helier*.

Draft Sea Fisheries (Trawling, Netting and Dredging) (Amendment No. 4) (Jersey) Regulations 201-. P.74/2017.
Lodged: 14th August 2017, *Minister for the Environment*.

Warwick Farm: feasibility study for incorporating the site into the St. Helier Country Park. P.75/2017.
Lodged: 18th August 2017, *Connétable of St. Helier*.

Chief Minister: election by Island-wide vote of registered electors. P.78/2017.
Lodged: 24th August 2017, *Deputy R. Labey of St. Helier*.

Chief Minister: election by Island-wide vote of registered electors (P.78/2017) – comments. P.78/2017.
Com.
Presented: 7th September 2017, *Privileges and Procedures Committee*.

M. ARRANGEMENT OF PUBLIC BUSINESS

10th October 2017

Draft Liquor Licensing (Jersey) Law 201-. P.54/2017.
Lodged: 7th June 2017, *Minister for Economic Development, Tourism, Sport and Culture*.

Draft Liquor Licensing (Jersey) Law 201- (P.54/2017): amendment. P.54/2017.
Amd.
Lodged: 4th July 2017, *Senator Sir P.M. Bailhache*.

Draft Road Traffic (No. 63) (Jersey) Regulations 201-. P.67/2017.
Lodged: 17th July 2017, *Minister for Infrastructure*.

States Employment Board: living wage 2017. P.72/2017.
Lodged: 31st July 2017, *Deputy G.P. Southern of St. Helier*.

Draft Air and Sea Ports (Incorporation) (Transfer No. 2) (Jersey) Regulations 201-. P.77/2017.
Lodged: 24th August 2017, *Council of Ministers*.

31st October 2017

Draft Public Health and Safety (Rented Dwellings) (Jersey) Law 201-. P.66/2017.
Lodged; 17th July 2017, *Minister for the Environment*.

Draft Building Loans (Amendment No. 13) (Jersey) Law 201-. P.79/2017.
Lodged: 5th September 2017, *Minister for Housing*.

Draft Health and Safety at Work (Freight Containers Safety Convention) (Amendment) (Jersey) Regulations 201-. P.80/2017.
Lodged: 12th September 2017, *Minister for Social Security*.



States of Jersey Budget 2017: allocation to the Parishes of funds set aside for the payment of rates on States' properties. P.81/2017.
Lodged: 19th September 2017, *Connétable of St. Helier*.

Draft Social Security (Christmas Bonus) (Amendment) (Jersey) Regulations 201-. P.82/2017.
Lodged; 19th September 2017, *Minister for Social Security*.

Brexit Information Report: July 2017 update. R.87/2017.
Presented: 18th July 2017, *Minister for External Relations*.
(*consideration 'in committee'*)

14th November 2017

Health and Social Care System: a new governance model. P.60/2017.
Lodged: 23rd June 2017, *Council of Ministers*.

Ratification of the Multilateral Convention to Implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting. P.83/2017.
Lodged: 20th September 2017, *Minister for External Relations*.

L.-M. HART
Deputy Greffier of the States

21st September 2017

Note –

In accordance with the meeting dates fixed for 2017 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 27th and Thursday 28th September 2017.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.91/2017.

Prison (Amendment No. 2) (Jersey) Rules 2017.

These Rules amend the Prison (Jersey) Rules 2007 (“Prison Rules”, an expression used in these Rules which are defined in *Rule 1* as the Prison (Jersey) Rules 2007).

Rule 2 amends Rule 1 of the Prison Rules to define “Monitoring Board” as the Independent Prison Monitoring Board. That Board is established under Article 6 of the Prison (Jersey) Law 1957, as amended, and replaces the Board of Visitors. *Rule 2* also inserts the definition “unauthorized article”.

Rule 3 substitutes Rule 2 of the Prison Rules to re-define “prohibited article” and “unauthorized article” so that the definitions are consistent with those contained in the Prison (Jersey) Law 1957.

Rule 4 amends Rule 3(4) of the Prison Rules to require that in cases where a court has not stated the day and time that a prisoner is to be next produced before the court, the court order must state that the prisoner is to be next produced before the court at such date and time that the court notifies to the Governor.

