



# STATES OF JERSEY ORDER PAPER

16th JULY 2019

## SUMMARY

- 9.30 a.m. Communications by the Presiding Officer and other announcements
- Appointments, matters of privilege, petitions
- Nomination of a member of the Planning Committee
- Approx. 9.40 a.m. Summary of written questions
- Up to 2 hours Oral questions with notice
- Urgent questions (if any)*
- Up to 30 minutes, divided between the two Ministers Oral questions without notice:
- Minister for Social Security
  - Chief Minister
- Statements (if any)*
- Approx. 12.10 p.m. **Draft Income Support (Amendment No. 19) (Jersey) Regulations 201-(P.56/2019)**
- Draft Income Support (Amendment No. 19) (Jersey) Regulations 201-(P.56/2019): amendment (P.56/2019 Amd.)**
- Draft Unlawful Public Entertainments (Jersey) Regulations 201-(P.57/2019)**
- Draft Sanctions and Asset-Freezing (Amendment) (Jersey) Law 201-(P.58/2019)**
- Consultants: reporting on their use by the Government of Jersey (P.59/2019)**
- Consultants: reporting on their use by the Government of Jersey (P.59/2019) – amendment (P.59/2019 Amd.)**
- Consultants: reporting on their use by the Government of Jersey (P.59/2019) – second amendment (P.59/2019 Amd.(2))**
- Consultants: reporting on their use by the Government of Jersey (P.59/2019) – second amendment (P.59/2019 Amd.(2)) – amendment (P.59/2019 Amd.(2)Amd.)**
- Greffier of the States: consent to extension of term of office (P.60/2019)**
- Note: This proposition must be debated in camera in accordance with Article 31(12) of the States of Jersey Law 2005.*
- Channel Islands Competition Regulatory Authority: telecommunications strategy (P.61/2019)**



**Draft Criminal Procedure (Jersey) Law 2018 (Appointed Day)  
Act 201- (P.62/2019)**

**Draft Criminal Procedure (Bail) (Jersey) Law 2017 (Appointed Day)  
Act 201- (P.63/2019)**

**Draft Police Procedures and Criminal Evidence (Jersey) Law 2003  
(Appointed Day) (No. 6) Act 201- (P.64/2019)**

**‘Higher sentences for paedophiles’ (e-petition)  
(Consideration in-Committee)**

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 17th and Thursday 18th July 2019 if necessary.*



# STATES OF JERSEY ORDER PAPER

16th JULY 2019

## A. COMMUNICATIONS BY THE PRESIDING OFFICER

## B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

States of Jersey (Proper Address for Ministers) (Jersey) Order 2019. R&O.53/2019.  
*Chief Minister.*

Sanctions and Asset-Freezing (Jersey) Law 2019 (Commencement) (Jersey) R&O.54/2019.  
Order 2019.  
*Minister for External Relations.*

Building Bye-laws (Amendment No. 6) (Jersey) 2019. R&O.55/2019.  
*Minister for the Environment.*

Motor Vehicles (Construction and Use) (Amendment No. 14) (Jersey) Order R&O.56/2019.  
2019.  
*Minister for Infrastructure.*

Mental Health (Miscellaneous Provisions and Prescribed Forms) R&O.57/2019.  
(Amendment) (Jersey) Order 2019.  
*Minister for Health and Social Services.*

## C. DOCUMENTS PRESENTED

Arrangements for Freedom of Information: Follow-up (R.61/2019) – R.61/2019.  
Executive response. Res.  
Presented: 11th July 2019, *Public Accounts Committee.*

Jersey Bank Depositors Compensation Board: Annual Report and Audited R.84/2019.  
Financial Statements for the Year Ended 31 January 2019.  
Presented: 10th July 2019, *Minister for External Relations.*

States of Jersey Law 2005: delegation of functions – Minister for Health and R.85/2019.  
Social Services – Mental Health Law Administrators – July 2019.  
Presented: 11th July 2019, *Minister for Health and Social Services.*

Jersey Law Commission: appointment of Commissioners. R.86/2019.  
Presented: 11th July 2019, *Chief Minister.*

## D. NOTIFICATION OF LODGED PROPOSITIONS

Consultants: reporting on their use by the Government of Jersey P.59/2019.  
(P.59/2019) – amendment. Amd.  
Lodged: 8th July 2019, *Deputy K.F. Morel of St. Lawrence.*

Consultants: reporting on their use by the Government of Jersey (P.59/2019) R.59/2019.  
– second amendment. Amd.(2)  
Lodged: 9th July 2019, *Chief Minister.*



Consultants: reporting on their use by the Government of Jersey (P.59/2019) – second amendment (P.59/2019 Amd.(2)) – amendment.  
Lodged: 10th July 2019, *Deputy K.F. Morel of St. Lawrence.*

P.59/2019.  
Amd.(2)  
Amd.

**E. WITHDRAWAL OF LODGED PROPOSITIONS**

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

Nomination of a member of the Planning Committee.

