



STATES OF JERSEY ORDER PAPER

11th SEPTEMBER 2018

SUMMARY

- 9.30 a.m. Communications by the Presiding Officer and other announcements
- Appointments, matters of privilege, petitions:
- Nomination of three members of the Public Accounts Committee who are not members of the States
 - Appointment of the Bailiff's Consultative Panel
- 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 Economic Development, Tourism, Sport and Culture
 - Chief Minister
- Statements (if any)*
- Approx. 12.15 p.m. **Draft Limited Liability Companies (Jersey) Law 201-** (P.85/2018)
- Health and Safety Appeal Tribunal: re-appointment of members** (P.92/2018)
- Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 6) (Jersey) Regulations 201-** (P.93/2018)
- Draft Sea Fisheries (Les Ecréhous) (Jersey) Regulations 201-** (P.94/2018)
- Draft Public Health and Safety (Rented Dwellings) (Jersey) Law 2018 (Appointed Day) Act 201-** (P.95/2018)
- Public impact of Propositions: proposed amendment to Standing Orders** (P.96/2018)
- Public impact of Propositions: proposed amendment to Standing Orders (P.96/2018) – amendment** (P.96/2018 Amd.)
- Public impact of Propositions: proposed amendment to Standing Orders (P.96/2018) – second amendment** (P.96/2018 Amd.(2))
- Draft Amendment (No. 36) of the Standing Orders of the States of Jersey** (P.98/2018)



**Entitled status on social and economic grounds: changes to legislation
(P.99/2018)**

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 12th and Thursday 13th September 2018 if necessary.



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11th SEPTEMBER 2018

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Animal Health (Waste Food) (Jersey) Order 2018. R&O.79/2018.
Minister for the Environment.

Animal Health (Animal By-Products) (Jersey) Order 2018. R&O.80/2018.
Minister for the Environment.

Official Publications (Publication of Jersey Gazette) (Jersey) Order 2018. R&O.81/2018.
Chief Minister.

States of Jersey (Minister for International Development and Minister for Children and Housing) (Jersey) Order 2018. R&O.82/2018.
Chief Minister.

Sea Fisheries (Spider Crabs – Restrictions on Fishing) (Jersey) Order 2018. R&O.83/2018.
Minister for the Environment.

Financial Services Commission (Financial Penalties) (Amendment) (Jersey) Order 2018. R&O.84/2018.
Chief Minister.

EU Legislation (Sanctions – Republic of Maldives) (Jersey) Order 2018. R&O.85/2018.
Minister for External Relations.

Education (Grants and Allowances) (Jersey) Order 2018. R&O.86/2018.
Minister for Education.
[Signed by Assistant Minister, Deputy J.M. Maçon of St. Saviour, for and on behalf of the Minister for Education.]

EU Legislation (Sanctions – South Sudan) (Amendment No. 2) (Jersey) Order 2018. R&O.87/2018.
Minister for External Relations.
[Signed by Chief Minister, Senator J.A.N. Le Fondré, for and on behalf of the Minister for External Relations.]

C. DOCUMENTS PRESENTED

Draft Limited Liability Companies (Jersey) Law 201- (P.85/2018): R&O.85/2018.
comments. Com.
Presented: 3rd September 2018, *Economic Affairs Scrutiny Panel.*

Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 6) (Jersey) R&O.93/2018.
Regulations 201- (P.93/2018): addendum to report. Add.
Presented: 6th September 2018, *Minister for the Environment.*



Draft Sea Fisheries (Les Ecréhous) (Jersey) Regulations 201- (P.94/2018): addendum to report. Presented: 6th September 2018, <i>Minister for the Environment</i> .	P.94/2018. Add.
Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 6) (Jersey) Regulations 201- (P.93/2018) and Draft Sea Fisheries (Les Ecréhous) (Jersey) Regulations 201- (P.94/2018): comments. Presented: 31st August 2018, <i>Privileges and Procedures Committee</i> .	P.93/2018 and P.94/2018. Com.
Public impact of Propositions: proposed amendment to Standing Orders (P.96/2018) – comments. Presented: 23rd August 2018, <i>Privileges and Procedures Committee</i> .	P.96/2018. Com.
States of Jersey Complaints Board: findings – complaints by Mr. A. Luce and Mr. J. Mallinson against the Minister for Infrastructure and Jersey Property Holdings regarding the handling of foreshore encroachment claims (R.71/2018) – response of the Minister for Infrastructure. Presented: 7th August 2018, <i>Minister for Infrastructure</i> .	R.71/2018. Res.
States of Jersey Complaints Board: findings – complaints by Mr. A. Luce and Mr. J. Mallinson against the Minister for Infrastructure and Jersey Property Holdings regarding the handling of foreshore encroachment claims (R.71/2018) – response of the Minister for Infrastructure (R.71/2018 Res.) – response of the Complaints Board. Presented: 8th August 2018, <i>Privileges and Procedures Committee</i> .	R.71/2018. Res.Res.
Land Transactions under Standing Order 168(3) – 19–21 Broad Street, St. Helier – lease-in. Presented: 3rd July 2018. <i>Minister for Infrastructure</i> .	R.83/2018.
Jersey Financial Services Commission: Annual Report 2017. Presented: 12th July 2018, <i>Chief Minister</i> .	R.90/2018.
Land Transactions under Standing Order 168(3) – Springfield Stadium Café, Janvrin Road, St. Helier – lease. Presented: 17th July 2018, <i>Minister for Infrastructure</i> .	R.91/2018.
States of Jersey Law 2005: delegation of functions – Chief Minister – Assistant Minister and Officers. Presented: 18th July 2018, <i>Chief Minister</i> .	R.92/2018.
Appointment of Assistant Ministers: consent of the Chief Minister. Presented: 19th July 2018, <i>Chief Minister</i> .	R.93/2018.
Jersey Overseas Aid: matters reserved for Board and matters delegated to Executive Director. Presented: 23rd July 2018, <i>Jersey Overseas Aid Commission</i> .	R.94/2018.
Land Transactions under Standing Order 168(3) – Fields Nos. 445, 447 and 448, St. Catherine, St. Martin – sale. Presented: 25th July 2018, <i>Minister for Infrastructure</i> .	R.95/2018.



