



# STATES OF JERSEY ORDER PAPER

2nd MARCH 2021

## 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. Oral questions with notice  
Up to 2 hours 20 minutes  
*Urgent questions (if any)*
- Up to 45 minutes, divided between the three Ministers Oral questions without notice:
- Minister for External Relations
  - Minister for Health and Social Services
  - Chief Minister
- Statements (if any)*
- Approx. 2.15 p.m. **Encroachments on the Foreshore: Revised Policy.** (P.111/2020)
- Encroachments on the Foreshore: Revised Policy: amendment.** (P.111/2020 Amd.)
- Encroachments on the Foreshore: Revised Policy: amendment (P.111/2020 Amd.): amendment** (P.111/2020 Amd.Amd.)
- Encroachments on the Foreshore: Revised Policy: second amendment** (P.111/2020) Amd.(2))
- Migration Control Policy.** (P.137/2020)
- Migration Control Policy: second amendment.** (P.137/2020 Amd.(2))
- Migration Control Policy: second amendment (P.137/2020 Amd.(2)) – amendment.** (P.137/2020 Amd.(2)Amd.)
- Migration Control Policy: third amendment.** (P.137/2020 Amd.(3))
- Jersey Overseas Aid Commission: Reappointment of Commissioner.** (P.4/2021)
- Improvements to Road Safety** (P.5/2021)
- Improvements to Road Safety: amendment** (P.5/2021 Amd.)
- Comptroller and Auditor General Board of Governance: Appointment of Chair and Members.** (P.7/2021)

*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 3rd and Thursday 4th March 2021 if necessary.*



# STATES OF JERSEY ORDER PAPER

2nd MARCH 2021

## A. COMMUNICATIONS BY THE PRESIDING OFFICER

## B. TABLING OF SUBORDINATE ENACTMENTS

*(Explanatory note attached)*

Covid-19 (Workplace Restrictions) (Amendment No. 9) (Jersey) Order 2021. R&O.15/2021.  
*Minister for Health and Social Services.*

Road Traffic (Public Parking Places – Charges) (Amendment) (Jersey) Order 2021. R&O.17/2021.  
*Minister for Infrastructure.*

Road Traffic (St. Mary) (Amendment No. 3) (Jersey) Order 2021. R&O.18/2021.  
*Minister for Infrastructure.*

Social Security (Contributions) (Covid-19) (Amendment No. 2) (Jersey) Order 2021. R&O.19/2021.  
*Minister for Social Security.*

Covid-19 (Gathering Control) (Amendment No. 2) (Jersey) Order 2021. R&O.20/2021.  
*Minister for Health and Social Services.*

Covid-19 (Gathering Control) (Amendment No. 3) (Jersey) Order 2021. R&O.21/2021.  
*Minister for Health and Social Services.*

Education (Grants and Allowances) (Amendment) (Jersey) Order 2021. R&O.22/2021.  
*Minister for Education.*

Road Traffic (St. Saviour) (Amendment No. 14) (Jersey) Order 2021. R&O.23/2021.  
*Minister for Infrastructure.*

Covid-19 (Workplace Restrictions and Gathering Control) (Amendment No. 2) (Jersey) Order 2021. R&O.24/2021.  
*Minister for Health and Social Services.*

Prison (Amendment No. 5) (Jersey) Rules 2021. R&O.25/2021.  
*Minister for Home Affairs.*

## C. DOCUMENTS PRESENTED

Migration Control Policy (P.137/2020): third amendment – Comments Presented: 25th February 2021, *Privileges and Procedures Committee.* P.137/2020.  
Amd.(3).  
Com.

States of Jersey Law 2005: Delegation of Functions to Prison Governor – Minister for Home Affairs – Revised Delegations February 2021. R.15/2021.  
Presented: 12th February 2021, *Minister for Home Affairs.*

Government Plan 2021 – 2024 (as amended) R.16/2021.  
Presented: 15th February 2021, *Council of Ministers*