**G. MATTERS OF PRIVILEGE**

**H. PETITIONS**

**I. QUESTIONS**

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

- WQ.303/2019 1. 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 recruitment to the Health and Community Services Department.
- WQ.304/2019 2. The Chief Minister will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the refusal of licences by the Housing and Work Advisory Group.
- WQ.305/2019 3. The Minister for Infrastructure will table an answer to a question asked by Deputy L.B.E. Ash of St. Clement regarding exterior maintenance work on States of Jersey buildings.
- WQ.306/2019 4. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. John regarding the recruitment of social workers.
- WQ.307/2019 5. The Minister for Infrastructure will table an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the consultation to be undertaken following the adoption of ‘Cats: additional protection when involved in road traffic accidents’ (P.30/2019).
- WQ.308/2019 6. The Minister for Infrastructure will table an answer to a question asked by the Deputy of St. Martin regarding Permanent Exemption permits issued by Driver and Vehicle Standards.
- WQ.309/2019 7. The Chief Minister will table an answer to a question asked by the Deputy of St. John regarding the performance appraisal of the Chief Executive Officer.
- WQ.310/2019 8. The Minister for Treasury and Resources will table an answer to a question asked by the Deputy of St. John regarding the provision of housing in the Horizon Development.
- WQ.311/2019 9. The Minister for Infrastructure will table an answer to a question asked by the Deputy of St. John regarding the extension of the mains drains system to those areas of the Island not currently serviced.
- WQ.312/2019 10. The Minister for Health and Social Services will table an answer to a question asked by the Deputy of St. John regarding the waiting time for non-urgent MRI scans.



- WQ.313/2019 11. The Minister for Treasury and Resources will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the prospect of Jersey joining the U.N. Global Compact organisation.
- WQ.314/2019 12. The Minister for the Environment will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding carbon drawdown into the soil in Jersey.
- WQ.315/2019 13. The Minister for Education will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the Jersey Progression Qualification.
- WQ.316/2019 14. The Minister for Infrastructure will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the subsidy for the purchase of electric bikes.
- WQ.317/2019 15. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Le Hegarat of St. Helier regarding recruitment to the States of Jersey Police from U.K. police forces.
- WQ.318/2019 16. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Le Hegarat of St. Helier regarding the implementation of Project Horizon.
- WQ.319/2019 17. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Le Hegarat of St. Helier regarding the recruitment process for the new Chief Officer of the States of Jersey Police.
- WQ.320/2019 18. 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 staff on an interim basis for the undertaking of specific projects.
- WQ.321/2019 19. The Minister for Economic Development, Tourism, Sport and Culture will table an answer to a question asked by Deputy K.F. Morel of St. Lawrence regarding consultants and consulting firms engaged by his department.
- WQ.322/2019 20. The Chief Minister will table an answer to a question asked by Deputy K.F. Morel of St. Lawrence regarding consultants and consulting firms engaged by his department.
- WQ.323/2019 21. The Minister for Infrastructure will table an answer to a question asked by Deputy K.F. Morel of St. Lawrence regarding consultants and consulting firms engaged by his department.
- WQ.324/2019 22. The Chief Minister will table an answer to a question asked by Deputy K.F. Morel of St. Lawrence regarding the appointment of a permanent Director of Communications.
- WQ.325/2019 23. The Minister for Treasury and Resources will table an answer to a question asked by Deputy K.F. Morel of St. Lawrence regarding consultants and consulting firms engaged by her department.
- WQ.326/2019 24. H.M. Attorney General will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding Jersey's legislation in respect of sexual assaults on children.
- WQ.327/2019 25. The Minister for Children and Housing will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the restriction of access to harmful online content.
- WQ.328/2019 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 Jersey Carers Strategy.
- WQ.329/2019 27. The Minister for Home Affairs will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding a breakdown in respect of the inmates of H.M.P. La Moye.



- WQ.330/2019 28. The Minister for the Environment will table an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding single-use plastics.
- WQ.331/2019 29. The Minister for Treasury and Resources will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the financial impact of changes to the Income Tax regime.
- WQ.332/2019 30. The Minister for Social Security will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the implementation of 'Housing: prevention of discrimination by landlords against tenants with children' (P.31/2018).
- WQ.333/2019 31. The Minister for the Environment will table an answer to a question asked by Deputy M. Tadier of St. Brelade regarding emissions from the Energy from Waste plant.
- WQ.334/2019 32. The Minister for Treasury and Resources will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the application of a single rate of Income Tax.
- WQ.335/2019 33. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the cost of G.P. consultations.
- WQ.336/2019 34. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the affordability of dentistry charges.
- WQ.337/2019 35. The Minister for Social Security will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding Social Security contributions rates and earnings limits.
- WQ.338/2019 36. The Minister for External Relations will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the implications for Jersey of retail depositors being left out of ring-fencing arrangements introduced in the U.K. for retail banks.
- WQ.339/2019 37. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the treatment of sex offenders at H.M.P. La Moye.
- WQ.340/2019 38. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the treatment of sex offenders by the Probation Service.
- WQ.341/2019 39. The Minister for Economic Development, Tourism, Sport and Culture will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the pricing of goods in Jersey compared to the United Kingdom.
- WQ.342/2019 40. The Minister for Health and Social Services will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the provision of mental health services.