Rule 5 amends Rule 5 of the Prison Rules to require that on reception into the prison a prisoner must be provided with written information regarding where he or she may have access to a copy of the Law, these Rules and any directions issued by the Minister under these Rules and written information regarding the prison regime including, in particular, the procedures for making requests and complaints and the arrangements for prisoners’ correspondence, telephone calls and visits.

New Rule 5(3) provides that a copy of the Law, the Prison Rules and any directions issued by the Minister under the Prison Rules must be placed in the prison library and in every accommodation wing of the prison and, if requested by a prisoner, the prisoner must be given his or her own copy of the Law, Rules or directions.

New Rule 5(4) requires a prisoner to be interviewed by the Medical Officer or a member of the prison nursing staff within 3 hours of his or her reception into the prison and requires the Medical Officer to interview the prisoner within 72 hours of the prisoner’s reception into the prison if the Medical Officer did not interview the prisoner within 3 hours of his or her reception.

Rule 6 amends Rule 16 of the Prison Rules to require the Governor to maintain procedures for the daily sampling, tasting and checking of the food and drink prepared for prisoners to ensure the quality and condition of prisoners’ food and drink; and to maintain procedures for inspecting on a regular basis the facilities and conditions under which such food and drink are stored, prepared and served to ensure their cleanliness, hygiene and safety. The Governor is required to remedy any deficiency found as a result of that tasting, checking or inspection as soon as reasonably practicable.

Rule 7 re-enacts with amendments Rule 33 of the Prison Rules to clarify that no prisoner under the age of 16 may have in his or her possession inside the prison any cigarettes or other tobacco and a prisoner aged 16 or over may have in his or her possession not more than 50 grams of hand-rolling tobacco and 200 cigarettes. *Rule 7* also now provides that prisoners may not smoke in any area of the prison that has been designated a non-smoking area in a direction by the Minister.

Rule 8 amends Rule 35 of the Prison Rules to provide that the Governor may impose a limit on the space to be made available for each prisoner for the purpose of storing the property of a prisoner and if the property of a prisoner exceeds the capacity limit the Governor must notify the prisoner. If it is not reasonably practicable for the prisoner to arrange for the disposal of any of his or her property so as to bring his or her property to within the permitted limit, the Governor may arrange for disposal of some of it so as to bring the amount of property to within the permitted limit. Before disposal of any property under this Rule, the Governor must permit the prisoner to make representations as to which of his or her property may be disposed of.

Rule 9 amends Rule 40 of the Prison Rules so that the Minister may issue directions limiting the number of letters, other than letters addressed to a court or legal adviser or letters sent to the Minister, the Monitoring Board or Medical Officer that any prisoner may send or receive.



Rule 10 amends Rule 46 of the Prison Rules to require visits to prisoners to be within the sight and hearing of an officer unless the Minister otherwise directs. New Rule 46(7) provides that a prisoner is not entitled to accumulate visits except as otherwise permitted by directions issued by the Minister. New Rule 46(7A) enables the Minister to issue directions to permit a prisoner to accumulate up to 26 visits for a purpose specified in the direction and new Rule 46(7B) enables the Minister to permit by directions a visit of longer duration than is permitted under Rule 46(1) or (2) in any case where a convicted prisoner has accumulated visits, the remainder of the sentence that the prisoner must serve is more than 9 months after the date of the proposed visit and either the convicted prisoner is transferred to a prison or other place in the United Kingdom in order to receive a visit from a person in the United Kingdom, or a person who resides outside Jersey is to visit the prisoner in prison in Jersey.

Rule 11 amends Rule 48 of the Prison Rules to require a police officer or officer of the Impôts to produce the written authority of the Attorney General before visiting a prisoner at the prisoner's own request.

Rule 12 amends Rule 50 of the Prison Rules to clarify that an untried prisoner is entitled to receive a visit, at any reasonable time, by any person providing a security or proposing a surety as a condition of the prisoner's bail.