States of Jersey Law 2005: delegation of functions – Minister for Treasury and Resources – revised delegations July 2018. Presented: 25th July 2018, <i>Minister for Treasury and Resources</i> .	R.96/2018.
States of Jersey Law 2005: delegation of functions – Minister for Economic Development, Tourism, Sport and Culture – delegations to Assistant Ministers July 2018. Presented: 26th July 2018, <i>Minister for Economic Development, Tourism, Sport and Culture</i> .	R.97/2018.
Jersey Consumer Council: Annual Report for 2017. Presented: 26th July 2018, <i>Minister for Economic Development, Tourism, Sport and Culture</i> .	R.98/2018.
States of Jersey Law 2005: delegation of functions – Minister for the Environment – revised delegations July 2018. Presented: 26th July 2018, <i>Minister for the Environment</i> .	R.99/2018.
Meetings of the States in 2019. Presented: 27th July 2018, <i>Privileges and Procedures Committee</i> .	R.100/2018.
Land Transactions under Standing Order 168(3) – (a) Nos. 74 and 76 Colomberie Shops, St. Helier – proposed sale; (b) 14–16 Burrard Street, St. Helier – proposed lease. Presented: 30th July 2018, <i>Minister for Infrastructure</i> .	R.101/2018.
Howard Davis Farm Trust: Report and Financial Statements for the year ended 31st December 2017. Presented: 31st July 2018, <i>Minister for Treasury and Resources</i> .	R.102/2018.
Jersey Gambling Commission: 2017 Annual Report and Accounts. Presented: 1st August 2018, <i>Minister for Economic Development, Tourism, Sport and Culture</i> .	R.103/2018.
Agent of the Impôts: confirmation of acting appointment. Presented: 3rd August 2018, <i>Minister for Home Affairs</i> .	R.104/2018.
States of Jersey Police Force: Deputy Chief Officer – interim appointment. Presented: 3rd August 2018, <i>Minister for Home Affairs</i> .	R.105/2018.
States of Jersey Complaints Board: findings – complaint by Mrs. X against the Minister for Education and Student Finance regarding the way in which an application for student finance was administered. Presented: 7th August 2018, <i>Privileges and Procedures Committee</i> .	R.106/2018.
States of Jersey Law 2005: delegation of functions – Minister for Children and Housing – Residential Tenancy (Jersey) Law 2011 – revised delegations August 2018. Presented: 9th August 2018, <i>Minister for Children and Housing</i> .	R.107/2018.
Land Transactions under Standing Order 168(3) – 10 Grosvenor Terrace, Grosvenor Street, St. Helier – proposed sale. Presented: 14th August 2018, <i>Minister for Infrastructure</i> .	R.108/2018.
Social Security Department: Minister’s Report 2017. Presented: 16th August 2018, <i>Minister for Social Security</i> .	R.109/2018.



Transfers between heads of expenditure under the Public Finances (Jersey) Law 2005: Article 18(1)(c) and (1A) – 17th August 2018. Presented: 21st August 2018, <i>Minister for Treasury and Resources</i> .	R.110/2018.
States of Jersey Complaints Board: findings – complaint by Mr. I. Barette against the Minister for the Environment, regarding the processing of the Planning applications relating to the property known as Broughton Lodge Farm, St. Mary. Presented: 23rd August 2018, <i>Privileges and Procedures Committee</i> .	R.111/2018.
Contingency allocation: revised policy – August 2018. Presented: 24th August 2018, <i>Minister for Treasury and Resources</i> .	R.112/2018.
Transfers between heads of expenditure under the Public Finances (Jersey) Law 2005: Article 18(1)(c) and (1A) – 23rd August 2018. Presented: 24th August 2018, <i>Minister for Treasury and Resources</i> .	R.113/2018.
Jersey Bank Depositors Compensation Board: Annual Report and Audited Financial Statements for the year ended 31st January 2018. Presented: 3rd September 2018, <i>Chief Minister</i> .	R.114/2018.
Jersey Bank Depositors Compensation Board: appointment of member. Presented: 4th September 2018, <i>Chief Minister</i> .	R.115/2018.

D. NOTIFICATION OF LODGED PROPOSITIONS

Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 6) (Jersey) Regulations 201- Lodged: 20th July 2018, <i>Minister for the Environment</i> .	P.93/2018.
Draft Sea Fisheries (Les Ecréhous) (Jersey) Regulations 201- Lodged: 23rd July 2018, <i>Minister for the Environment</i> .	P.94/2018.
Draft Public Health and Safety (Rented Dwellings) (Jersey) Law 2018 (Appointed Day) Act 201- Lodged: 24th July 2018, <i>Minister for the Environment</i> .	P.95/2018.
Public impact of Propositions: proposed amendment to Standing Orders. Lodged: 3rd August 2018, <i>Deputy G.C.U. Guida of St. Lawrence</i> .	P.96/2018.
Public impact of Propositions: proposed amendment to Standing Orders (P.96/2018) – amendment. Lodged: 20th August 2018, <i>Deputy S.M. Wickenden of St. Helier</i> .	P.96/2018. Amd.
Public impact of Propositions: proposed amendment to Standing Orders (P.96/2018) – second amendment. Lodged: 22nd August 2018, <i>Senator S.C. Ferguson</i> .	P.96/2018. Amd.(2)
Ratification of the Agreement between the Government of Jersey and the Government of the United Kingdom of Great Britain and Northern Ireland for the Elimination of Double Taxation with respect to Taxes on Income and on Capital Gains and the Prevention of Tax Evasion and Avoidance. Lodged: 3rd August 2018, <i>Minister for External Relations</i> .	P.97/2018.



Draft Amendment (No. 36) of the Standing Orders of the States of Jersey. P.98/2018.
Lodged: 13th August 2018, *Privileges and Procedures Committee*.

Entitled status on social and economic grounds: changes to legislation. P.99/2018.
Lodged: 14th August 2018, *Deputy J.H. Perchard of St. Saviour*.

Rejection of Planning Application relating to Retreat Farm, La Rue de La P.100/2018.
Frontière, St. Mary and Rue des Varvots, St. Lawrence: rescindment of
Ministerial Decision.
Lodged: 20th August 2018, *Deputy S.M. Wickenden of St. Helier*.

Standing Orders of the States of Jersey: rescindment of Standing Order P.101/2018.
141A(2)(c).
Lodged: 23rd August 2018, *Deputy R. Labey of St. Helier*.

Ratification of the Agreement between Jersey and the Principality of P.102/2018.
Liechtenstein for the Elimination of Double Taxation with Respect to Taxes
on Income and on Capital and the Prevention of Tax Evasion and Avoidance.
Lodged: 30th August 2018, *Minister for External Relations*.

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 –

Migration Policy. P.70/2018.
Lodged: 15th March 2018, *Council of Ministers*.

States Members’ duties. P.71/2018.
Lodged: 29th March 2018, *Privileges and Procedures Committee*.

Consultation on pedestrian crossings on Bagatelle Road. P.91/2018.
Lodged: 21st June 2018, *Deputy J.M. Maçon of St. Saviour*.

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS (*Explanatory note attached*)

Nomination of the following 3 persons as members of the Public Accounts Committee who are not members of the States –

Mr. Tim H.J. Rogers
Ms. Mary-Rose (Moz) Scott
Mr. Adrian Lane

Appointment of the Bailiff’s Consultative Panel.