**(b) – Oral Questions**

(120 minutes)

- OQ.196/2019 1. 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 of the legal costs incurred to date by the States Employment Board in the various legal proceedings it has engaged in concerning Mr. Amal Al-Witry; and can he explain how value for money has been achieved with this expenditure?”



- OQ.186/2019** 2. Deputy M.R. Le Hegarat of St. Helier will ask the following question of the Minister for Treasury and Resources –
- “Further to the Minister’s responses during Questions Without Notice on 2nd July 2019, for what reasons have she and her department not provided figures showing departmental expenditure at the end of each month of 2019; and will she commit to now publish that information?”
- OQ.193/2019** 3. Senator S.Y. Mézec will ask the following question of the Chairman of the Privileges and Procedures Committee –
- “Will the Chairman make a statement to the Assembly or propose an In Committee debate on the C.P.A. Election Observers report, to enable Members to receive a full update on progress made in implementing the report’s recommendations?”
- OQ.194/2019** 4. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for External Relations-
- “Does the Jersey Government share the approach adopted by the U.K. Government in response to the Fifth Anti-Money Laundering Directive that journalists, researchers or other members of the public will have to present evidence of wrongdoing before accessing the register of beneficial ownership of businesses, including financial trusts?”
- OQ.191/2019** 5. Deputy R.J. Ward of St. Helier will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –
- “What estimate has the Minister made of the number of transmitting towers required for the Island-wide implementation of 5G in Jersey?”
- OQ.187/2019** 6. Deputy K.G. Pamplin of St. Saviour will ask the following question of the Minister for Health and Social Services –
- “When does the Minister plan to introduce Carers and Care legislation, identified as the first “key gap in the system” in the 2017 Jersey Carers Strategy?”
- OQ.189/2019** 7. The Connétable of St. Martin will ask the following question of the Chief Minister –
- “Will the Chief Minister publish and keep up-to-date lists of members of policy development boards, political oversight groups, and other executive advisory groups, so that the public can have a clear understanding of the role and activities of each States Member?”
- OQ.184/2019** 8. Deputy G.J. Truscott of St. Brelade will ask the following question of the Minister for Health and Social Services –
- “What steps has the Minister and his department taken to ensure that all doctors and clinicians at the General Hospital are fully trained to spot the early signs of Sepsis or blood poisoning?”
- OQ.182/2019** 9. Deputy K.F. Morel of St. Lawrence will ask the following question of the Chief Minister –
- “Is ministerial approval required for the engagement of temporary staff or contractors employed on rates exceeding £750 per day; and, if not, will the Chief Minister introduce this requirement?”



- OQ.195/2019 10. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security-
- “Will the Minister inform members what measures, if any, she has under consideration to reduce income inequality through changes to the structure of Social Security contribution levels and earnings limits; what timetable she has for implementing such measures; and if she has no plans in this area, why not?”
- OQ.188/2019 11. Deputy K.G. Pamplin of St. Saviour will ask the following question of the Chief Minister –
- “Will the Chief Minister provide an update on the work to replace the Island’s General Hospital, including on the site selection process?”
- OQ.185/2019 12. Deputy G.J. Truscott of St. Brelade will ask the following question of the Minister for Infrastructure –
- “Further to his answer to Written Question 280/2019, which aspects of maintenance of the Railway Walk does the Minister intend to significantly revise; and will he consider a tree and native hedge-planting scheme in the forthcoming review of the area by the Growth, Housing and Environment department?”
- OQ.192/2019 13. Deputy R.J. Ward of St. Helier will ask the following question of the Minister for Treasury and Resources –
- “Will the Minister, as shareholder representative, take steps to ensure that Andium housing is not sold to off-Island investors, buy-to-let purchasers or as “lock-up and leave” investments?”
- OQ.183/2019 14. Deputy K.F. Morel of St. Lawrence will ask the following question of the Chief Minister –
- “Further to the One Voice Survey of March 2018 and a statement made by the Chief Executive in his first six monthly report in which he said he is “committed to more regular surveys in the future”, is the Chief Minister aware of plans to deliver on this commitment, and if not, will he instruct the Chief Executive to commission another One Voice survey before the end of 2019?”
- OQ.197/2019 15. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Home Affairs –
- “Is it the Minister’s policy not to record the rate of re-offending of sex offenders in Jersey and the effectiveness of the treatment they receive at H.M.P. La Moye; if not, what steps is he taking to rectify this situation?”
- OQ.190/2019 16. The Connétable of St. Martin will ask the following question of the Minister for Health and Social Services –
- “Will the Minister consider introducing an annual mental health check-up from a psychologist, psychiatrist or mental health professional for Islanders aged under 18, in order to help maintain positive mental health and provide support for those in need, particularly if they are experiencing or have experienced trauma?”

