



# STATES OF JERSEY ORDER PAPER

18th JUNE 2019

## SUMMARY

- 9.30 a.m. Communications by the Presiding Officer and other announcements
- Appointments, matters of privilege, petitions (if any)*
- Approx. 9.40 a.m. Summary of written questions
- Up to 2 hours Oral questions with notice
- Urgent questions
- Deputy K.F. Morel of St. Lawrence to the Minister for Social Security regarding the withdrawal of P.17/2019
- Up to 30 minutes, divided between the two Ministers Oral questions without notice:
- Minister for External Relations
  - Chief Minister
- Statements (if any)*
- Approx. 12.10 p.m. **Draft Public Employees (Contributory Retirement Scheme) (Compensatory Added Years) (Amendments) (Jersey) Regulations 201-** (P.37/2019)
- Draft Public Employees (Pension Scheme) (Transitional Provisions, Savings and Consequential Amendments) (Amendment) (Jersey) Regulations 201-** (P.38/2019)
- Draft Human Transplantation and Anatomy (Jersey) Law 2018 (Appointed Day) Act 201-** (P.48/2019)
- Draft Human Transplantation and Anatomy (Jersey) Regulations 201-** (P.49/2019)
- Draft International Co-operation (Protection from Liability) (Jersey) Law 2018 (Appointed Day) Act 201-** (P.51/2019)
- Bus services: proposals to make free of charge** (P.52/2019)
- Bus services: proposals to make free of charge (P.52/2019) – amendment** (P.52/2019 Amd.)
- Bus services: proposals to make free of charge (P.52/2019) – second amendment** (P.52/2019 Amd.(2))
- Bus services: proposals to make free of charge (P.52/2019) – second amendment (P.52/2019 Amd.(2)) – amendment** (P.52/2019 Amd.(2)Amd.)
- 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 19th and Thursday 20th June 2019 if necessary.*



# STATES OF JERSEY ORDER PAPER

18th JUNE 2019

## CONSOLIDATED

### A. COMMUNICATIONS BY THE PRESIDING OFFICER

### B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

Money Laundering (Amendment No. 10) (Jersey) Order 2019. R&O.41/2019.  
*Minister for External Relations.*

\* Control of Housing and Work (Guidance on Temporary Absence and R&O.42/2019.  
Significant Ownership) (Amendment No. 3) (Jersey) Order 2019.  
*Chief Minister.*  
*[Signed for and on behalf of the Chief Minister by the Connétable of St. John.]*

\* EU Legislation (Sanctions – Cyber-Attacks) (Jersey) Order 2019. R&O.43/2019.  
*Minister for External Relations.*

### C. DOCUMENTS PRESENTED

\* Bus services: proposals to make free of charge (P.52/2019) – comments. P.52/2019.  
Presented: 17th June 2019, *Minister for Infrastructure.* Com.

\* Bus services: proposals to make free of charge (P.52/2019) – comments. P.52/2019.  
Presented: 17th June 2019, *Chief Minister.* Com.(2)

\* Bus services: proposals to make free of charge (P.52/2019) – second P.52/2019.  
amendment (P.52/2019 Amd.(2)) – amendment (P.52/2019 Amd.(2)Amd.) – Amd.(2).  
comments. Amd.Com.  
Presented: 17th June 2019, *Minister for Infrastructure.*

States of Jersey Law 2005: delegation of functions – Minister for the R.68/2019.  
Environment – revised delegations June 2019.  
Presented: 6th June 2019, *Minister for the Environment.*

Criminal Injuries Compensation Board: Report and Accounts for 2016–2018. R.69/2019.  
Presented: 7th June 2019, *Minister for Home Affairs.*

Jersey Youth Justice Review. R.70/2019.  
Presented: 7th June 2019, *Minister for Children and Housing.*

Channel Islands Financial Ombudsman: Annual Report 2018. R.71/2019.  
Presented: 14th June 2019, *Minister for Economic Development, Tourism,  
Sport and Culture.*

\* Island-wide Rate Figure for 2019. R.72/2019.  
Presented: 18th June 2019, *Comité des Connétables.*

\* Post-16 Education (S.R.7/2019): response of the Minister for Education. S.R.7/2019.  
Presented: 17th June 2019, *Minister for Education.* Res.