G. MATTERS OF PRIVILEGE

H. PETITIONS



I. QUESTIONS

(a) – Written Questions

(attached)

- WQ.128/2018 1. The Minister for Education will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding contracts in the education sector with externally employed and self-employed people.
- WQ.129/2018 2. The Chief Minister will table an answer to a question asked by the Deputy of St. John regarding political oversight of the Communications Unit.
- WQ.130/2018 3. The Minister for Social Security will table an answer to a question asked by the Deputy of St. John regarding her Department's involvement with Christmas payments made to the elderly by a well-known local benefactor.
- WQ.131/2018 4. The Chief Minister will table an answer to a question asked by the Deputy of St. John regarding registration cards issued to people with Registered status.
- WQ.132/2018 5. The Minister for Social Security will table an answer to a question asked by Deputy S.M. Ahier of St. Helier regarding the claimants of the Food Costs Bonus and Cold Weather Bonus.
- WQ.133/2018 6. The Minister for Infrastructure will table an answer to a question asked by the Deputy of St. John regarding properties which are not connected to the main sewage system.
- WQ.134/2018 7. The Minister for Social Security will table an answer to a question asked by Deputy S.M. Ahier of St. Helier regarding people in receipt of the Level 3 personal care component of Income Support.
- WQ.135/2018 8. The Minister for Treasury and Resources will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the Jersey Reclaim Fund.
- WQ.136/2018 9. The Chairman of the States Employment Board will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the public sector pay award for 2018.
- WQ.137/2018 10. The Minister for Education will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the adjustments to tuition fee awards in respect of Higher Child Allowance.
- WQ.138/2018 11. The Chairman of the Privileges and Procedures Committee will table an answer to a question asked by Senator S.Y. Mézec regarding the introduction of online voting.
- WQ.139/2018 12. The Chairman of the Comité des Connétables will table an answer to a question asked by Senator S.Y. Mézec regarding a breakdown of honorary police officers by Parish and by age.
- WQ.140/2018 13. The Chairman of the Comité des Connétables will table an answer to a question asked by Senator S.Y. Mézec regarding the recent elections for Procureur du Bien Public.
- WQ.141/2018 14. The Minister for Social Security will table an answer to a question asked by Senator S.C. Ferguson regarding unemployment statistics.



- WQ.142/2018 15. The Chief Minister will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding individuals applying for Entitled status before completing 10 years of ordinary residence in Jersey.
- WQ.143/2018 16. The Minister for Health and Social Services will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding diagnoses of mesothelioma.
- WQ.144/2018 17. The Minister for Home Affairs will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding complaints in respect of aggressive or dangerous dogs.
- WQ.145/2018 18. The Minister for Health and Social Services will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the rescheduling of cannabis under Misuse of Drugs legislation.
- WQ.146/2018 19. The Minister for Social Security will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the impact of changes to Social Security contribution rates.
- WQ.147/2018 20. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding engagement with hospital staff in respect of the new Hospital.
- WQ.148/2018 21. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding policy in respect of civil servants found to have lied to States members or the public.
- WQ.149/2018 22. The Minister for Infrastructure will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the outsourcing of services by the Department.

(b) – Oral Questions

(120 minutes)

- OQ.107/2018 1. Deputy K.G. Pamplin of St. Saviour will ask the following question of the Chief Minister –
- “Will the Chief Minister advise when a proposition to bring Article 20 of the Dormant Bank Accounts (Jersey) Law 2017 into force will be brought to the States for scrutiny and debate; and if that is no longer the intention, will he explain why?”
- OQ.105/2018 2. Deputy S.M. Wickenden of St. Helier will ask the following question of the Chief Minister –
- “Will the Chief Minister explain to the Assembly who accompanied him on the recent expedition to the Minquiers and what the purpose of the trip was; and will he state the overall cost?”
- OQ.111/2018 3. Deputy K.F. Morel of St. Lawrence will ask the following question of the Minister for Infrastructure –
- “Will the Minister confirm whether a supplier has been chosen following the tender process CP15/01/377, aimed at finding a supplier of janitorial supplies to the States of Jersey; and, if so, will the Minister tell the Assembly the name of that supplier?”



- OQ.120/2018** 4. The Connétable of St. Helier will ask the following question of the Minister for Infrastructure –
- “Further to his response to Oral Question 87/2018 about the provision of public toilets in St. Helier, that he would take the matter up with the Chief Minister and his Department, will the Minister advise whether he has made any progress in that regard and, if not, when does he plan to do so?”
- OQ.115/2018** 5. Deputy S.M. Ahier of St. Helier will ask the following question of the Minister for Social Security –
- “Will the Minister inform the Assembly whether any people receiving the level 3 care component of Income Support currently receive the Food Costs Bonus and the Cold Weather Bonus?”
- OQ.124/2018** 6. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Children and Housing –
- “Further to the recent announcement that Andium rents will be frozen, what consideration, if any, is the Minister giving to changing the model that rents stand at ‘90% of market rate’, for example by linking rent policy to average earnings?”
- OQ.116/2018** 7. The Deputy of St. Mary will ask the following question of the Minister for Environment –
- “Will the Minister inform the Assembly if he considered the introduction of a complete ban on catching crawfish in Jersey waters (rather than increasing the minimum size limits) given the findings in the addendum to P.93/2018 that there is “a near-complete collapse in the species” around the Channel Islands?”
- OQ.110/2018** 8. Deputy R.J. Rondel of St. Helier will ask the following question of the Minister for Infrastructure –
- “Will the Minister undertake to provide additional parking for both motorbikes and bicycles in St. Helier as a matter of urgency?”
- OQ.114/2018** 9. Deputy J.H. Young of St. Brelade will ask the following question of the Chairman for Privileges and Procedures Committee –
- “Will the Chairman inform the Assembly whether his Committee has considered the Bailiff’s recent ruling that elected members who hold ministerial office cannot ask written questions under Standing Orders of other Ministers and will he also advise what changes, if any, he proposes to make to restore all members’ ability to ask questions relating to work on behalf of their constituents?”
- OQ.113/2018** 10. Deputy R.J. Ward of St. Helier will ask the following question of the Minister for Treasury and Resources –
- “Will the Minister confirm how much money was allocated in the current MTFP for public sector pays rises over the course of the MTFP; and will she state how much of this figure has been allocated to pay awards since the start of the current MTFP?”



- OQ.108/2018** 11. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for Social Security –
- “Further to the then Minister’s indication in the report accompanying P.27/2018 that changes to the Employment Law to introduce breastfeeding rights such as breaks and workplace facilities would be debated by the States ‘later in 2018, to come into force in September 2019’, can the Minister confirm the timescale for lodging the proposed amendments?”
- OQ.117/2018** 12. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –
- “Given the finding of the Food Foundation in ‘Affordability of the UK’s Eatwell Guide’ that 3.7 million children in the UK are living in households for whom a healthy diet is increasingly unaffordable, will the Chief Minister advise what statistics, if any, he has in respect of Jersey on that subject; and, if none, will he undertake to investigate the matter?”
- OQ.118/2018** 13. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Health and Social Services –
- “Further to reports that information regarding possible sites for the Future Hospital may have been withheld from Ministers, the States or the public, will the Minister confirm whether information was withheld; and, if so, what information and who was responsible for this action?”
- OQ.112/2018** 14. Deputy K.F. Morel of St. Lawrence will ask the following question of the Minister for Children and Housing –
- “Will the Minister advise whether he has been informed by Andium Homes of any change in policy that means the company now collects more than the contractually agreed monthly rent from tenants in order to build up one month’s worth of rent in the tenant’s account with Andium; and, if so, when was he informed?”
- OQ.123/2018** 15. Deputy Pamplin of St. Saviour will ask the following question of the Minister for Children and Housing –
- “Will the Minister explain why Andium Homes has not signed up to the landlords’ accreditation scheme (Rent Safe); will he work to ensure that it signs up for this voluntary scheme and, if so, will he provide a date for when this will be achieved?”
- OQ.121/2018** 16. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –
- “Given that the report of the Institute for Public Policy Research Commission, ‘Prosperity and Justice: A plan for the new economy’, has suggested that “the widening gulf between rich and poor [has] damaged our nation’s sense of itself”, will the Chief Minister state whether it is assessment that this also applies to Jersey and, if so, what measures will he take to put fairness at the heart of the economy?”
- OQ.106/2018** 17. Deputy S.M. Wickenden of St. Helier will ask the following question of the Chief Minister –
- “Will the Chief Minister agree to provide by the end of the week members with a list of all the legacy issues he has been dealing with since taking office and will he say which he thinks are the most significant for the Island?”