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

1st question period – Minister for Social Security

2nd question period – Chief Minister





**J. PERSONAL STATEMENTS**

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

**L. PUBLIC BUSINESS**

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

**Draft Income Support (Amendment No. 19) (Jersey) Regulations 201-** P.56/2019.  
**(P.56/2019): amendment.** Amd.  
Lodged: 2nd July 2019, *Deputy G.P. Southern of St. Helier.*

**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.*

**Consultants: reporting on their use by the Government of Jersey** P.59/2019.  
**(P.59/2019) – amendment.** Amd.  
Lodged: 8th July 2019, *Deputy K.F. Morel of St. Lawrence.*

**Consultants: reporting on their use by the Government of Jersey (P.59/2019)** P.59/2019.  
**– second amendment.** Amd.(2)  
Lodged: 9th July 2019, *Chief Minister.*

**Consultants: reporting on their use by the Government of Jersey** P.59/2019.  
**(P.59/2019) – second amendment (P.59/2019 Amd.(2)) – amendment.** Amd.(2)  
Lodged: 10th July 2019, *Deputy K.F. Morel of St. Lawrence.* Amd.

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

*Note: This proposition must be debated in camera in accordance with Article 31(12) of the States of Jersey Law 2005.*

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

**Draft Criminal Procedure (Jersey) Law 2018 (Appointed Day) Act 201-** P.62/2019.  
Lodged: 18th June 2019, *Minister for Home Affairs.*

**Draft Criminal Procedure (Bail) (Jersey) Law 2017 (Appointed Day)** P.63/2019.  
**Act 201-**  
Lodged: 21st June 2019, *Minister for Home Affairs.*

**Draft Police Procedures and Criminal Evidence (Jersey) Law 2003** P.64/2019.  
**(Appointed Day) (No. 6) Act 201-**  
Lodged: 21st June 2019, *Minister for Home Affairs.*



**'Higher sentences for paedophiles'** (e-petition)  
(*Consideration in-Committee*)

**M. ARRANGEMENT OF PUBLIC BUSINESS**

**10th September 2019**

**Draft Aquatic Resources (Jersey) Law 2014 (Appointed Day) Act 201-** P.65/2019.  
Lodged: 24th June 2019, *Minister for the Environment.*

**Draft Aquatic Resources (Seaweed Licences) (Jersey) Regulations 201-** P.66/2019.  
Lodged: 24th June 2019, *Minister for the Environment.*

**Draft Amendment (No. 39) of the Standing Orders of the States of Jersey.** P.67/2019.  
Lodged: 27th June 2019, *Privileges and Procedures Committee.*

**Draft Air and Sea Ports (Incorporation) (Miscellaneous) (Jersey) Regulations 201-** P.68/2019.  
Lodged: 28th June 2019, *Minister for Economic Development, Tourism, Sport and Culture.*

**5G Network: restrictions on use.** P.69/2019.  
Lodged: 2nd July 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.  
Lodged: 11th June 2019, *Deputy L.M.C. Doublet of St. Saviour.* Amd.

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

11th July 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 17th and Thursday 18th July 2019.**



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

(See Item B)

### **R&O.53/2019.**

States of Jersey (Proper Address for Ministers) (Jersey) Order 2019.

This Order revokes the States of Jersey (Proper Addresses for Ministers) (Jersey) Order 2014 and provides that the proper address for service of documents on any Minister is –

Ministerial Offices  
19-21 Broad Street  
St Helier  
Jersey  
JE2 3RR.

The Order was made on 2nd July 2019 and came into force on 9th July 2019.

### **R&O.54/2019.**

Sanctions and Asset-Freezing (Jersey) Law 2019 (Commencement) (Jersey) Order 2019.

The Sanctions and Asset-Freezing (Jersey) Law 2019 (Commencement) (Jersey) Order 2019 will bring the Sanctions and Asset-Freezing (Jersey) Law 2019 into force on 19th July 2019. By doing so, it will also bring into force the amendments to that Law made by the Sanctions and Asset-Freezing (Transitional Provisions) (Jersey) Regulations 2019.

The Order was made on 3rd July 2019 and came into force on being made.

### **R&O.55/2019.**

Building Bye-laws (Amendment No. 6) (Jersey) 2019.

The Building Bye-laws (Amendment No. 6) (Jersey) 2019 amend the Building Bye-laws (Jersey) 2007 (the “2007 Bye-laws”) in relation to –

- (a) building work involving the removal of fixed gas burning appliances; and
- (b) the building work requirements set out Parts 3 and 4 of Schedule 2 to the 2007 Bye-laws (“Schedule 2”) concerning –
  - (i) the detection of carbon monoxide in all buildings where combustion appliances are installed, and
  - (ii) site preparation and resistance to contaminants and moisture.

*Bye-law 2* amends the definition of “building work” to include the removal of fixed gas burning appliances.

*Bye-law 3* is a minor consequential amendment arising from the substitution of paragraph 4.2 of Schedule 2 by *bye-law 5(2)(c)*.