Annex to the Government Plan 2021 – 2024. Presented: 15th February 2021, <i>Council of Ministers</i>	R.17/2021.
Disability Strategy Update 2020. Presented: 15th February 2021, <i>Minister for Social Security</i> .	R.18/2021.
Land Transactions under Standing Order 168(3) – Office Accommodation Project, Union Street, St. Helier – Agreement. Presented: 16th February 2021, <i>Minister for Infrastructure</i>	R.19/2021. (re-issue)
Land Transactions under Standing Order 168(3) – Office Accommodation Project, Union Street, St. Helier – Agreement: Addendum. Presented: 16th February 2021, <i>Minister for Infrastructure</i>	R.19/2021. Add.
States of Jersey Law 2005- delegation of functions – Minister for Social Security – revised delegations February 2021. Presented: 16th February 2021, <i>Minister for Social Security</i>	R.20/2021.
Notice under Article 29A(1)(b) of the States of Jersey Law 2005: Minister for Children and Education and Minister for Housing and Communities. Presented: 16th February 2021, <i>Chief Minister</i>	R.21/2021.
Andium Homes Limited - Amendment to Transfer Agreement. Presented: 17th February 2021, <i>Minister for Treasury and Resources</i>	R.22/2021.
Fiscal Policy Panel: Re-appointment of Member. Presented 22nd February 2021, <i>Minister for Treasury and Resources</i>	R.23/2021.
Transfers Between Heads of Expenditure Under the Public Finances (Jersey) Law 2019: Article 18 – 15th February 2021. Presented: 23rd February 2021, <i>Minister for Treasury and Resources</i> .	R.24/2021.
Land Transactions under Standing Order 168(3) – No.2 Maison D’Azette, La Grande Route de St Cote, St Clement Cancellation of Existing 99-Year Lease and Transfer of the Public’s Flying-Freehold Ownership. Presented: 24th February 2021, <i>Minister for Infrastructure</i>	R.25/2021.
Conclusion of UK-EU Trade and Cooperation Agreement - Inclusion of the Bailiwick of Jersey. Presented 24th February 2021, <i>Council of Ministers</i>	R.26/2021.
Finance Law Delegation Report for the Six-Month Period to 31st December 2020. Presented 24th February 2021, <i>Minister for Treasury and Resources</i>	R.27/2021.
Jersey Bank Depositors Compensation Board: Reappointment of Board members Presented 25 <sup>th</sup> February 2021, <i>Minister for External Relations</i>	R.28/2021.
Inclusion of the Bailiwick of Jersey in the UK/EU Trade and Co-operation Agreement: Goods and Trade. Presented: 19th February 2021, <i>Brexit Review Panel</i> .	S.R.4/2021.
Inclusion of the Bailiwick of Jersey in the UK/EU Trade and Co-operation Agreement: Fisheries. Presented: 19th February 2021, <i>Environment, Housing and Infrastructure Scrutiny Panel</i> .	S.R.5/2021.



P.137/2020 Migration Control Policy (Phase 1) Review. S.R.6/2021.  
Presented 25th February 2021, *Migration Population Review Panel*.

Safer Travel Guidelines: Final Report (S.R.8/2020) – Response of the Minister for Health and Social Services. S.R.8/2020.  
Presented: 11th February 2021, *Minister for Health and Social Services*. Res.

Scrutiny Review of the Government Plan: 2021-2024 – Children, Education and Home Affairs Scrutiny Panel (S.R.11/2020): Joint Ministerial Response. S.R.11/2020.  
Presented: 12th February 2021, *Minister for Home Affairs* Res.

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

Encroachments on the Foreshore: Revised Policy (P.111/2020) – amendment (P.111/2020 Amd.): amendment. P.111/2020.  
Presented: 24th February 2021, *Minister for Infrastructure*. Amd.Amd.

Encroachments on the Foreshore: Revised Policy (P.111/2020) – second amendment. P.111/2020.  
Presented: 16th February 2021, *Minister for Infrastructure*. Amd.(2).

Migration Control Policy (P.137/2020): second amendment. P.137/2020.  
Lodged: 16th February 2021, *Deputy J.H. Perchard of St. Saviour*. Amd.(2).

Migration Control Policy (P.137/2020) – second amendment (P.137/2020 Amd.(2)) – amendment. P.137/2020  
Lodged: 23rd February 2021, *Chief Minister* Amd.

Migration Control Policy (P.137/2020): third amendment. P.137/2020.  
Presented: 16th February 2021, *Migration and Population Review Panel* Amd.(3).

Improvements to Road Safety (P.5/2021): amendment. P.5/2021.  
Lodged: 19th February 2021, *Minister for Infrastructure*. Amd.

Draft States of Jersey Police Force (Amendment No.3) Law 202-. P.10/2021.  
Lodged: 17th February 2021, *Minister for Home Affairs*. (re-issue)

#### **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 –

Migration Control Policy (P.137/2020): amendment. P.137/2020.  
Lodged: 23rd October 2020, *Deputy J.H. Perchard of St. Saviour*. Amd.