OQ.109/2018 18. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for Treasury and Resources –

“Can the Minister advise members what progress, if any, has been made towards amending the current position whereby married women are required to obtain the permission of their spouse in order to be able to discuss their taxes with the Taxes Office?”

OQ.119/2018 19. Deputy M.R. Higgins of St. Helier will ask the following question of the Chief Minister –

“What action does policy dictate should be taken in instances where officers are found to have lied, covered up their failures, or otherwise failed either to own up to mistakes or to correct their mistakes?”

OQ.125/2018 20. Deputy M. Tadier of St. Brelade will ask the following question of H.M. Attorney General –

“Will H.M. Attorney General advise whether it is currently legal for a Jersey resident to travel to Switzerland to end his or her life; and what safeguards, if any, exist to prevent an individual who assists a person with such travel from being prosecuted?”

OQ.122/2018 21. The Connetable of St. Helier will ask the following question of the Minister for the Environment –

“When, if at all, does the Minister plan to reconvene the group responsible for implementing the Future St. Helier initiative begun by the former Minister for the Environment?”

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

1st question period – Minister for Economic Development, Tourism, Sport and Culture

2nd question period – Chief Minister

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Draft Limited Liability Companies (Jersey) Law 201- P.85/2018.
Lodged: 21st May 2018, *Chief Minister*.

Draft Limited Liability Companies (Jersey) Law 201- (P.85/2018): comments. P.85/2018.
Presented: 3rd September 2018, *Economic Affairs Scrutiny Panel*. Com.

Health and Safety Appeal Tribunal: re-appointment of members. P.92/2018.
Lodged: 10th July 2018, *Minister for Social Security*.

Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 6) (Jersey) Regulations 201- P.93/2018.
Lodged: 20th July 2018, *Minister for the Environment*.

Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 6) (Jersey) P.93/2018.
Regulations 201- (P.93/2018): addendum to report. Add.
Presented: 6th September 2018, *Minister for the Environment*.



Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 6) (Jersey) Regulations 201- (P.93/2018) and Draft Sea Fisheries (Les Ecréhous) (Jersey) Regulations 201- (P.94/2018): comments. Presented: 31st August 2018, <i>Privileges and Procedures Committee</i> .	P.93/2018 and P.94/2018. Com.
Draft Sea Fisheries (Les Ecréhous) (Jersey) Regulations 201-. Lodged: 23rd July 2018, <i>Minister for the Environment</i> .	P.94/2018.
Draft Sea Fisheries (Les Ecréhous) (Jersey) Regulations 201- (P.94/2018): addendum to report. Presented: 6th September 2018, <i>Minister for the Environment</i> .	P.94/2018. Add.
Draft Public Health and Safety (Rented Dwellings) (Jersey) Law 2018 (Appointed Day) Act 201-. Lodged: 24th July 2018, <i>Minister for the Environment</i> .	P.95/2018.
Public impact of Propositions: proposed amendment to Standing Orders. Lodged: 3rd August 2018, <i>Deputy G.C.U. Guida of St. Lawrence</i> .	P.96/2018.
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Draft Amendment (No. 36) of the Standing Orders of the States of Jersey. Lodged: 13th August 2018, <i>Privileges and Procedures Committee</i> .	P.98/2018.
Entitled status on social and economic grounds: changes to legislation. Lodged: 14th August 2018, <i>Deputy J.H. Perchard of St. Saviour</i> .	P.99/2018.

M. ARRANGEMENT OF PUBLIC BUSINESS

25th September 2018

Ratification of the Agreement between the Government of Jersey and the Government of the United Kingdom of Great Britain and Northern Ireland for the Elimination of Double Taxation with respect to Taxes on Income and on Capital Gains and the Prevention of Tax Evasion and Avoidance. Lodged: 3rd August 2018, <i>Minister for External Relations</i> .	P.97/2018.
Rejection of Planning Application relating to Retreat Farm, La Rue de La Frontière, St. Mary and Rue des Varvots, St. Lawrence: rescindment of Ministerial Decision. Lodged: 20th August 2018, <i>Deputy S.M. Wickenden of St. Helier</i> .	P.100/2018.
Standing Orders of the States of Jersey: rescindment of Standing Order 141A(2)(c). Lodged: 23rd August 2018, <i>Deputy R. Labey of St. Helier</i> .	P.101/2018.



23rd October 2018

Ratification of the Agreement between Jersey and the Principality of Liechtenstein for the Elimination of Double Taxation with Respect to Taxes on Income and on Capital and the Prevention of Tax Evasion and Avoidance. P.102/2018.

Lodged: 30th August 2018, *Minister for External Relations.*

DR. M. EGAN
Greffier of the States

6th September 2018

Note –

In accordance with the meeting dates fixed for 2018 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 12th and Thursday 13th September 2018.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.79/2018.

Animal Health (Waste Food) (Jersey) Order 2018.

This Order regulates the storage and disposal of waste food, including requirements as to cleansing and disinfection of food containers, breach of the Order being an offence under the Animal Health (Jersey) Law 2016.

Article 1 defines terms used in the Order, most notably “waste food” which primarily relates to waste meat or other animal products.

Article 2 imposes restrictions on the feeding of waste food to ruminating animals, swine or poultry, its collection from premises except by a waste disposal service or person licensed under *Article 4* or its composting otherwise than as permitted by *Article 5*.

Article 3 sets out requirements regarding containers for storing waste food.

Article 4 prohibits the collection or transport of waste food (except by a public waste disposal service) otherwise than in accordance with a licence granted by an inspector.

Article 5 enables a person responsible for premises where waste food originated to dispose of the waste food by transporting it to a site authorized under the Waste Management (Jersey) Law 2005 or composting it on the premises. Requirements are imposed in respect of the containers for transporting the waste food, including maintaining the container and the vehicle used to transport it in a hygienic state. The Article also sets out the conditions under which waste food may be composted, including by means of a licence granted by a veterinary inspector.

Article 6 sets out the fees payable on an application for a licence under *Article 4* or *Article 5*.

Article 7 contains the requirements as to cleansing and disinfection.

Article 8 saves current licences granted under the Diseases of Animals (Waste Foods) (Jersey) Order 1958 and *Article 9* revokes that Order.

Article 10 provides for name by which the Order is cited for it to come into force 7 days after it is made.

The Order was made on 12th July 2018 and came into force on 19th July 2018.

R&O.80/2018.

Animal Health (Animal By-Products) (Jersey) Order 2018.

This Order regulates the disposal of animal by-products, namely animal carcasses or products not intended for human consumption.

Article 1 contains the defined terms. It extends the definition of “disease” to cover botulism and fish diseases and “animal” in Article 4 of the Law to all animals (other than humans).

Article 2 sets out the animal by-products to which the Order applies or does not apply.

Article 3 provides for the particular rules as to collection, transport and record-keeping relating to animal by-products from a slaughterhouse or dairy and dead farm animals.

Article 4 regulates the disposal of milk.

Article 5 provides for the disposal of pet remains.

Article 6 covers the disposal of aquaculture and aquatic animals and sets out a special provision for aquatic animals used as bait.