*Bye-law 4* amends the definition of “certifiable building work” in bye-law 15 of the 2007 Bye-laws to include the removal of fixed gas burning appliances

*Bye-law 5* amends requirements relating to building work set out in the following paragraphs of Schedule 2 –



- (a) paragraph 3.2A – the requirement to provide for the early detection of the release of harmful levels of carbon monoxide so that the requirement applies in relation to the installation of combustion appliances in all buildings, not just dwellings;
- (b) paragraph 3.3 – the insertion of a new requirement about the safe removal of fixed gas burning appliances to prevent the escape of gas into buildings;
- (c) paragraph 4.1(1) – the requirement about site preparation so that the ground to be covered by a building must be reasonably clear not only of organic matter, but also of any material which might damage or affect the building's stability including material such as topsoil and pre-existing foundations;
- (d) paragraph 4.2 – the requirement to take reasonable precautions to avoid danger to health and safety caused by substances on, or in the ground to be covered by a building so that "contaminants" are now referred to instead of "substances", and include contaminants also found on ground associated with the prospective building. The expression "contaminants" is defined to mean any substance harmful to persons or buildings which is corrosive, explosive, flammable, radioactive (e.g. radon gas) or toxic; and
- (e) paragraph 4.4(1) – the requirement about the moisture resistance of a building's walls, floors and roof so that the walls, floors and roof of a building must adequately protect that building and people who use it from harmful effects caused by ground moisture, condensation, and water spillage from sanitary fittings or fixed appliances.

*Bye-law 6* provides for the title by which these Bye-laws may be cited and for their coming into force on 1st October 2019.

The Bye-laws were made on 4th July 2019 and come into force on 1st October 2019.

## **R&O.56/2019.**

Motor Vehicles (Construction and Use) (Amendment No. 14) (Jersey) Order 2019.

The Motor Vehicles (Construction and Use) (Amendment No. 14) (Jersey) Order 2019 makes provision for goods vehicles exceeding 3.5 tonnes first used on or after 1st October 1988 to be equipped with specified anchorage points and for goods vehicles exceeding 3.5 tonnes first used on or after 1st October 2001 to be equipped, in addition, with specified seat belts.

*Article 1* is an interpretation provision and defines the Motor Vehicles (Construction and Use) (Jersey) Order 1998 as the "principal Order".

*Article 2* amends the current requirement in the principal Order for each forward-facing front seat (including the driver's seat) to be equipped with 2 belt anchorages for holding seat belts. The effect of the amendment is such seats in a goods vehicle first used before 1st October 2001 must be equipped with 2 or 3 anchorage points for holding seat belts. Such seats in a goods vehicle first used on or after 1st October 2001 must be equipped with anchorage points which comply with the technical and installation requirements of Commission Directive 96/38/EC relating to anchorages for motor vehicle safety belts or UNECE Regulation 14.04 or 14.05 relating to anchorages for seat belts.

*Article 3* inserts a new requirement relating to seat belts for forward-facing front seats (including the driver's seats) in goods vehicles first used on or after 1st October 2001. Currently under the principal Order, such seat belts are subject only to the requirement that they are marked with a "British standard mark" or a "designated approval mark" (as defined in the principal Order) or a corresponding standard to the British standard. Under the amendment, the driver's seat must be fitted with a 3-point seat belt or lap belt. Other forward-facing front seats must be fitted with a 3-point belt; a lap belt which complies with requirements in Council Directive 77/541/EEC relating to seat belts for motor vehicles or a disabled person's belt. (Council Directive 77/541/EEC has been repealed by Council Regulation (EC) No 661/2009 of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles (OJ L 200 p.1). However, that Regulation makes provision for references to a repealed Directive to be construed as references to that Regulation.



*Articles 4 and 5* make amendments to other provisions in the principal Order which are consequential to the new requirements and update references to Commission Directive 96/38/EC and UNECE Regulations. *Article 6* sets out the title of this Order and provides for it to come into force 7 days after the day it is made. The Order was made on 5th July 2019 and came into force on 12th July 2019.

**R&O.57/2019.**

Mental Health (Miscellaneous Provisions and Prescribed Forms) (Amendment) (Jersey) Order 2019.

The Mental Health (Miscellaneous Provisions and Prescribed Forms) (Amendment) (Jersey) Order 2019 substitutes new provisions about the evidence that has to be produced to satisfy the Minister for Health and Social Services in order for a registered medical practitioner to be an approved practitioner for the purposes of the Mental Health (Jersey) Law 2016. The principal change is that where the Minister intends to limit that approval to being able to sit on a Mental Health Review Tribunal, the only evidence needed (in addition to holding a full registration with licence to practise from the General Medical Council) is that the registered medical practitioner has such degree of experience or training in mental health matters as would reasonably be expected to provide him or her with enough understanding of the medical issues likely to arise before that Tribunal to be an effective medical member.

The Order was made on 9th July 2019 and came into force on 10th July 2019.



## WRITTEN QUESTIONS

(See Item I(a))

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

“Will the Minister –

- (a) state the number of staff, if any, who have been recruited in the last 12 months in the Health and Community Services Department with responsibility for any form of governance or risk-management;
- (b) provide, for any such recruitment to roles that were newly created within that period, the business cases for such roles; and
- (c) provide, in relation to the roles of Medical Director for Quality and Safety and of Governance and Performance Manager, the following information?
  - (i) When the roles were recruited;
  - (ii) The job descriptions;
  - (iii) The Tier levels;
  - (iv) When and where the roles were advertised; and
  - (v) The recruitment process that was followed for their appointment.”

