



STATES OF JERSEY ORDER PAPER

24th SEPTEMBER 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 (if any)
- Up to 30 minutes, divided between the two Ministers Oral questions without notice:
- Minister for Infrastructure
 - Chief Minister
- Statements
- Minister for Children and Housing regarding the publication of the review by the Independent Jersey Care Inquiry
- Approx. 11.30 a.m. **Health and Safety Appeal Tribunal: appointment of Chairman (P.82/2019)**
- Draft Public Holidays and Bank Holidays (Amendment) (No. 2) (Jersey) Act 201-** (P.84/2019)
- Draft Public Holidays and Bank Holidays (Amendment) (No. 2) (Jersey) Act 201-** (P.84/2019): amendment (P.84/2019 Amd.)
- Note: Because of the requirement for a one-week lodging period, the Deputy of St. Martin will seek the agreement of the Assembly to debate this matter at the meeting.*
- Comptroller and Auditor General: appointment (P.85/2019)**
- Income Support for mature students (P.89/2019)**
- Draft EU Legislation (Aquatic Animal Health) (Amendment) (Jersey) Regulations 201-** (P.91/2019)
- Draft EU Legislation (Wild Aquatic Animals – Food and Feed) (Jersey) Regulations 201-** (P.103/2019)
- Note: Because of the requirement for a six-week lodging period, the Minister for the Environment will seek the agreement of the Assembly to debate this matter at the meeting.*
- 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 25th and Thursday 26th September 2019 if necessary.



STATES OF JERSEY ORDER PAPER

24th SEPTEMBER 2019

CONSOLIDATED

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

- * Income Support (General Provisions) (Amendment No. 24) (Jersey) Order 2019. R&O.84/2019.
Minister for Social Security.

C. DOCUMENTS PRESENTED

- * Income Support for mature students (P.89/2019) – comments. P.89/2019.
Presented: 20th September 2019, *Council of Ministers.* Com.
- States of Jersey Complaints Board: findings – complaint by X against the Health and Community Services Department in respect of a Division of that Department (R.62/2019) – response of the Minister for Health and Social Services. R.62/2019.
Presented: 17th September 2019, *Minister for Health and Social Services.* Res.
- Our Hospital Programme: update to the States Assembly (September 2019). R.116/2019.
Presented: 11th September 2019, *Minister for Economic Development, Tourism, Sport and Culture.*
- Statistics Users Group: appointment of Panel Members. R.117/2019.
Presented: 12th September 2019, *Chief Minister.*
- Commissioner for Standards: Investigation of Complaint of breach of the Code of Conduct for Elected Members by Deputy M. Tadier of St. Brelade. R.118/2019.
Presented: 13th September 2019, *Privileges and Procedures Committee.*
- States Assembly Annual Report 2018. R.119/2019.
Presented: 13th September 2019, *Privileges and Procedures Committee.*
- Guidance on the use of Jèrriais by the Government of Jersey. R.120/2019.
Presented: 16th September 2019, *Chief Minister.*
- Financial Management and Internal Control. R.121/2019.
Presented: 19th September 2019, *Comptroller and Auditor General.*
- * States of Jersey Law 2005: delegation of functions – Minister for Home Affairs – revised delegations September 2019. R.122/2019.
Presented: 20th September 2019, *Minister for Home Affairs.*
- * Notice in accordance with Article 29A(3) of the States of Jersey Law 2005 of the intention to make an Order to transfer legislative functions from the Minister for Health and Social Services to the Minister for Children and Housing. R.124/2019.
Presented: 23rd September 2019, *Chief Minister.*



Recurring Themes: Decision Making (P.A.C.3/2019) – Executive Response. P.A.C.3/2019.
Presented: 11th September 2019, *Public Accounts Committee*. Res.