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

|   |                               |
|---|-------------------------------|
| Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.17/2019): amendment (P.17/2019 Amd.) – amendment.<br>Lodged: 10th June 2019, <i>Minister for Social Security</i> .     | P.17/2019.<br>Amd.Amd.        |
| Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.17/2019): second amendment (P.17/2019 Amd.(2)) – amendment.<br>Lodged: 11th June 2019, <i>Connétable of St. Mary</i> . | P.17/2019.<br>Amd.(2)<br>Amd. |
| Bus services: proposals to make free of charge (P.52/2019) – amendment.<br>Lodged: 10th June 2019, <i>Connétable of St. Helier</i> .  | P.52/2019.<br>Amd.            |
| Bus services: proposals to make free of charge (P.52/2019) – second amendment.<br>Lodged: 11th June 2019, <i>Minister for Infrastructure</i> .                                  | P.52/2019.<br>Amd.(2)         |
| Bus services: proposals to make free of charge (P.52/2019) – second amendment (P.52/2019 Amd.(2)) – amendment.<br>Lodged: 12th June 2019, <i>Connétable of St. Helier</i> .     | P.52/2019.<br>Amd.(2)<br>Amd. |
| Housing developments for first-time buyers: allocation criteria (P.53/2019) – amendment.<br>Lodged: 11th June 2019, <i>Deputy I. Gardiner of St. Helier</i> .                   | P.53/2019.<br>Amd.            |
| Employment (Jersey) Law 2003: review of parental leave rights amendments (P.54/2019) – amendment.<br>Lodged: 11th June 2019, <i>Deputy L.M.C. Doublet of St. Saviour</i> .      | P.54/2019.<br>Amd.            |
| Consultants: reporting on their use by the Government of Jersey.<br>Lodged: 12th June 2019, <i>Deputy K.F. Morel of St. Lawrence</i> .  | P.59/2019.                    |
| Greffier of the States: consent to extension of term of office.<br>Lodged: 14th June 2019, <i>Privileges and Procedures Committee</i> .   | P.60/2019.                    |
| * Channel Islands Competition Regulatory Authority: telecommunications strategy.<br>Lodged: 17th June 2019, <i>Senator S.C. Ferguson</i> .                                      | P.61/2019.                    |

## **E. WITHDRAWAL OF LODGED PROPOSITIONS**

In accordance with Standing Order 34(1), the proposer of the following proposition lodged 'au Greffe' has informed the Greffier of the States that it is to be withdrawn –

|   |            |
|---|------------|
| * Draft Employment (Amendment No. 11) (Jersey) Law 201-.<br>Lodged: 12th February 2019, <i>Minister for Social Security</i> . | P.17/2019. |
|---|------------|

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

## **G. MATTERS OF PRIVILEGE**

## **H. PETITIONS**



## I. QUESTIONS

### (a) – Written Questions

(attached)

*Note: An answer to Question 1 (WQ.195/2019) was initially tabled on 30th April 2019; H.M. Attorney General has tabled an updated answer. Written Question 280/2019, submitted by Deputy J.M. Maçon of St. Saviour for the Chief Minister and which was listed on the Principal Order Paper, has been withdrawn.*