Article 7 regulates the feeding of animal by-products to zoo animals, kennelled and packs of dogs and certain wild birds.



Article 8 covers the disposal of oocytes, embryos and semen not intended for breeding purposes as well as apiculture by-products.

Article 9 sets out a series of safety measures applicable to manure.

Article 10 regulates imports of waste containing animal by-products.

Article 11 sets out the rules as to storage prior to disposal that apply to various categories of animal by-product dealt with in the Order.

Article 12 states that the Order does not limit the Minister's powers in respect of the control or eradication of disease or control of a specified pathogen.

Article 13 provides for the fees for the various matters connected with licences under the Order.

Article 14 provides for name by which the Order is cited and for it to come into force 7 days after it is made.

The *Schedule* sets out the rules relating to cleansing and disinfection applicable where any provision of the Order requires this to be carried out.

The Order was made on 12th July 2018 and came into force on 19th July 2018.

R&O.81/2018.

Official Publications (Publication of Jersey Gazette) (Jersey) Order 2018.

This Order provides for the Jersey Gazette to be published on-line at the website gov.je/gazette. The Official Publications (Amendment No. 2) (Jersey) Law 2017, which comes into force on 3rd July 2018 by an Appointed Day Act, replaces the requirement for the Jersey Gazette to be published in an English newspaper circulating in Jersey with a requirement for it to be published "in such manner as the Chief Minister prescribes by Order, being a manner that is sufficient to bring it to the attention of the public in general."

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

The Order was made on 13th July 2018 and came into force on 14th July 2018.

R&O.82/2018.

States of Jersey (Minister for International Development and Minister for Children and Housing) (Jersey) Order 2018.

This Order establishes a Minister for International Development and renames the Minister for Housing as the Minister for Children and Housing.

Part 1 makes provision for the Minister for International Development.

Article 1 is an interpretation provision. "Commission" refers to the Jersey Overseas Aid Commission established under the Jersey Overseas Aid Commission (Jersey) Law 2005 and "Chairman" refers to the Chairman of that Commission.

Article 2 establishes the new office of Minister for International Development.

Article 3 sets out the responsibilities of the Minister. In conjunction with the Commission, the Minister is responsible for policy on promoting economic and social development in developing countries and for policy on humanitarian aid overseas.

Article 4 provides that a person who is appointed Minister automatically becomes the Chairman of the Commission and, where no Minister has been appointed, Chairman automatically becomes the Minister.

Article 5 amends the Standing Orders of the States of Jersey to add the "International Development" as a ministerial office.



Article 6 amends the Commission's constitution set out in Schedule 1 to the Jersey Overseas Aid Commission (Jersey) Law 2005 so that the provisions relating to termination of the office of a member of the Commission do not apply to the Chairman. As the Chairman is the Minister for International Development, the provisions in the States of Jersey Law 2005 and the Standing Orders of the States of Jersey that relate to termination of appointment as Minister will apply instead. *Article 4* makes provision so that a person who ceases to be Minister automatically ceases to be the Chairman also.

Part 2 of the Order makes provision relating to the renaming of the Minister for Housing.

Article 7 renames the Minister for Housing as the Minister for Children and Housing and provides for the Minister to be responsible for promoting the well-being of children. The Minister's responsibilities relating to housing are unaffected.

Article 8 makes consequential amendments to enactments which refer to the Minister for Housing by substituting the new name of the Minister.

Part 3 is the closing provision. *Article 9* sets out the title of the Order and provides for it to come into force on the day after the day it is made.

The Order was made on 20th July 2018 and came into force on 21st July 2018.

R&O.83/2018.

Sea Fisheries (Spider Crabs – Restrictions on Fishing) (Jersey) Order 2018.

This Order, when read with Regulations 5 and 5A of the Sea Fisheries (Miscellaneous Provisions) (Jersey) Regulations 1998, prohibits the fishing, taking or storing of soft-shelled spider crabs during the period from 1st September 2018 to 15th October 2018 inclusive. During the same period the Order also prohibits the use of passive fishing gear within the sea area specified in the Schedule.

The Order was made on 24th July 2018 and came into force on 31st July 2018.

R&O.84/2018.

Financial Services Commission (Financial Penalties) (Amendment) (Jersey) Order 2018.

This Order amends the Financial Services Commission (Financial Penalties) (Jersey) Order 2015 to include in the Schedule to that Order a new band of financial penalty that the Commission may impose to cover negligent contraventions of a Code of Practice to which Article 21A of the Financial Services Commission (Jersey) Law 1998 applies. The maximum level of penalty that would be imposed for such a contravention is 7% of relevant income (as defined in, and calculated in accordance with, Article 2 of the Financial Services Commission (Financial Penalties) (Jersey) Order 2015) up to a maximum of £4,000,000.

The Order was made on 26th July 2018 and came into force on 2nd August 2018.

R&O.85/2018.

EU Legislation (Sanctions – Republic of Maldives) (Jersey) Order 2018.

This Order gives effect in Jersey to Council Regulation (EU) 2018/1001 of 16 July 2018 concerning restrictive measures in view of the situation in the Republic of Maldives (OJ L 180, 17.7.2018, p. 1.) ("Regulation (EU) 2018/1001" as defined in *Article 1*).

This Order contains an ambulatory reference, in *Article 2*, to the Annexes to Regulation (EU) 2018/1001. If the EU amends the lists of persons subject to the restrictive measures, or the details of the competent



authorities in the Member States, the effect of the ambulatory reference is that EU amendment takes effect automatically in Jersey without the need for any amendment to this Order.

Articles 3 provides that this Order is a relevant special Order for the purpose of the General Provisions Order (as defined in *Article 1*) and provides that Regulation (EU) 2018/1001 is the relevant EU provision for the purpose of the general provisions of the General Provisions Order, when those general provisions are read as part of this Order.

Article 4 provides for Regulation (EU) 2018/1001 to have effect as if it were an enactment –

- (a) to any extent that it does not otherwise have effect in Jersey; and
- (b) subject to the modifications made by the general provisions that are to be read as part of this Order by virtue of *Article 3* and the General Provisions Order.

Article 5 creates offences for breaches of provisions, specified in that Article, of Regulation (EU) 2018/1001 and of the General Provisions Order. The maximum penalty of imprisonment is set at 7 years for the main offence of breaching the key prohibitions in Regulation (EU) 2018/1001, which is the highest allowed under Article 2(6)(a)(i) of the European Union Legislation (Implementation) (Jersey) Law 2014, as amended by Article 22(1) of the United Nations Financial Sanctions (Jersey) Law 2017. For the offences of giving false information, or destroying documents to evade a duty to give information, the maximum penalty of imprisonment is set at 2 years. For the offences of failing to provide information it is set at one year.

Article 6 provides for citation of this Order and provides for it to come into force on the day after it is made.

The Order was made on 2nd August 2018 and came into force on 3rd August 2018.

R&O.86/2018.

Education (Grants and Allowances) (Jersey) Order 2018.

This Order makes provision for grants and allowances for higher education replacing the current Education (Discretionary Grants – General) (Jersey) Order 2008 and the Education (Discretionary Grants – Amounts) (Jersey) Order 2008.