D. NOTIFICATION OF LODGED PROPOSITIONS

- * Draft Public Holidays and Bank Holidays (Amendment) (No. 2) (Jersey) Act 201- (P.84/2019): amendment. P.84/2019.
Lodged: 20th September 2019, *Deputy of St. Martin*. Amd.
- Government Plan: assessments of planned efficiency savings (P.88/2019) – amendment. P.88/2019.
Lodged: 17th September 2019, *Chief Minister*. Amd.
- States Assembly: time limits on speeches in debates. P.101/2019.
Lodged: 11th September 2019, *Privileges and Procedures Committee*.
- Public Holidays: designation of 28th September from 2021 onwards. P.102/2019.
Lodged: 16th September 2019, *Deputy M. Tadier of St. Brelade*.
- Draft EU Legislation (Wild Aquatic Animals – Food and Feed) (Jersey) Regulations 201-. P.103/2019.
Lodged: 18th September 2019, *Minister for the Environment*.
- * Draft Rehabilitation of Offenders (Exceptions) (Amendment No. 2) (Jersey) Regulations 201-. P.104/2019.
Lodged: 23rd September 2019, *Minister for Home Affairs*.

E. WITHDRAWAL OF LODGED PROPOSITIONS

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

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

- WQ.381/2019 1. The Chief Minister will table an answer to a question asked by Deputy K.F. Morel of St. Lawrence regarding the use of facial-recognition technology.
- WQ.382/2019 2. The Minister for External Relations will table an answer to a question asked by Deputy K.F. Morel of St. Lawrence regarding the implications of extending the U.K.'s membership of the World Trade Organisation to Jersey.
- WQ.384/2019 3. The Minister for Infrastructure will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the financial return from the Liberty Bus contract.



- WQ.385/2019 4. The Minister for Infrastructure will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the level of bicycle use in Jersey.
- WQ.386/2019 5. The Minister for Infrastructure will table an answer to a question asked by Deputy R.J. Ward of St. Helier regarding public transport projects.
- WQ.387/2019 6. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the interception of communications of a person not connected with the warrant or the subject of the investigation to which the warrant for the interception relates.
- WQ.388/2019 7. The Minister for the Environment will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the public accessibility of site notices.
- WQ.390/2019 8. The Minister for Home Affairs will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding grants to the uniformed youth services.
- WQ.391/2019 9. H.M. Attorney General will table an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the role of the Jersey Police Complaints Authority in signing off investigations into complaints.

(b) – Oral Questions

(120 minutes)

- OQ.218/2019 1. Deputy J.M. Maçon of St. Saviour will ask the following question of the Chair of the States Employment Board –
- “Is it the case that, where there is a serious complaint or investigation against civil servants at Tier 2 or above, the Board and the relevant Ministers are informed of the matter; and, if not, will the Board agree a policy that this should happen in all such cases in future?”
- OQ.219/2019 2. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –
- “Will the Minister state how the figure for overpayments on Income Support claims last year compares with the figure for 2011 given in response to Written Question 6972 on 26th June 2012 of 2,688 overpayments at an estimated median value of £138 repaid at a rate of £21 weekly?”
- OQ.216/2019 3. Senator K.L. Moore will ask the following question of the Chair of the States Employment Board –
- “Will the Chair advise whether public sector employees have been advised that they are no longer permitted to send correspondence to the media, even if they fall within categories of employment that are deemed to be politically eligible?”
- OQ.221/2019 4. The Connétable of St. Helier will ask the following question of the Minister for Treasury and Resources –
- “Given the commitment in the Common Strategic Policy to achieve fairness in the delivery of public services that does not disadvantage St. Helier ratepayers, and further to the Minister’s response to a question on 2nd July 2019 that “fairness is the whole dynamics of the C.S.P.” and that details on achieving that fairness would be in the Government Plan, will the Minister explain how this is reflected in the Plan?”



OQ.223/2019 5. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Home Affairs –

“Will the Minister advise members what rules or regulations the States of Jersey Police must follow in the strip search of prisoners who are placed in cells at Police Headquarters and what safeguards there are to ensure that any such rules or regulations are followed?”

OQ.222/2019 6. 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 whether he is considering a ban on the sale of flavoured e-cigarettes?”

OQ.220/2019 7. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –

“As the U.K. Department of Work and Pensions has decided to use from 2020 the Social Metrics Commission’s methodology (contained in the report, ‘A New Measure of Poverty’) to supplement the figure for Households Below Average Income, what measures will the Chief Minister put in place to ensure that Jersey has up-to-date figures to compare with those of the U.K., to help deliver the commitment to drive down income inequality?”