- WQ.195/2019 \* 1. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding offences committed against children.
- WQ.246/2019 2. The Chief Minister will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the production of guidelines for Jèrriais to be incorporated into official signage and letter headings.
- WQ.248/2019 3. The Chief Minister will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the extension of policy underpinning the use of Jèrriais to the courts and bodies wholly or partially owned by the States of Jersey.
- WQ.249/2019 4. The Minister for Treasury and Resources will table an answer to a question asked by Deputy M.R. Le Hegarat of St. Helier regarding the savings achieved through the process of appointments to Tiers 1 and 2 in the public sector.
- WQ.250/2019 5. The Minister for Treasury and Resources will table an answer to a question asked by Deputy M.R. Le Hegarat of St. Helier regarding departmental expenditure as of the end of April 2019.
- WQ.251/2019 6. The Chairman of the States Employment Board will table an answer to a question asked by Deputy M.R. Le Hegarat of St. Helier regarding the employment of people in the public sector on an interim basis.
- WQ.252/2019 7. The Minister for Economic Development, Tourism, Sport and Culture will table an answer to a question asked by the Connétable of St. Martin regarding the partnership with ZTE in relation to Jersey's mobile network.
- WQ.254/2019 8. The Minister for Health and Social Services will table an answer to a question asked by Deputy L.M.C. Doublet of St. Saviour regarding the Maternity Voices Partnership.
- WQ.255/2019 9. The Minister for Infrastructure will table an answer to a question asked by Deputy L.M.C. Doublet of St. Saviour regarding the registration of States-owned sites as outdoor wedding locations.
- WQ.256/2019 10. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Le Hegarat of St. Helier regarding the provision of Continuous Glucose Monitors to patients with Type 1 diabetes.
- WQ.257/2019 11. The Chief Minister will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding Government expenditure on websites, cloud-based web services and online services.
- WQ.258/2019 12. The Chief Minister will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the costs of the Yoti digital identification project and the Income Collection and Reconciliation system.
- WQ.259/2019 13. The Minister for Treasury and Resources will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the funding provided to Locate Jersey and Jersey Finance Limited.



- WQ.260/2019 14. The Minister for Infrastructure will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the anticipated yield from increases to parking charges.
- WQ.261/2019 15. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the recipients of Income Support with no other income.
- WQ.262/2019 16. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding waiting times for ophthalmology services.
- WQ.263/2019 17. The Minister for Health and Social Services will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the measures taken to ensure that health professionals are adequately qualified.
- WQ.264/2019 18. The Minister for Health and Social Services will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the number of people diagnosed with autism.
- WQ.265/2019 19. The Minister for Economic Development, Tourism, Sport and Culture will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the labelling of products containing palm oil.
- WQ.266/2019 20. The Minister for the Environment will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the information collected by the Government of Jersey in respect of animal vaccinations.
- WQ.267/2019 21. The Minister for Home Affairs will table an answer to a question asked by Deputy C.S. Alves of St. Helier regarding reports of hate crime over the last 3 years.
- WQ.268/2019 22. The Minister for Health and Social Services will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the steps taken to ensure that contaminated blood is not donated to patients.
- WQ.269/2019 23. The Chief Minister will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the government-wide records management programme.
- WQ.270/2019 24. The Minister for Home Affairs will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the rationale for moving governance of the Probation Service to the Department of Justice and Home Affairs.
- WQ.271/2019 25. The Minister for the Environment will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the protection of the Island's water supplies.
- WQ.272/2019 26. The Minister for Health and Social Services will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the respite needs of families with autistic children.
- WQ.273/2019 27. The Minister for Health and Social Services will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding contracts for hospital consultants.
- WQ.274/2019 28. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding measures to reduce the cost of primary care.
- WQ.275/2019 29. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the goods produced by prisoners at H.M.P. La Moye.
- WQ.276/2019 30. The Minister for the Environment will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the destruction of original documents relating to historic buildings.



- WQ.277/2019 31. The Minister for Treasury and Resources will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the determination of departmental budgets.
- WQ.278/2019 32. The President of the Chairmen's Committee will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding prospective changes to the Scrutiny process.
- WQ.279/2019 33. The Chief Minister will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the transfer of powers to the Minister for Children and Housing.

**(b) – Oral Questions**

(120 minutes)

*Note: Oral Question 158/2019, submitted by Deputy M. Tadier of St. Brelade, has been withdrawn since the publication of the Principal Order Paper. Its place has been taken by Deputy Tadier's second question (OQ.159/2019) and other questions have been re-numbered accordingly.*