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

#### **G. MATTERS OF PRIVILEGE**

#### **H. PETITIONS**



## I. QUESTIONS

### (a) – Written Questions (attached)

- WQ.39/2021 1. The Minister for Treasury and Resources tabled an answer on 15th February 2021 to a question asked by the Connétable of St Brelade regarding the tender for the provision of a new tug for the Ports of Jersey.
- WQ.40/2021 2. The Minister for Treasury and Resources tabled an answer on 15th February 2021 to a question asked by Senator S.Y. Mézec regarding people earning over £1 million in Jersey.
- WQ.41/2021 3. The Chief Minister tabled an answer on 15th February 2021 to a question asked by Deputy K.G. Pamplin of St. Saviour regarding unpublished Government reports.
- WQ.42/2021 4. The Minister for Education tabled an answer on 15th February 2021 to a question asked by Deputy R.J. Ward of St. Helier regarding peak flow testing in schools.
- WQ.44/2021 5. H.M. Attorney General tabled an answer on 22nd February 2021 to a question asked by Senator S.Y. Mézec regarding voting and Powers of Attorney (Jersey) Law 1995.
- WQ.45/2021 6. The Minister for Social Security tabled an answer on 22nd February 2021 to a question asked by Senator S.Y. Mézec regarding increasing the level of the minimum wage to the same as the living wage.
- WQ.46/2021 7. The Chief Minister tabled an answer on 24th February 2021 to a question asked by Deputy R.J. Ward of St. Helier regarding conflicts of interest.
- WQ.47/2021 8. The Minister for Education tabled an answer on 22nd February 2021 to a question asked by Deputy R.J. Ward of St Helier regarding the free school meals pilot programme.
- WQ.48/2021 9. The Minister for Infrastructure tabled an answer on 22nd February 2021 to a question asked by Deputy R.J. Ward of St. Helier regarding the priority given to pedestrians, cyclists and horse riders in Green Lanes.
- WQ.49/2021 10. The Assistant Minister for Treasury and Resources tabled an answer on 22nd February 2021 to a question asked by Senator S.C. Ferguson regarding JT network problems.
- WQ.50/2021 11. The Minister for Economic Development, Tourism, Sport and Culture tabled an answer on 22nd February 2021 to a question asked by Senator S.C. Ferguson regarding JT reliability and communication.
- WQ.51/2021 12. The Minister for Education tabled an answer on 22nd February to a question asked by Deputy C.S. Alves of St. Helier regarding Lateral Flow Testing on Students.
- WQ.52/2021 13. The Minister for Health and Social Services tabled an answer on 22nd February to a question asked by Deputy C.S. Alves of St. Helier regarding the Jersey Covid Alert app.
- WQ.53/2021 14. The Minister for Health and Social Services tabled an answer on 22nd February to a question asked by Deputy C.S. Alves of St. Helier regarding workforce testing.
- WQ.54/2021 15. The Minister for Social Security tabled an answer on 22nd February 2021 to a question asked by Deputy G.P. Southern of St. Helier regarding the rates of Income Support components.
- WQ.56/2021 16. The Minister for External Relations tabled an answer on 22nd February 2021 to a question asked by Deputy G.P. Southern of St. Helier regarding the impact of Brexit.



- WQ.57/2021 17. The Minister for the Environment tabled an answer on 22nd February 2021 to a question asked by Deputy I. Gardiner of St. Helier regarding the Blue Badge Scheme.
- WQ.58/2021 18. The Minister for Infrastructure tabled an answer on 22nd February 2021 to a question asked by Deputy I. Gardiner of St. Helier regarding the Blue Badge Scheme.
- WQ.59/2021 19. The Minister for Health and Social Services tabled an answer on 22nd February 2021 to a question asked by Deputy M.R. Higgins of St. Helier regarding the recording of incidents in the Hospital and the wider health service.
- WQ.60/2021 20. The Minister for Health and Social Services tabled an answer on 22nd February 2021 to a question asked by Deputy M.R. Higgins of St. Helier regarding incident reports in the Hospital and the wider health service.
- WQ.61/2021 21. The Minister for Treasury and Resources tabled an answer on 22nd February 2021 to a question asked by Deputy M.R. Higgins of St. Helier regarding the Criminal Offences Confiscation Fund.

**(b) – Oral Questions**

(120 minutes)

- OQ.34/2021 1. Deputy K.G. Pamplin of St. Saviour will ask the following question of the Minister for Children and Housing –
- “Will the Minister update the Assembly on the impact, if any, that the Covid-19 pandemic has had on the commitment made to address the recommendations of the Independent Jersey Care Inquiry and its follow up report in 2019?”
- OQ.51/2021 2. Deputy M.R. Higgins of St. Helier will ask the following question of H.M. Attorney General –
- “Will H.M. Attorney General advise members which person or body has legal responsibility for oversight of the States of Jersey Police in cases where claims are made that the Police have either failed to undertake an investigation into a criminal allegation, or have failed to investigate it properly; and will he further state who is legally accountable when it is found the Police have failed to investigate a crime properly?”
- OQ.65/2021 3. Deputy I. Gardiner of St. Helier will ask the following question of the Chief Minister –
- “Will the Chief Minister advise what plans, if any, the Government has to introduce or enhance legislation in the Island regarding online safety, including measures to address cyber-abuse, cyberbullying and trolling?”
- OQ.48/2021 4. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –
- “Is it the Minister’s assessment that the response to Written Question 54/2021 shows that the most basic components of Income Support have not matched inflation of 16% over the period 2014 to 2021; and will she explain how the statement that average claims increased by 18% is consistent with the concept of effective indexing?”
- OQ.63/2021 5. Senator S.Y. Mézec will ask the following question of the Chief Minister –
- “Will the Chief Minister advise what measures, if any, the Government will propose to ensure that the decade-long freeze in real-terms earnings that Islanders have experienced since the aftermath of the financial crash does not continue through to the aftermath of the Covid-19 pandemic?”