2. The Chief Minister will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –

“Will the Chief Minister provide, for each of the past 5 years, the number of licences that have been refused by the Housing and Work Advisory Group or the Population Office, broken down by sector and by essentially employed and non-qualified posts?”

3. The Minister for Infrastructure will table an answer to the following question asked by Deputy L.B.E. Ash of St. Clement –

“As there was scaffolding up around the Official Analyst’s building in Pier Road for several weeks for roof repairs, will the Minister explain why the exterior of the building was not painted during the same period; and will he commit that, in future, consideration will be given to undertaking such work when scaffolding is erected around public buildings in order to make the use of scaffolding more cost effective?”

4. The Minister for Health and Social Services will table an answer to the following question asked by the Deputy of St. John –

“Will the Minister –

- (a) advise whether he or his Department maintain any record of social workers who live in the Island, but work in the U.K. and who therefore commute regularly and, if so, state how many social workers he or his Department are aware of;
- (b) provide details of the number of applications received from experienced social workers who have an address in Jersey, but who are currently working as social workers in the U.K., which were rejected by the Jersey social worker recruitment process and, in broad terms, the reasons for any such rejection; and



- (c) indicate how he proposes to resolve the current shortfall in permanent social workers in order to reduce the amount spent on agency staff and to ensure continuity of care for the Island's vulnerable children?"
5. The Minister for Infrastructure will table an answer to the following question asked by Deputy J.M. Maçon of St. Saviour –
- “Will the Minister advise on the estimated timeline for the consultation to be undertaken following the adoption of ‘Cats: additional protection when involved in road traffic accidents’ (P.30/2019)?”
6. The Minister for Infrastructure will table an answer to the following question asked by the Deputy of St. Martin –
- “Will the Minister state how many (Permanent Exemption) P30 permits have been issued by the Driver and Vehicle Standards Department in each of the last ten years; and will he further state the physical width of the vehicles that were given permits during that time, breaking those results down into vehicle numbers in each of the following sections: 2.3m-2.35m; 2.35m-2.4m; 2.4m-2.45m; 2.45m-2.5m; 2.5m-2.55m; and above 2.55m?”
7. The Chief Minister will table an answer to the following question asked by the Deputy of St. John –
- “Further to the presentation of ‘Chief Executive Officer: Performance Appraisal’ (R.80/2019), is it the Chief Minister’s assessment that collection of third-party evidence from 18 respondents is sufficient for such an appraisal and whether accounts should in future be sought from a larger number of sources; and furthermore, is it his assessment that those in senior positions were able to speak freely when providing such evidence, given that they are likely to be accountable to the Chief Executive under the States’ new governance system?”
8. The Minister for Treasury and Resources will table an answer to the following question asked by the Deputy of St. John –
- “Will the Minister, as shareholder representative –
- (a) explain why the States of Jersey Development Company continues to advertise the Horizon Development as ‘lock up and leave’ (i.e. a reference to investment for capital gains only);
  - (b) advise what consideration, if any, has been given, in light of the housing shortage (especially for those seeking starter homes), to ensuring that a proportion of developments such as this are allocated at affordable purchase and rental prices;
  - (c) advise what discussions, if any, have been undertaken with the Company regarding the prospect of properties within the Horizon Development being left vacant, in light of the Government’s aim to improve the quality and affordability of housing; and
  - (d) undertake to review the current arrangements to ensure that greater emphasis is placed on the provision of affordable housing for Jersey residents in the Company’s role and functions?”



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

“Will the Minister –

- (a) advise whether he will seek for inclusion in the forthcoming Island Plan an extension of mains drains, as a phased programme, to all areas within the Island that are currently not serviced;
- (b) commit to negotiating with Jersey Water with a view to achieving a similar extension of the fresh water mains system over the period of the forthcoming Island Plan; and
- (c) if he is unable to make such commitments to accommodate these projects within the ten years of the next Island Plan, explain why he is unable to do so?”

10. The Minister for Health and Social Services will table an answer to the following question asked by the Deputy of St. John –

“What is the waiting time for non-urgent MRI scans –

- (a) for public patients; and
- (b) for private patients;

and, if there is a difference between the two, will the Minister explain why?”

11. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy R.J. Ward of St. Helier –

“Will the Minister consider joining the U.N. Global Compact organisation in respect of Jersey investments in order to promote the sustainable investment of Jersey investment funds; if so, when does she plan to apply to join; and if not, will the Minister explain why not?”

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

“What actions, if any, is being taken to support carbon drawdown into the soil in Jersey, particularly in respect of the work being undertaken by Jersey Hemp and in relation to the recycling of carbon and nutrients from waste food as an alternative to incineration?”

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

“Will there be any changes made to the structure, use and validity of the Jersey Progression Qualification at Highlands College and, if so, will there be any effect on student outcomes?”