- OQ.161/2019 1. Deputy S.M. Ahier of St. Helier will ask the following question of the Minister for Health and Social Services –
- “Will the Minister advise the Assembly what measures, if any, he is taking to integrate the use of Artificial Intelligence into healthcare at the General Hospital?”
- OQ.156/2019 2. Deputy I. Gardiner of St. Helier will ask the following question of the Minister for Health and Social Services –
- “Following his answer to my Written Question 241/2019, will the Minister inform members whether all people who are known to have been infected in the Island via elements of donor blood used to treat Haemophilia have been informed?”
- OQ.154/2019 3. Deputy J.H. Perchard of St. Saviour will ask the following question of the Chairman of the States Employment Board –
- “Further to the statement in a press release on 10th June 2019, that “*the additional 0.8% increase to consolidated pay that [public sector] unions sought*” in pay negotiations is to be “*funded through identified reforms*” and “*sustainable efficiencies*”, will the Chairman advise what reforms and efficiencies, if any, have been identified to date?”
- OQ.162/2019 4. Deputy K.G. Pamplin of St. Saviour will ask the following question of the Minister for Education –
- “Will the Minister update the Assembly on the situation regarding the provision of funding to the charity Music in Action for its event, Jersey Sings 2019?”
- OQ.152/2019 5. Deputy M.R. Le Hegarat of St. Helier will ask the following question of the Minister for Home Affairs –
- “Will the Minister advise whether identified vacancies in Police Constable ranks within the States of Jersey Police will be advertised and recruited from within the Island; and if not, why not?”



- OQ.167/2019  
\* 6. The Deputy of St. Mary will ask the following question of the Minister for Health and Social Services –
- “Having particular regard to the Government’s strategic priorities of putting children first and improving Islanders’ wellbeing and mental and physical health, will the Minister advise what consideration, if any, has been given to the introduction of measures to restrict smoking in homes where children are in residence; and will he agree to liaise with Andium Homes as to the possibility of introducing restrictions in such cases within their accommodation?”
- OQ.166/2019 7. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Home Affairs –
- “Will the Minister explain to members what actions, if any, the States of Jersey Police are taking to encourage the victims of sexual abuse to come forward and place their trust in the Police; and will he provide his assessment of how effective any such measures have been in ensuring the public are convinced that the Police investigate all allegations without fear or favour?”
- OQ.164/2019 8. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –
- “Further to her response to Written Question 261/2019, will the Minister explain to members how the proposals in the Draft Income Support (Amendment No. 19) (Jersey) Regulations 201- (P.56/2019) serve to meet Strategic Priority 4 of the Common Strategic Policy, namely “to reduce income inequality” in households in receipt of Income Support?”
- OQ.160/2019 9. Deputy R.J. Ward of St. Helier will ask the following question of the Minister for the Environment –
- “Further to the answer to Written Question 237/2019, what progress, if any, has been made in relation to air pollution monitoring?”
- OQ.159/2019  
\* 10. Deputy M. Tadier of St. Brelade will ask the following question of the Minister for Treasury and Resources –
- “Based on current figures, what would be the net increase in revenue if the 20% personal tax rate were abolished and the 26% marginal rate extended to the taxpayers affected?”
- OQ.155/2019 11. Deputy J.H. Perchard of St. Saviour will ask the following question of the Minister for the Environment –
- “In light of the Assembly’s agreement that there exists a climate emergency, is it the Minister’s assessment that States developments should continue to include the building of underground carparks, given they are predominantly used by carbon-emitting vehicles?”
- OQ.163/2019 12. Deputy K.G. Pamplin of St. Saviour will ask the following question of the Minister for Treasury and Resources –
- “What financial directions, or other procedures, are applied to the determination of grants provided by the States to external bodies such as charities or event organisers; and, when notice is to be given that such funding is either to end or continue, what timescale for the notice, if any, do those directions or procedures state must be followed?”



OQ.153/2019 13. Deputy M.R. Le Hegarat of St. Helier will ask the following question of the Minister for Home Affairs –

“Will the Minister advise who will form the interview panel for appointing the new Chief Officer of the States of Jersey Police; and what consideration, if any, has been given to the independence of the Chief Officer’s role when determining the composition of the panel?”

OQ.157/2019 14. Deputy I. Gardiner of St. Helier will ask the following question of the Chief Minister –

“Will the Chief Minister consider establishing an Independent Health Commissioner for Jersey to investigate and help resolve complaints relating to the health system in Jersey and to oversee and audit healthcare processes and procedures?”

OQ.168/2019 15. Deputy M.R. Higgins of St. Helier will ask the following question of the Chairman of the States Employment Board –

“Will the Chairman advise members whether any failures to adhere to correct procedure have been identified in the recent appointment of interim consultants in the Department of Health and Community Services; and, if so, will he state what actions have been taken and what lessons have been learnt as a result?”