Rule 13 amends Rule 56(3) of the Prison Rules to provide that a prisoner is not permitted to carry on any trade, profession or vocation from the prison or retain any monies generated from the sale of any items produced by the prisoner either in the course of the prisoner's work in the prison or in the prisoner's spare time. However, a prisoner is permitted to take such steps as the Governor considers necessary and compatible with the Prison Rules to protect the value of any interest the prisoner has in any property or business.

Rule 14 amends Rule 65 of the Prison Rules to require the Governor to maintain a system for the daily inspection of the parts of the prison used to employ or accommodate prisoners and for the regular inspection of all other parts of the prison.

Rule 15 amends Rule 68 of the Prison Rules to prohibit a prisoner from possessing prohibited articles (Grade 1 and Grade 2 items), as defined in the Prison (Jersey) Law 1957. Exceptionally, the Medical Officer may issue a written order authorizing a named prisoner to receive a specified quantity and description of alcoholic liquor or controlled drugs and the Governor may issue a written order authorizing a named prisoner to be in possession of a personal communication device or a recording device subject to any condition that may be specified in the authorization. By Rule 68(4) of the Prison Rules, the Governor may seize and detain any prohibited article which, in contravention of that Rule, is found in the possession of a prisoner or visitor or conveyed or thrown into or concealed or deposited in, the prison.

Rule 16 amends Rule 69 of the Prison Rules to prohibit a prisoner from possessing, keeping, concealing or depositing, any unauthorized articles (Grade 3 items which the prisoner is not authorized, under the Rules, to possess or keep) and to prohibit a prisoner from possessing in a part of the prison any property which the prisoner is authorized to have in his or her possession only in another part of the prison. By Rule 69(3), the Governor may seize and detain any unauthorized article which, in contravention of that Rule, is found in the possession of a prisoner or visitor or conveyed or thrown into or concealed or deposited in, the prison.

Rule 17 amends Rule 83 of the Prison Rules to provide that where it appears to the Governor or a person inquiring into a charge that a prisoner is in breach of discipline and that the breach would constitute a criminal offence, the Governor or person inquiring into the charge must refer the matter to the police. If a matter is referred to the police, the Governor must not take action against the prisoner under the Prison Rules if the police charge the prisoner with an offence in relation to the matter referred and may only take action against the prisoner under the Prison Rules in respect of that matter if he or she has been notified by the police that the police do not intend to charge the prisoner.

Rule 18 amends Rule 86 of the Prison Rules to require the Governor or a person who is of the seniority of a senior unit manager or higher to inquire into a charge (except that the person inquiring into the charge must not be an interested party to the charge).

Rule 19 amends Rule 87 of the Prison Rules to require that, save in exceptional circumstances, a disciplinary charge against a prisoner must be inquired into no later than 48 hours after the day the charge is brought. Rule 19 also makes a consequential amendment to Rule 87 of the Prison Rules, following the removal of punishment of forfeiture of remission by Rule 20.

Rule 20 amends Rule 90 of the Prison Rules to remove from the list of punishments that are available to be imposed on a prisoner who is guilty of a breach of discipline the punishments of forfeiture of remission



and the removal of a prisoner from the prisoner's wing or living unit. Rule 90 is also amended to permit a prisoner to be punished by the stoppage of or a deduction from earnings for a period not exceeding 56 days and of an amount not exceeding one half of the prisoner's earnings in any week (or part thereof) falling within the period specified; only permit cellular confinement to be available in respect of a prisoner who is over the age of 18 years; and reduce the period of cellular confinement that may be imposed on a prisoner over 18 years from a maximum of 28 days to a period not exceeding 7 days.

Rule 21 makes a consequential amendment to Rule 91 of the Prison Rules, following the removal of punishment of forfeiture of remission.

Rule 22 removes Rule 93 of the Prison Rules, which concerns the review of a punishment of forfeiture of remission, as a consequence of the removal of that punishment by Rule 20.

Rule 23 substitutes Rule 94 of the Prison Rules to replace the appeals process that formerly involved the Board of Visitors. Now, under Rule 94 of the Prison Rules, a prisoner found guilty of a breach of discipline may appeal against the decision not later than 14 days after the date of the decision. The appeal may be against the finding of guilt or the punishment imposed, or both the finding and the punishment. New Rule 94 also sets out who must hear an appeal and enables the Minister to make directions setting out the procedures for appeals.