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

“Given the reported decrease in the sale of electric bikes following indications from the Minister that the subsidy would be re-introduced, will the Minister state when a scheme to provide a subsidy for the purchase of electric bikes will be confirmed and indicate the amounts of subsidy that will be made available?”





15. The Minister for Home Affairs will table an answer to the following question asked by Deputy M.R. Le Hegarat of St. Helier –

“Will the Minister advise –

- (a) how many States of Jersey Police officers have been recruited from U.K. forces in the last 2 years;
- (b) how many of any such recruits transferred due to links to the Island of either themselves or their partner;
- (c) what the cost to the Government was for them to move to the Island, if any;
- (d) what training they were provided, if any, and the cost of any such training; and
- (e) how many of any such recruits are still in the Island and, provided that specific individuals cannot be identified, what roles these people fill?”

16. The Minister for Home Affairs will table an answer to the following question asked by Deputy M.R. Le Hegarat of St. Helier –

“Will the Minister advise –

- (a) who initiated and implemented ‘Project Horizon’ (regarding a new operational model for the States of Jersey Police);
- (b) how much the project has cost;
- (c) what consultation was undertaken with staff at all levels within the Police prior to its implementation; and
- (d) how long the project was in operation?”

17. The Minister for Home Affairs will table an answer to the following question asked by Deputy M.R. Le Hegarat of St. Helier –

“Further to the advertising of the post of Chief Officer of the States of Jersey Police and to the Minister’s response to Oral Question 153/2019, in which he stated that “*independent technical advice*” will be provided to the interview panel, will the Minister state what salary band will apply to the position and confirm that the technical advice will be provided from outside the Island and not from the Director General or anyone else from the Department of Justice and Home Affairs?”

18. The Chairman of the States Employment Board will table an answer to the following question asked by Deputy M.R. Le Hegarat of St. Helier –

“Will the Chairman state how many staff have been employed since October 2017 by the States of Jersey on an interim basis – as a consultant or on a fixed-term or similar contract (i.e. intended to be temporary in nature) – for the purpose of delivering a specific project and, in respect of each such project, will he summarise –

- (a) the terms of reference or deliverables that were specified;
- (b) the length of the contract or term of employment that applied to the interim appointment;



- (c) the budget that was allocated;
  - (d) whether salary payments were tied to successful completion of the terms of reference or specified deliverables; and
  - (e) whether the project has been delivered and if so, whether it was delivered on time and within budget?”
19. The Minister for Economic Development, Tourism, Sport and Culture will table an answer to the following question asked by Deputy K.F. Morel of St. Lawrence –
- “Will the Minister list all consultants and consulting firms engaged by the Minister’s department between 1st January 2018 and 30th June 2019, specifying the duration and value of the contracts, and confirm whether each consultant / consulting firm was engaged following a competitive tender process or whether alternative quotes from other consultants / consulting firms were sought before each appointment was made?”
20. The Chief Minister will table an answer to the following question asked by Deputy K.F. Morel of St. Lawrence –
- “Will the Minister list all consultants and consulting firms engaged by his Department between 1st January 2018 and 30th June 2019, specifying the duration and value of the contracts, and confirm whether each consultant / consulting firm was engaged following a competitive tender process or whether alternative quotes from other consultants / consulting firms were sought before each appointment was made?”
21. The Minister for Infrastructure will table an answer to the following question asked by Deputy K.F. Morel of St. Lawrence –
- “Will the Minister list all consultants and consulting firms engaged by his Department between 1st January 2018 and 30th June 2019, specifying the duration and value of the contracts, and confirm whether each consultant / consulting firm was engaged following a competitive tender process or whether alternative quotes from other consultants / consulting firms were sought before each appointment was made?”
22. The Chief Minister will table an answer to the following question asked by Deputy K.F. Morel of St. Lawrence –
- “Will the Chief Minister advise whether or not a recruitment process has been undertaken for the appointment of a permanent director of communications and, if so, what the outcome of that process was?”
23. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy K.F. Morel of St. Lawrence –
- “Will the Minister list all consultants and consulting firms engaged by her department between 1st January 2018 and 30th June 2019, specifying the duration and value of the contracts, and confirm whether each consultant / consulting firm was engaged following a competitive tender process or whether alternative quotes from other consultants / consulting firms were sought before each appointment was made?”



24. H.M. Attorney General will table an answer to the following question asked by Deputy K.G. Pamplin of St. Saviour –

“Will H.M. Attorney General commit to undertaking a comparison of current Jersey legislation relating to sexual assaults on children with the relevant recommendations of the 2017 Royal Commission into Institutional Responses to Child Sexual Abuse in Australia, in order to identify improvements to Jersey legislation which could be considered by the Assembly?”

25. The Minister for Children and Housing will table an answer to the following question asked by Deputy K.G. Pamplin of St. Saviour –

“What policy is in place, and what policy developments are being considered, in relation to the restriction of access to harmful online content, especially illegal content and the sharing of child sexual offences, to ensure that children are protected from illegal online content and criminal activity such as grooming?”