OQ.165/2019 16. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Health and Social Services –

“Further to his response to Written Question 262/2019, will the Minister commit to publishing waiting lists for healthcare services, breaking them down by speciality and distinguishing between routine and acute / emergency procedures when doing so?”

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

1st question period – Minister for External Relations

2nd question period – Chief Minister

**\* (d) – Urgent Oral Questions**

The following urgent oral question has been approved by the Bailiff and will be asked at the present meeting –

UOQ.3/2019 Deputy K.F. Morel of St. Lawrence will ask the following question of the Minister for the Social Security –

“Will the Minister provide an explanation of the reasons for withdrawing P.17/2019 and confirm why she has chosen to withdraw the whole Law rather than solely Article 4, as recommended by the Economic and International Affairs Scrutiny Panel?”

**J. PERSONAL STATEMENTS**

**K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY**





## L. PUBLIC BUSINESS

- Draft Public Employees (Contributory Retirement Scheme) (Compensatory Added Years) (Amendments) (Jersey) Regulations 201-.** P.37/2019.  
Lodged: 1st April 2019, *States Employment Board.*
- Draft Public Employees (Pension Scheme) (Transitional Provisions, Savings and Consequential Amendments) (Amendment) (Jersey) Regulations 201-.** P.38/2019.  
Lodged: 1st April 2019, *States Employment Board.*
- Draft Human Transplantation and Anatomy (Jersey) Law 2018 (Appointed Day) Act 201-.** P.48/2019.  
Lodged: 1st May 2019, *Minister for Health and Social Services.*
- Draft Human Transplantation and Anatomy (Jersey) Regulations 201-.** P.49/2019.  
Lodged: 1st May 2019, *Minister for Health and Social Services.*
- Draft International Co-operation (Protection from Liability) (Jersey) Law 2018 (Appointed Day) Act 201-.** P.51/2019.  
Lodged: 14th May 2019, *Chief Minister.*
- Bus services: proposals to make free of charge.** P.52/2019.  
Lodged: 14th May 2019, *Deputy R.J. Ward of St. Helier.*
- \* Bus services: proposals to make free of charge (P.52/2019) – comments. P.52/2019.  
Presented: 17th June 2019, *Minister for Infrastructure.* Com.
- \* Bus services: proposals to make free of charge (P.52/2019) – comments. P.52/2019.  
Presented: 17th June 2019, *Chief Minister.* Com.(2)
- Bus services: proposals to make free of charge (P.52/2019) – amendment.** P.52/2019.  
Lodged: 10th June 2019, *Connétable of St. Helier.* Amd.
- Bus services: proposals to make free of charge (P.52/2019) – second amendment.** P.52/2019.  
Lodged: 11th June 2019, *Minister for Infrastructure.* Amd.(2)
- Bus services: proposals to make free of charge (P.52/2019) – second amendment (P.52/2019 Amd.(2)) – amendment.** P.52/2019.  
Lodged: 12th June 2019, *Connétable of St. Helier.* Amd.(2)  
Amd.
- \* Bus services: proposals to make free of charge (P.52/2019) – second amendment (P.52/2019 Amd.(2)) – amendment (P.52/2019 Amd.(2)Amd.) – comments. P.52/2019.  
Presented: 17th June 2019, *Minister for Infrastructure.* Amd.(2).  
Amd.Com.

## M. ARRANGEMENT OF PUBLIC BUSINESS

### 2nd July 2019

- Establishment of an elected Speaker.** P.47/2019.  
Lodged: 30th April 2019, *Senator J.A.N. Le Fondré.*
- Housing developments for first-time buyers: allocation criteria.** P.53/2019.  
Lodged: 15th May 2019, *Deputy I. Gardiner of St. Helier.*



**Housing developments for first-time buyers: allocation criteria (P.53/2019) – amendment.** P.53/2019.  
Amd.  
Lodged: 11th June 2019, *Deputy I. Gardiner of St. Helier.*