Rule 24 removes Rule 96 of the Prison Rules, which concerns a prisoner's right to request restoration of forfeited remission, as a consequence of the removal of forfeiture of remission as a punishment by Rule 20.

Rule 25 amends Rule 97 of the Prison Rules to substitute references to the Board of Visitors with references to the Monitoring Board.

Rule 26 amends Rule 100 of the Prison Rules to correct a cross reference to another Rule.

Rule 27 amends Rule 101(3) of the Prison Rules to extend the maximum time within which the Governor must consider a complaint and inform the prisoner of his or her decision from 7 days to 14 days.

Rule 28 amends Rule 103 of the Prison Rules to remove the requirement for the Medical Officer to conduct a full examination of a prisoner at least one week before the prisoner is discharged.

Rule 29 provides the title to these Rules and provides that they come into force 7 days after they are made. The Order was made on 31st August 2017 and came into force on 7th September 2017.

R&O.92/2017 (renumbered).

Road Traffic (St. Saviour) (Amendment No. 11) (Jersey) Order 2017.

This Order amends the Road Traffic (St. Saviour) (Jersey) Order 2000 to reinstate in Schedule 6 to that Order the entries relating to La Rue de la Croix Besnard so that the prohibition under Article 7A of that Order on parking a vehicle on parts of that road for a period in excess of 2 hours and without displaying a parking disc continues to apply.

The Order was made on 4th September 2017 and came into force on 5th September 2017.

Note: This Order was originally published as R&O.91/2017, but due to the late delivery of a signed set of Rules made prior to this Order, it has had to be renumbered and reprinted as R&O.92/2017.



R&O.93/2017 (renumbered).

Health Insurance (Medical Benefit) (General Provisions) (Amendment No. 9) (Jersey) Order 2017.

This Order amends the Health Insurance (Medical Benefit) (General Provisions) (Jersey) Order 1967 to add to the list of services that are not medical services for the purposes of the Health Insurance (Jersey) Law 1967 any medical service (within the meaning of Article 20A of that Law) for which the Minister has entered into a contract under Article 20B of that Law and the supply of vaccines for which the Minister has entered into a contract under Article 20C of that Law.

The Order was made on 11th September 2017 and came into force on 12th September 2017.

Note: This Order was originally published as R&O.92/2017, but due to the late delivery of a signed set of Rules made prior to this Order, it has had to be renumbered and reprinted as R&O.93/2017.

R&O.95/2017.

Taxation (Implementation) (Convention on Mutual Administrative Assistance in Tax Matters) (Amendment of Regulations No. 3) (Jersey) Order 2017.

This Order updates the table in the Schedule to the Taxation (Implementation) (Convention on Mutual Administrative Assistance in Tax Matters) (Jersey) Regulations 2014. It substitutes the existing table by adding further parties in respect of whom the Convention on Mutual Administrative Assistance in Tax Matters enters into force and the dates of such entry.

This Order comes into force on the day after the day it is made.

The Order was made on 15th September 2017 and came into force on 16th September 2017.



WRITTEN QUESTIONS

(See Item I(a))

1. Deputy S.Y. Mézec of St. Helier will ask the following question of the Chief Minister –

“What communications or meetings, if any, have taken place over the last five years between government of Jersey members and officials and representatives of the government of the Republic of the Union of Myanmar?”

2. Deputy J.M. Maçon of St. Saviour will ask the following question of the Minister for Health and Social Services –

“Following the decision of NHS Scotland to pay for pre-exposure prophylaxis (PrEP) as an effective preventative treatment of HIV, what review, if any, has been undertaken into Jersey adopting a similar policy; and if there has been no such review, will the Minister explain why not?”

3. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Housing –

“Given that a recent update to the website of Andium Homes showed the average rent for 1-bedroom flats, 2-bedroom flats and 3-bedroom houses as being £167.42, £215.74 and £313.41 respectively, and further to answers previously provided by the Minister, in which it was stated that the average rents shown are based on a mix of pre-2014 tenancies and post-2014 tenancies (and that, overall, the average rent levels paid by Andium tenants are 77 per cent of the market value), will the Minister request from Andium Homes confirmation of what the average rents are for pre- and post- 2014 tenancies, if they were to be treated separately, for these three types of unit?