Part 1 deals with interpretation. *Article 1* defines a number of terms used in the Order, including cross referring to a number of terms which are defined in *Articles 2 to 6*. *Articles 2 to 6* define “dependent student”, “independent student”, “resident”, “relevant income of dependent student”, “relevant income of dependent student living with a ‘relevant person’ ” (the latter being a person who is not a parent); and “relevant income of independent student”. These provisions largely mirror the equivalent provisions in the Education (Discretionary Grants – General) (Jersey) Order 2008.

Part 2 sets out the conditions for eligibility for a grant.

Article 7 set out the general rule for eligibility: a student must be over 16 on 31st August immediately preceding the first academic year of the course and resident in Jersey.

Article 8 sets out the level of higher education courses for which a student must have at least one A-level or equivalent to be eligible for a grant and the level of higher education courses for which a student must have at least 2 A-levels or equivalent. In addition, a student who has a Higher National Diploma is eligible for a grant for a 2 year first degree level course. These requirements do not apply in the case of an independent student, provided the student has been offered a place at the institution providing the course.

Under *Article 9* a student is eligible for a grant in respect of a full-time course of postgraduate education if it is to prepare for a professional examination at a level higher than A-level or equivalent.

Under *Article 10* a student is eligible for a grant in respect of an arts foundation course in the United Kingdom, Channel Islands or Isle of Man if the student has attained one A-level (see *Article 8*) and has not been awarded a grant for a course for a professional examination under *Article 9*.



Under *Article 11*, a student is eligible for a grant for a distance learning course provided the student has not already been awarded a grant under *Article 8* for a higher education course. “Distance learning course” means a course which does not require a student to attend a particular place for its provision.

Part 3 sets out the amount of grant than can be awarded.

Article 12 is an interpretation provision for the purposes of **Part 3**.

Article 13 sets out in the form of a table the amount of grant that may be awarded subject to a number of variations set out in *Articles 14 to 20*. The maximum amount of grant for tuition fees and maintenance that is payable depends on the amount of relevant income which is applicable to the student calculated under *Article 4, 5 or 6* as the case may be. If the amount of tuition fees charged is lower than the amount of tuition fees grant that would be payable under the table, only the amount charged for the tuition fees is paid.

Under *Article 14*, the grant for tuition fees for a course in medicine, dentistry, veterinary science or a related subject may be increased to the actual cost for such tuition or such other amount which the Minister considers to be appropriate in respect of any academic year which includes a period of clinical training.

Under *Article 15*, the grant for maintenance is increased by £1,000 per academic year for a course in medicine, dentistry, nursing or veterinary science where the relevant income is less than £100,000.

Under *Article 16*, the grant for tuition fees for an Arts foundation course is limited to the actual cost of tuition fees for an equivalent course provided by Highlands College, Jersey.

Article 17 provides that *Article 13* does not apply in respect of a distance learning course. Instead a percentage of the tuition fees is reimbursed, the amount of reimbursement depending on the relevant income which is applicable to the student.

Article 18 provides that where the relevant assets that are applicable to a student exceed £500,000, the relevant income which is deemed to be applicable to the student is £200,000 or more for the purposes of the table in *Article 13*. Under that table no grant is payable for tuition fees or maintenance where relevant income is £200,000 or more.

Under *Article 19*, where relevant income is entitled to an exemption threshold increase and deduction under the Income Tax (Jersey) Law 1961 in respect of a student over the age of 17 years, the grant for tuition fees is reduced by the amount of benefit that is derived from that entitlement. The amount of this entitlement is calculated by the Comptroller of Taxes, as provided for in *Article 27*.

Article 20 makes provision for the grant to be reduced by 25% per year for a 4 year course in higher education other than where the course is a distance learning course or where the course requires that all students spend a year of that course at a place other than at the institution which they attend for the other 3 years (referred to colloquially as a “placement” year).

Part 4 makes provision for allowances for specific purposes.

Under *Article 21*, a student who is under 19 years of age on the 31st August immediately preceding a full-time course outside Jersey, may receive an allowance of £6,675 for that course if an equivalent course is not available in Jersey or, if an equivalent course is available in Jersey, participation on the course enables the student to receive training or development opportunities which would not be available in Jersey. (Examples could include full-time courses at stage schools providing academic education.)

Under *Article 22*, where the relevant income applicable to a student is less than £50,000, a student may receive an allowance to cover the actual travel costs for attending an interview, subject to a maximum amount of £258.

Under *Article 23*, a disabled student who is eligible for consideration for a grant under *Article 7* may be paid an allowance to help with attending a course. These include the costs of a non-medical helper and the cost of purchasing or hiring specialist equipment. If the relevant income applicable to the student is less than £50,000 a year, the allowance is subject to a maximum amount of £5,151. An allowance for the services of a non-medical helper are limited, other than in exceptional cases, to an amount that is the equivalent of providing such services for an hour during each week of the course.

Under *Article 24*, a student may be paid an allowance for attendance at an institution during vacation if it is a requirement of the course. The maximum amount is £18.11 a day if the institution is in the United Kingdom, Channel Islands or the Isle of Man, or £22.24 a day if it is elsewhere.



Under *Article 25* a student may be paid an amount for attending a place during term-time which is other than at the institution providing the course if the purpose is to enhance the benefit of the course and attendance is not compulsory. The amount of the allowance is the same as for the vacation study allowance payable under *Article 24*.

Part 5 sets out general provisions relating to grants and allowances.

Article 26 sets out the procedures for applying for a grant or allowance. The application must be made no later than 31st December of the academic year to which the application relates and must include details of relevant income and relevant assets.

Article 27 makes provision for the Comptroller of Taxes to use information held under the Income Tax (Jersey) Law 1961 to calculate the amount of any reduction to a grant that may be required under *Article 19* and to provide the Minister for Education with that information and any other information which the Minister may need in order to ascertain or verify the correct amount of a grant or allowance or to verify any information provided by an applicant under *Article 26*.

Article 28 makes provision for when a grant or allowance may be transferred from one course to another, extended by reason of ill health or other extenuating circumstances, suspended or deferred.

Article 29 makes provision so that a grant or allowance can be withdrawn if a student abandons a course, fails any of it, or the institution providing the course refuses to allow the student to complete it.

Article 30 allows a grant or allowance to be paid in instalments or as a provisional payment or directly to the institution providing the course (or to any combination of these).

Article 31 requires the student, or a parent in the case of a student under the age of 18, to give a written undertaking to repay the grant or allowance in the event of overpayment or it being withdrawn or stopped under this Order.

Article 32 makes provision for a grant or allowance to be reduced if a student is not in full-time attendance on a full-time course.

Article 33 makes provision for a grant or allowance to be suspended or withdrawn if inaccurate, false or misleading information has been supplied in connection with an application; if the student is excluded or temporarily absent from the course without permission or has not provided details of any change in information given in respect of an application.

Article 34 makes provision for a person to appeal against a decision made under the Order.

Part 6 contains repeal, transitional, saving and closing provisions.

Article 35 repeals the Education (Discretionary Grants – General) (Jersey) Order 2008 and the Education (Discretionary Grants – Amounts) Order 2008.

Article 36: broadly the effect of this Article is that, despite *Article 35*, the Orders repealed by that Article continue as if in force in respect of anything done under those Orders for an academic year ending before 1st September 2018. However, anything done under those Orders in respect of an application made for an academic year starting on or after 1st September 2018 is deemed to have been done under this Order. *Article 36* also allows the Minister to make such award as he or she thinks appropriate if, as a result of the commencement of this Order, a student in receipt of a grant or allowance for the academic year starting 1st September 2017 receives a grant or allowance of a lower amount for the academic year starting 1st September 2018 than he or she would have done if this Order had not come into force.