OQ.225/2019 8. Deputy S.M. Ahier of St. Helier will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –

“Will the Minister advise the Assembly of the progress made by his Inflation Ministerial Group, which he established more than six months ago?”

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

1st question period – Minister for Infrastructure

2nd question period – Chief Minister

J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

The Minister for Children and Housing will make a statement regarding the publication of the review by the Independent Jersey Care Inquiry.

L. PUBLIC BUSINESS

Health and Safety Appeal Tribunal: appointment of Chairman.

P.82/2019.

Lodged: 15th August 2019, *Minister for Social Security.*

Draft Public Holidays and Bank Holidays (Amendment) (No. 2) (Jersey) Act 201-.

P.84/2019.

Lodged: 19th August 2019, *Chief Minister.*



- * **Draft Public Holidays and Bank Holidays (Amendment) (No. 2) (Jersey) Act 201- (P.84/2019): amendment.** P.84/2019.
Amd.
Lodged: 20th September 2019, *Deputy of St. Martin.*

Note: Because of the requirement for a one-week lodging period, the minimum lodging period of the amendment lodged by the Deputy of St. Martin will expire on Friday 27th September 2019. The Deputy will therefore seek the agreement of the Assembly, under Standing Order 26(7), to reduce the lodging period in order that this matter can be debated at the meeting.

- Comptroller and Auditor General: appointment.** P.85/2019.
Lodged: 20th August 2019, *Chief Minister.*

Note: This proposition must be debated in camera in accordance with Article 3(2) of the Comptroller and Auditor General (Jersey) Law 2014.

- Income Support for mature students.** P.89/2019.
Lodged: 23rd August 2019, *Deputy G.P. Southern of St. Helier.*

- * Income Support for mature students (P.89/2019) – comments. P.89/2019.
Presented: 20th September 2019, *Council of Ministers.* Com.

- Draft EU Legislation (Aquatic Animal Health) (Amendment) (Jersey) Regulations 201-.** P.91/2019.
Lodged: 29th August 2019, *Minister for the Environment.*

- Draft EU Legislation (Wild Aquatic Animals – Food and Feed) (Jersey) Regulations 201-.** P.103/2019.
Lodged: 18th September 2019, *Minister for the Environment.*

Note: Because of the requirement for a six-week lodging period, the minimum lodging period of the proposition lodged by the Minister for the Environment will expire on Wednesday 30th October 2019. The Minister will therefore seek the agreement of the Assembly, under Standing Order 26(7), to reduce the lodging period in order that this matter can be debated at the meeting.

M. ARRANGEMENT OF PUBLIC BUSINESS

8th October 2019

- 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.*

- States of Jersey employees: Breastfeeding policy.** P.79/2019.
Lodged: 13th August 2019, *Deputy L.M.C. Doublet of St. Saviour.*

- Draft Charities (Transitional Provisions) (Amendment) (Jersey) Regulations 201-.** P.80/2019.
Lodged: 14th August 2019, *Minister for External Relations.*

- Draft Health Care (Registration) (No. 5) (Jersey) Regulations 201-.** P.83/2019.
Lodged: 19th August 2019, *Chief Minister.*