26. The Minister for Health and Social Services will table an answer to the following question asked by Deputy K.G. Pamplin of St. Saviour –

“Will the Minister provide an update on the 2017 Jersey Carers Strategy, including progress towards achieving any outstanding goals and targets set within the Strategy and any legislation that is due to be brought forward as a consequence?”

27. The Minister for Home Affairs will table an answer to the following question asked by Deputy K.G. Pamplin of St. Saviour –

“Will the Minister provide a breakdown from the past 3 years of the number of inmates at H.M.P. La Moye, stating the average time spent at the Prison once convicted and detailing the crimes committed which had resulted in a prison sentence?”

28. The Minister for the Environment will table an answer to the following question asked by Deputy K.G. Pamplin of St. Saviour –

“What steps, if any, are the Minister and his Department taking to reduce the use of single-use plastic in packaging, including any work with major retailers and supermarkets, and what new policies or legislation in relation to this subject does he plan to introduce?”

29. The Minister for Treasury and Resources will table an answer to the following question asked by Deputy M. Tadier of St. Brelade –

“Will the Minister advise –

- (a) what would be the annual cost of exempting Social Security contributions from Income Tax;
- (b) what would be the annual cost of making the rent paid by a tenant on their primary home tax deductible and what work would the Minister’s department need to undertake to implement such a measure; and
- (c) how much revenue would be raised each year by abolishing the policy of ‘20 means 20’ and putting everyone on the Marginal Rate at (i) 26% and (ii) 27% (presuming no change in behaviour)?”



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

“Further to the Assembly’s adoption of ‘Housing: prevention of discrimination by landlords against tenants with children’ (P.31/2018), will the Minister confirm that she is drawing up plans to enact this decision; and will she explain why no amendment to legislation has been lodged to date, by what date she envisages lodging a proposition, and which parts of legislation she envisages will be amended or affected by such a proposition?”

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

“Does monitoring of emissions of greenhouse gases from the Energy from Waste (EFW) plant currently take place; if not, will the Minister explain why not; and if so, will the Minister provide a monthly breakdown of the amount of greenhouse gases emitted from the EFW plant in the past 5 years?”

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

“Will the Minister state how much additional Income Tax would be generated by the application of a single rate of 27% to all Income Tax payers with all allowances applied and show how this additional sum would be distributed across Income Tax payers by income decile?”

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

“Will the Minister state what measures, if any, she has under consideration to bring down the cost to the public of G.P. consultations under the Government Plan (or otherwise); what work, if any, is being undertaken in relation to this matter with the Minister for Health and Social Services and his Department; and to what timescale is any such work being undertaken?”

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

“Will the Minister state what measures, if any, she has under consideration to bring down the cost to the public of dentistry charges, including a dental scheme for young people, under the Government Plan (or otherwise) and to what timescale any such work is being undertaken?”

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

“What measures, if any, will the Minister propose as part of the Government Plan, or otherwise, to improve equity in the application of rates of Social Security contributions and earnings limits and to what timescale is any such work being undertaken?”



36. The Minister for External Relations will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister explain to members –

- (a) what assessment, if any, he has undertaken of the implications for Jersey retail depositors of being left out of the ring-fencing arrangements for retail banks in the U.K. and being included with the wholesale banking sector; and
- (b) what assessment, if any, he has undertaken of what the implications and liabilities to the Island would be if a wholesale bank failed in the Island?”

37. The Minister for Home Affairs will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister explain in detail what measures are taken by forensic psychologists and others at H.M.P. La Moye to treat sex offenders, and what policies underpin that work; and will he further explain what the success rate has been?”

38. The Minister for Home Affairs will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister request from the Probation Service an explanation of the measures taken by the Service to treat sex offenders released from prison and to prevent re-offending, and of the policies which underpin this work; and will he request confirmation of the number of staff engaged in this area and the qualifications they hold, as well as the number of ex-sex offenders who are currently being dealt with and the success rate?”

39. The Minister for Economic Development, Tourism, Sport and Culture will table an answer to the following question asked by Deputy M.R. Higgins of St. Helier –

“Will the Minister outline what measures, if any, he proposes to take in respect of any retailers in the Island (either local or foreign-owned) charging local customers the same price for goods as those goods cost in the U.K. (i.e. where costs include 20% Value Added Tax) in order to reduce any potential inflationary effect of such pricing?”

40. 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 outline the current service provision for children and adults dealing with mental health issues, including where those in need of assistance can get help 24 hours a day 365 days a year; and will he further provide details of the number of staff engaged in this area and their qualifications, as well as the number of Islanders who are being treated at the current time?”



## ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

<b>Questions without notice 2019</b>		
<b><u>2nd Session 2019</u></b>		
<b>September 10th</b>	Home Affairs	International Development
<b>September 24th</b>	Health and Social Services	Chief Minister
<b>October 8th</b>	Education	Economic Development, Tourism, Sport and Culture
<b>October 22nd</b>	Environment	Chief Minister
<b>November 12th</b>	Treasury and Resources	Children and Housing
<b>November 26th</b>	External Relations	Chief Minister
<b>December 10th</b>	Social Security	Home Affairs