Article 37 states the title by which this Order may be cited and provides for it to come into force on 1st September 2018.

The Order was made on 10th August 2018 and came into force on 1st September 2018.

R&O.87/2018.

EU Legislation (Sanctions – South Sudan) (Amendment No. 2) (Jersey) Order 2018.

This Order amends the EU Legislation (Sanctions – South Sudan) (Jersey) Order 2015 to give effect to Council Regulation (EU) 2018/1116 of 10 August 2018 (OJ L 204, 13.8.2018, p. 6) amending Regulation (EU) 2015/735 concerning restrictive measures in respect of the situation in South Sudan. Council



Regulation (EU) 2018/1116 implemented United Nations Security Council Resolution 2428 (2018). The amendments alter the content of 2 of the prohibitions (extending the types of service that are prohibited) and 2 of the exceptions (mainly relating to international intervention).

The Order was made on 24th August 2018 and came into force on 25th August 2018.



APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

(See Item F)

Public Accounts Committee: Appointment of unelected members

In accordance with Standing Order 124(1) the Chairman of the Public Accounts Committee has given notice of her nominations for the positions of unelected member of the Public Accounts Committee as follows –

Mr. Tim H. J. Rogers
Ms. Mary-Rose (Moz) Scott
Mr. Adrian Lane

In accordance with Standing Order 131(1)(b), the constitution of the Public Accounts Committee provides that (not including the Chairman) there must be equal numbers of elected members (who are not Ministers or Assistant Ministers) and non-States members.

In accordance with Standing Order 124(2) any alternative nominations for membership of the Public Accounts Committee must have been received by the Greffier of the States no later than 2 clear working days before the meeting, namely no later than 6th September 2018. If alternative nominations are received a secret ballot will be held.

Biographies

- 1. Mr Tim H. J. Rogers**
Formerly, project manager for the Incorporation of Jersey Post, on the Treasury Steering Group for Jersey Telecom and responsible for the Incorporation of Ports of Jersey. Also worked with Health and Social Services, reviewing governance models. Background in business/commercial and finance. Tutor/mentor for the Chartered Management Institute and an APMG qualified Change Practitioner.
- 2. Ms Mary-Rose (Moz) Scott**
Former specialist in tax, structured finance and corporate law. Qualified solicitor in English and Jersey law, experience in London and Jersey. Former partner and director of commercial practice in the finance industry.
- 3. Mr Adrian Lane**
Tenured finance director, JFSC approved, Fellow of the Institute of Chartered Accountants and holder of the Diploma in Company Direction of the Institute of Directors. Executive on local audit committee. Background in industrial and consumer market sectors, principally with businesses going through transformational change.

Process

The Public Accounts Committee advertised on social and traditional media for non-Members who wished to put themselves forward for appointment to the Committee under Standing Order 124. The advert sought experienced professionals able to demonstrate a successful track record in finance, legal, regulatory or a similar environment. Executive or director level experience in complex organisations was considered an advantage, as was a high degree of literacy in accounting. The candidates were sent further information detailing the role and responsibilities of unelected members, and advised that these roles are not remunerated and expenses are not ordinarily payable. Given that successful candidates would be expected to attend and participate in (at least) 2 meetings per month, be called to attend other working meetings or public hearings and could expect to receive significant quantities of documentation to review, the candidates were advised of the demanding workload accordingly.



The shortlisting panel comprised the Chairman, the Greffier of the States and the Viscount, abiding by Jersey Appointments Commission guidance, including the appropriate documentation and management of any conflicts of interest. It used a scoring matrix in order to assess the candidates objectively. Four applicants were shortlisted for interview and were interviewed by the same panel on 20th and 25th July 2018.

Bailiff's Consultative Panel: Appointment of members

On 7th July 1992 the States, adopting a proposition of former Senator R.J. Shenton, *“agreed to establish a Consultative Panel of elected members of the States with whom the Bailiff would be able to meet in order to consult on a confidential basis in appropriate cases”*.

The composition of the Panel has been amended on a number of occasions since 1992 to reflect changes to the machinery of government and the current composition, agreed on 16th May 2006, is as follows –

- the Chief Minister;
- the Minister for Treasury and Resources;
- the Chairman of the Privileges and Procedures Committee;
- the Chairman of the Comité des Connétables; and
- five other members elected by ballot by the States for a period of 3 years.

On 22nd September 2015, the States appointed former Senator P.F.C. Ozouf, Senator L.J. Farnham, the Connétable of St. Lawrence, the Deputy of Grouville and Deputy J.A. Martin of St. Helier as the 5 members elected by ballot for 3 years.

Although the Panel does not meet frequently it nevertheless enables the Bailiff to discuss various matters with elected members. For example, matters discussed by the Panel in the past few years have included the plans for Liberation Day and Royal visits, the arrangements for the departure of His Excellency the Lieutenant Governor and the arrival of his successor, the appointment of Crown Officers and the appropriate way to mark the retirement of the Bailiff.

As the 3 year term of office of the 5 members elected by ballot in 2015 will soon expire (and as there are currently 2 vacancies) it is necessary to re-appoint members. In accordance with the procedure followed in 2015, nominations will be invited from the floor and each nomination will need to be seconded. If there are more than 5 nominations made a secret ballot will be held and the 5 members receiving the largest numbers of votes will be elected as members of the Panel. In any ballot each member would be able to cast up to 5 votes.



WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Education will table an answer to the following question asked by Deputy R.J. Ward of St. Helier –

“Will the Minister advise –

- (a) how much has been spent, for each year from 2014 to 2018 to date, on contracts with people who are either externally employed or self-employed and who have acted as advisers, professional partners or training specialists or who have undertaken school reviews (and subsequent implementation or support work) across all sectors of education on a consultant or non-consultant basis;
- (b) what budget provision has been made for such spending in 2018, 2019 and 2020; and
- (c) what is the breakdown of individual costs for each project, or anticipated project, across this expenditure or budgeted expenditure?”

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

“Will the Chief Minister explain how political oversight of the Communications Unit is exercised; which Ministers are responsible for exercising such oversight; and whether Ministers are able to amend the content before communications are released to the public?”

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

“Further to reports that the criteria for Christmas payments to the elderly made by a well-known local benefactor are to be changed, will the Minister explain what plans, if any, there are for her Department to work with the benefactor in respect of the amended scheme and, in particular, will she advise –

- (a) whether it is planned that the Department will assist in identifying who is in receipt of Income Support and, if so, whether the permission of such recipients will be sought before the relevant information is made available to the benefactor; and
- (b) whether it is planned that the Department will take over administration of the distribution of the payments and, if so, whether distribution will continue to take place at Parish Halls?”

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

“How many registration cards for Registered status have been issued this year; and how many job vacancies accessible by people with Registered status have been available during this period?”

5. The Minister for Social Security will table an answer to the following question asked by Deputy S.M. Ahier of St. Helier –

“Will the Minister inform the Assembly of the total number of people who are claiming –



- (a) the Food Costs Bonus;
- (b) the Cold Weather Bonus;
- (c) both the Food Costs Bonus and the Cold Weather Bonus;

and will she further advise how many of these claims are from people with a disability?”