**16th July 2019**

**Draft Income Support (Amendment No. 19) (Jersey) Regulations 201-.** P.56/2019.  
Lodged: 3rd June 2019, *Minister for Social Security.*

**Draft Unlawful Public Entertainments (Jersey) Regulations 201-.** P.57/2019.  
Lodged: 4th June 2019, *Minister for Home Affairs.*

**Draft Sanctions and Asset-Freezing (Amendment) (Jersey) Law 201-.** P.58/2019.  
Lodged: 4th June 2019, *Minister for External Relations.*

**Consultants: reporting on their use by the Government of Jersey.** P.59/2019.  
Lodged: 12th June 2019, *Deputy K.F. Morel of St. Lawrence.*

**Greffier of the States: consent to extension of term of office.** P.60/2019.  
Lodged: 14th June 2019, *Privileges and Procedures Committee.*

\* **Channel Islands Competition Regulatory Authority: telecommunications strategy.** P.61/2019.  
Lodged: 17th June 2019, *Senator S.C. Ferguson.*

**24th September 2019**

**Reform of the composition and election of the States.** P.46/2019.  
Lodged: 23rd April 2019, *Privileges and Procedures Committee.* (re-issue)

\* **Employment (Jersey) Law 2003: review of parental leave rights amendments.** P.54/2019.  
Lodged: 21st May 2019, *Deputy L.M.C. Doublet of St. Saviour.*

\* **Employment (Jersey) Law 2003: review of parental leave rights amendments (P.54/2019) – amendment.** P.54/2019.  
Amd.  
Lodged: 11th June 2019, *Deputy L.M.C. Doublet of St. Saviour.*

**DR. M. EGAN**  
**Greffier of the States**

17th June 2019

**Note –**

**In accordance with the meeting dates fixed for 2019 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 19th and Thursday 20th June 2019.**

**An asterisk \* in the left-hand margin denotes either a new item added to this Order Paper since the Order Paper was first published on 13th June 2019, or an item which has been altered or moved.**



## **Explanatory Note regarding subordinate legislation tabled at this meeting.**

(See Item B)

### **R&O.42/2019.**

Control of Housing and Work (Guidance on Temporary Absence and Significant Ownership) (Amendment No. 3) (Jersey) Order 2019.

The Control of Housing and Work (Guidance on Temporary Absence and Significant Ownership) (Amendment No. 3) (Jersey) Order 2019 makes provision for an update to the guidance issued under Article 2(5) of the Control of Housing and Work (Jersey) Law 2012. The updated guidance outlines the various criteria which must be, or may be, taken into account by the Assistant Chief Minister and the Housing and Work Advisory Group when making a decision as to whether to grant Entitled Status to a person under Regulation 2(1)(e) of the Control of Housing and Work (Residential and Employment Status) (Jersey) Regulations 2013.

The Order was made on 13th June 2019 and came into force on 14th June 2019.

### **R&O.43/2019.**

EU Legislation (Sanctions – Cyber-Attacks) (Jersey) Order 2019.

This Order gives effect in Jersey to Council Regulation (EU) 2019/796 of 17 May 2019 concerning restrictive measures directed against cyber-attacks threatening the European Union or its Member States.

This Order contains an ambulatory reference, in *Article 2*, to an Annex to Regulation (EU) 2019/796. If the EU amends the lists of persons subject to the restrictive measures, the effect of the ambulatory reference is that the EU amendment takes effect automatically in Jersey without the need for any amendment to this Order.

*Article 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) 2019/796 is the relevant EU provision for the purpose of the General Provisions Order.

*Article 4* provides for Regulation (EU) 2019/796 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) 2019/796 and of the General Provisions Order. A person who commits the main offence of breaching the key prohibitions in Regulation (EU) 2019/796 is liable to a term of imprisonment of up to 7 years, to an unlimited fine, or to both. A person who commits the offence of giving false information, or destroying documents to evade a duty to give information, is liable to a term of imprisonment for up to 2 years, to an unlimited fine, or to both. A person who commits the offence of failing to provide information is liable to a term of imprisonment of up to 1 year, to an unlimited fine, or to both.

*Article 6* provides for citation of this Order and states that this Order comes into force on the day after it is made.

The Order was made on 14th June 2019 and came into force on 15th June 2019.