	Draft Electronic Communications (Amendment of Law) (Jersey) Regulations 201-. Lodged: 20th August 2019, <i>Chief Minister.</i>	P.86/2019.
*	Government Plan: assessments of planned efficiency savings. Lodged: 23rd August 2019, <i>Deputy G.P. Southern of St. Helier.</i>	P.88/2019.
*	Government Plan: assessments of planned efficiency savings (P.88/2019) – amendment. Lodged: 17th September 2019, <i>Chief Minister.</i>	P.88/2019. Amd.
	Government Plan: publication of the efficiencies. Lodged: 29th August 2019, <i>Deputy K.F. Morel of St. Lawrence.</i>	P.90/2019.
	Parish Assemblies: revised arrangements. Lodged: 2nd September 2019, <i>Senator S.Y. Mézec.</i>	P.92/2019.
	States’ expenditure: classification in accordance with international best practice. Lodged: 6th September 2019, <i>Deputy R.J. Ward of St. Helier.</i>	P.94/2019.
	<u>22nd October 2019</u>	
	Draft Banking Business (Depositors Compensation) (Amendment No. 2) (Jersey) Regulations 201-. Lodged: 14th August 2019, <i>Minister for External Relations.</i>	P.81/2019.
	Draft Shops (Regulation of Opening) (Amendment) (Jersey) Regulations 201-. Lodged: 6th September 2019, <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	P.93/2019.
	Draft Criminal Procedure (Jersey) Law 2018 (Appointed Day) (No. 2) Act 201-. Lodged: 9th September 2019, <i>Minister for Home Affairs.</i>	P.95/2019.
	Draft Criminal Procedure (Transitional Provisions) (Jersey) Regulations 201-. Lodged: 9th September 2019, <i>Minister for Home Affairs.</i>	P.96/2019.
	Draft Criminal Procedure (Qualifying Offences) (Jersey) Regulations 201-. Lodged: 9th September 2019, <i>Minister for Home Affairs.</i>	P.97/2019.
	Draft Criminal Procedure (Form of Oath) (Jersey) Regulations 201-. Lodged: 10th September 2019, <i>Minister for Home Affairs.</i>	P.98/2019.
	Draft Intellectual Property (Unregistered Rights) (Application, Transitional Provisions and Savings) (Amendment) (Jersey) Regulations 201-. Lodged: 10th September 2019, <i>Chief Minister.</i>	P.99/2019.
	Draft Employment (Amendment No. 11) (Jersey) Law 201-. Lodged: 10th September 2019, <i>Minister for Social Security.</i>	P.100/2019.
	Public Holidays: designation of 28th September from 2021 onwards. Lodged: 16th September 2019, <i>Deputy M. Tadier of St. Brelade.</i>	P.102/2019.



12th November 2019

5G Network: restrictions on use.

P.69/2019.

Lodged: 2nd July 2019, *Senator S.C. Ferguson*.

States Assembly: time limits on speeches in debates.

P.101/2019.

Lodged: 11th September 2019, *Privileges and Procedures Committee*.

* **Draft Rehabilitation of Offenders (Exceptions) (Amendment No. 2) (Jersey) Regulations 201-.**

P.104/2019.

Lodged: 23rd September 2019, *Minister for Home Affairs*.

26th November 2019

Government Plan 2020–2023.

P.71/2019.

Lodged: 23rd July 2019, *Council of Ministers*.

DR. M. EGAN
Greffier of the States

23rd September 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 25th and Thursday 26th September 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 19th September 2019, or an item which has been altered or moved.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.84/2019.

Income Support (General Provisions) (Amendment No. 24) (Jersey) Order 2019.

The Income Support (General Provisions) (Amendment No. 24) (Jersey) Order 2019 broadens the circumstances in which income and capital are disregarded for the purpose of calculating income support.

In particular, this Order –

- (a) increases from 25% to 26% the percentage of weekly household income that is to be disregarded for the purposes of calculating income support;
- (b) exempts a person under 25 from being counted as part of the same household as their parent(s) or family unit, if they meet all the criteria for qualification for: the rate of the personal care element of income support under paragraph 6(4) of Schedule 1 to the Income Support (Jersey) Regulations 2007; or the rate of benefit for the lowest level of standard care under Article 8 of the Long-Term Care (Benefits) (Jersey) Order 2014;
- (c) amends Schedule 2 to the Income Support (General Provisions) (Jersey) Order 2008 (capital to be disregarded), in order to disregard, for the purposes of assessment of the household income of a claimant of income support, capital accumulated in order to care for a person who qualifies for benefits for which provision is made by paragraph 6(1)(c) or (d) of Schedule 1 to the Income Support (Jersey) Regulations 2007), or for long-term care benefits for which provision is made by Article 8 of the Long-Term Care (Benefits) (Jersey) Order 2014;
- (d) makes a minor amendment to delete a duplicated definition in the Income Support (General Provisions) (Jersey) Order 2008.

The Order was made on 20th September 2019 and comes into force on 1st October 2019.