6. The Minister for Infrastructure will table an answer to the following question asked by the Deputy of St. John –

“Given that, in 2013, it was estimated that some 9% of properties (all in the country Parishes) were not connected to mains drains, will the Minister state what percentage of properties now fall in that category; and will he explain what plans, if any, there are to connect such properties to the main sewage system?”

7. The Minister for Social Security will table an answer to the following question asked by Deputy S.M. Ahier of St. Helier –

“Will the Minister inform the Assembly of the total number of people with disabilities who are currently in receipt of the Level 3 personal care component of Income Support?”

8. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy K.G. Pamplin of St. Saviour –

“Will the Minister provide the latest figures for money currently held within, and so far claimed from, the Jersey Reclaim Fund, including any use of the Fund for the recovery of expenses in accordance with Article 27 of the Dormant Bank Accounts (Jersey) Law 2017?”

9. The Chairman of the States Employment Board will table an answer to the following question asked by Deputy R.J. Ward of St. Helier –

“Given the latest published Retail Prices Index (RPI) figure for 2018 is 4.5%, will the Chairman provide –

- (a) the percentage, and precise number, of States workers offered a pay award for 2018 below RPI, including the non-consolidated element of the pay award;
- (b) the percentage, and precise number, of States workers offered a pay award for 2018 below RPI, excluding the non-consolidated element of the pay award;
- (c) a breakdown of the pay awards offered to each group of workers (as shown in the media release of 10th August 2018) by the percentage of States workers and the actual numbers of workers included within each pay award percentage band (e.g. 2% to 3%); and
- (d) the proportions and numbers for parts (a) and (b) for 2019 on the basis that RPI remains at 4.5%?”



10. The Minister for Education will table an answer to the following question asked by Deputy R.J. Ward of St. Helier –

“Will the Minister advise –

- (a) how many families with students currently in their second or third year of university will see their tuition fee award for the 2018-2019 academic year reduced to reflect the value of the tax relief received through the Higher Child Allowance (HCA);
- (b) what the cost would be of not making these reductions; and
- (c) what plans, if any, there are to address the issue of HCA adjustments for tuition fee awards in the 2019-2020 academic year?”

11. The Chairman of the Privileges and Procedures Committee will table an answer to the following question asked by Senator S.Y. Mézec –

“Following the adoption by the States of ‘Public Elections: electronic voting’ (P.10/2016) and the agreement to introduce online voting, will the Chairman advise what progress has been made towards the introduction of online voting for the 2022 election and what the timetable is for having a fully secure system tested and in place?”

12. The Chairman of the Comité des Connétables will table an answer to the following question asked by Senator S.Y. Mézec –

“Will the Chairman publish the number of people currently serving as honorary police officers, broken down by Parish and the following age brackets?

20-29
30-39
40-49
50-59
60-69”

13. The Chairman of the Comité des Connétables will table an answer to the following question asked by Senator S.Y. Mézec –

“Further to this year’s elections to the office of Procureur du Bien Public, will the Chairman advise –

- (a) how these elections were promoted by the Parishes in advance of the nomination meetings, beyond any statutorily required notice in the Jersey Gazette;
- (b) what the results of these nomination meetings were;
- (c) before this question was submitted, what notifications, if any, were published by the Parishes to announce the results of these nomination meetings; and
- (d) what plans, if any, does the Comité have to improve public engagement with elections for Procureur?”



14. The Minister for Social Security will table an answer to the following question asked by Senator S.C. Ferguson –

“Will the Minister advise –

- (a) how many people are currently on the Back to Work scheme;
- (b) how many people are currently listed as actively seeking work;
- (c) how these two sets of figures reconcile with unemployment figures published by Statistics Jersey; and
- (d) whether it is possible for someone of working age to have ceased working, or to have ceased looking for a job, and not to appear in records maintained by her Department in respect of unemployment and job seekers?”

15. The Chief Minister will table an answer to the following question asked by Deputy C.S. Alves of St. Helier –

“Will the Chief Minister advise –

- (a) how many individuals have applied for Entitled status in the last 5 years before reaching 10 years of ordinary residence in the Island;
- (b) how many of these people were granted Entitled status; and
- (c) what the reasons were for granting Entitled status in such cases?”

16. The Minister for Health and Social Services will table an answer to the following question asked by Deputy C.S. Alves of St. Helier –

“Will the Minister state –

- (a) how many diagnoses of mesothelioma there have been in the last 10 years; and
- (b) what the average life expectancy is of those who have been diagnosed in Jersey?”

17. The Minister for Home Affairs will table an answer to the following question asked by Deputy C.S. Alves of St. Helier –

“Will the Minister advise –

- (a) how many complaints, if any, there have been regarding aggressive or dangerous behaviour by dogs towards other dogs or people in the last 5 years;
- (b) how many of these complaints, if any, have resulted in court proceedings; and
- (c) how many of any such proceedings have been awarded in favour of the complainant?”

18. The Minister for Health and Social Services will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“What is the Minister’s assessment of the finding of ‘Cannabis: The Evidence for Medical Use’ (i.e. the Barnes Report) that “*cannabis does have medicinal value and continuing placement of cannabis under Schedule 1 of the Misuse of Drugs Act, which thus states it is of no medicinal value, is inaccurate and misleading*”; will he undertake to re-visit the scheduling of cannabis under Jersey



law; if not, will he explain why not; and, if so, will he state when cannabis will be removed from Schedule 1 of the Misuse of Drugs (Jersey) Law 1978?”

19. The Minister for Social Security will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“What would be the estimated change in yield were the rate of Social Security contributions changed to –

- (a) 5% for both employee and employer, with no cap; and
- (b) with only employee contributions at 5%, with no cap?”

20. The Minister for Health and Social Services will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister advise members in detail of the nature of his Department’s engagement with hospital staff regarding the building of the new hospital on the existing site, including, but not restricted to, details of –

- (a) the number and nature of any briefings on the proposals, including who was involved and the number of people participating;
- (b) the number and nature of any meetings to discuss the minimisation of noise, dust, and vibrations, including details of who was involved; and
- (c) any written consultation with staff and details of the response to that consultation?”

21. The Chief Minister will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Chief Minister advise members what action would be taken under existing policy against any member of the civil service who was found to have lied to States Members and the public, and who would either not admit errors or who covered up their actions; and if such actions would not result in the employee’s dismissal, would he be prepared to make such actions result in the commencement of dismissal proceedings?”

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

“Further to the Minister’s responses to Written Questions 82/2018 and 121/2018, which showed a reduction of 88 staff employed within Parks and Cleaning Services, will the Minister state –

- (a) how many staff were engaged by outsourced companies to deliver parks and cleaning services, the hourly rates of pay that those staff were engaged on, and any differences in comparison with States rates of pay;
- (b) any other differences in terms and conditions that exist between those outsourced workers and those previously employed by the States; and
- (c) what arrangements are in place, if any, to provide a break clause in the 5-year contract duration of the new provision?”



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

Questions without notice 2018

September 25th	Environment	Treasury and Resources
October 9th	Children and Housing	Chief Minister
October 23rd	External Relations	Social Security
November 6th	Home Affairs	Chief Minister
November 20th	International Development	Infrastructure
December 4th	Health and Social Services	Chief Minister