Will the Minister also request and provide figures for the maximum private sector rent levels for these three types of unit (and what the 90 per cent rent level for these units are) in order to show how they compare with the maximum rent levels shown on the website for these units of £254.07, £303.79 and £439.80 respectively?”

4. Deputy S.Y. Mézec of St. Helier will ask the following question of the Chief Minister –

“Following reports in the ‘Independent Jersey Care Inquiry Report’ (R.59/2017) of claims that, historically, finance-industry-related legislation was prioritised above legislation relating to children's services, what consideration, if any, has been given to the resourcing of the Law Draftsman's Office and what plans, if any, does the Chief Minister have to ensure that adequate provisions are in place to enable Jersey to develop finance legislation simultaneously to the advancement of important social legislation faster than has been done previously?

Will the Chief Minister advise what consideration has been given to requiring the Law Draftsman's Office to record how much time it spends on different categories of legislation?”

5. Deputy S.Y. Mézec of St. Helier will ask the following question of the Minister for Infrastructure –

“Will the Minister provide the total number of residential properties owned by each States Department, and state how many are currently unoccupied?”



6. Deputy S.Y. Mézec of St. Helier will ask the following question of the Chief Minister –

“Will the Chief Minister confirm what arrangements, if any, have been made to have Jersey represented at the U.K. political party conferences this year, including which members of the government will be attending; how much has been spent on acquiring any tickets to dinners and other exclusive events; and, where such tickets have been bought, which conferences they relate to?”

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

“Further to the response to Written Question 1(429) on 18th July 2017, will the Chief Minister detail for members the initiatives (whether through States Departments or private-sector bodies) which have received funding from the Economic and Productivity Growth Drawdown Provision (EPGDP); who signed off the funding in each case; and what criteria are used in assessing the success or failure of each initiative?”

8. Deputy J.A. Martin of St. Helier will ask the following question of the President of the Chairmen’s Committee –

“Will the President inform the Assembly of what the Scrutiny budget was at the start of the Scrutiny function in 2005 and what that budget is now; and will he indicate how the initial and current budgets compare when taking into account inflation?”

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

“Following his policy decision to open home care funding to market competition, will the Minister list the names of the bodies currently engaged in the delivery of home care services locally, showing for each one their status as either a non-profit-making, charitable or private sector business; whether they are in local or other ownership; and the size of the organisation (as indicated by the number of staff employed)?

Will the Minister further set out a schedule for consultation on the delivery of an ethical care charter for these bodies engaged in the delivery of care in the home?”

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

“Will the Chief Minister provide members with a breakdown, by local / non-local ownership, of the companies in the eleven sectors of the economy listed in Table 1 of the publication ‘Measuring the Jersey Economy: GVA and GDP 2015’; and, if not, will he explain why not?

Will he, following consultation with the Minister for Treasury and Resources, also state what tax revenues are generated in total by the companies in each sector, again differentiating between local and non-local ownership, either directly from taxable profits or through Income Tax charged on local beneficial owners?”

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

“Will the Minister advise what hospitals or other medical centres in the United Kingdom, if any, are used by the States of Jersey Prison Service and how many prisoners have been referred to any such places over the last five years; and will he also state the purpose of any such referrals, the duration of the treatment provided, and what monitoring of the quality of the treatment takes place?”



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

“Will the Minister advise members how his Department monitors staff morale, if at all, and whether staff attitude surveys are used? If so, will he publish the results of these or similar surveys for the last five years?”

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

“Given that in certain services such as the military or police, complaints against senior officers can only be investigated by an officer of either the same or a superior rank, will the Minister advise whether such a policy applies to investigations of complaints against senior staff undertaken by his Department’s governance team or whether members of the governance team can undertake such investigations regardless of their own level of seniority?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

Questions without notice 2017

October 10th	Economic Development, Tourism, Sport and Culture	Housing
October 31st	Infrastructure	Chief Minister
November 14th	Environment	External Relations
November 28th	Social Security	Chief Minister
December 12th	Home Affairs	Treasury and Resources