- OQ.53/2021 6. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for Education –
- “Further to questions about this subject on 9th February 2021, will the Minister confirm the commitment to extending the number of weekly hours of nursery education provided by the Nursery Education Fund to 30 hours by the Autumn Term 2021; and, if he will not do so, will he explain why and state when he will be in a position to confirm such an extension?”
- OQ.55/2021 7. The Connétable of St. Helier will ask the following question of the Minister for Treasury and Resources –
- “What progress, if any, has the Minister made in implementing the decision of the States Assembly on 16th December 2020, in adopting the 10th Amendment to the Government Plan, to review the provision of public services by the Parishes?”
- OQ.46/2021 8. Deputy M.R. Le Hegarat of St. Helier will ask the following question of the Assistant Chief Minister –
- “What health services, if any, that are due to be relocated from Overdale to the former Les Quennevais School building is it anticipated will not return in their current form on completion of the new Hospital?”
- OQ.57/2021 9. 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 intends to relax the restrictions on relatives visiting family members in care homes?”
- OQ.58/2021 10. Deputy C.S. Alves of St. Helier will ask the following question of the Chief Minister –
- “In light of the citizens’ panels and juries being set up by the Government, will the Chief Minister state how the Government will ensure that the people selected to take part in any such panels are representative of the Island's population, and that all methods of collecting qualitative and quantitative data from these panels and juries are impartial and follow international best practices for market or social research?”
- OQ.61/2021 11. Deputy M. Tadier of St. Brelade will ask the following question of the Assistant Chief Minister –
- “Will the Minister advise what consultation, if any, was undertaken with the residents of Les Quennevais Park and Clos des Sables area before the decision was made to relocate Overdale facilities to the old school site?”
- OQ.60/2021 12. Deputy R.J. Ward of St. Helier will ask the following question of the Minister for Social Security –
- “The UNCRC Committee requires GOJ to ensure that support provided by way of benefits is adequate. However:  
Where an adult claimant leaves work without ‘good cause’ regulations provide for a sanction period of 91 days during which income support will be paid at a reduced rate. This applies equally where the claimant is a member of a household which includes a child.  
Does the Minister exercise discretion when the household includes children?”



- OQ.45/2021 13. Deputy K.F. Morel of St. Lawrence will ask the following question of the Minister for International Development –
- “What actions, in any, is the Minister taking to help people in developing countries gain access to Covid-19 vaccines?”
- OQ.62/2021 14. Deputy R.J. Ward of St. Helier will ask the following question of the Minister for the Environment –
- “Will the Minister advise what records, if any, are kept by his department of incidences where residential rental properties have failed fire safety standards; and will he provide the number of any such incidences for each of the last 3 years?”
- OQ.52/2021 15. Deputy M.R. Higgins of St. Helier will ask the following question of the Minister for Social Security –
- “Will the Minister advise members what discretion, if any, she has with regards to the management (and cancellation) of debts owed by Income Support recipients due to overpayments, including in which circumstances this discretion has been, or may be, exercised?”
- OQ.59/2021 16. Deputy C.S. Alves of St. Helier will ask the following question of the Minister for Health and Social Services –
- “Are reminders sent to the people taking part in workforce testing, given that such testing is meant to be undertaken at regular intervals?”
- OQ.56/2021 17. The Connétable of St. Helier will ask the following question of the Minister for Infrastructure –
- “Following my oral question on 30th June 2020 about the Minister’s review of the future of the former police headquarters site in Rouge Bouillon, and statements during the debate on the Government Plan regarding the temporary relocation of the Sea Cadets to this site, will the Minister advise the Assembly of the progress on this review?”
- OQ.54/2021 18. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for Health and Social Services –
- “Is it the Minister’s intention to revisit the current position within the Gatherings Regulations and Order whereby children under the age of 12 are counted towards the number of people considered as taking part in a gathering; if so, when will he do so; and, if not, will he explain why?”
- OQ.49/2021 19. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –
- “Will the Chief Minister advise when he considers the Government will have delivered “meaningful increases on minimum wage”, given this commitment made by the Government in the Common Strategic Policy?”
- OQ.64/2021 20. Senator S.Y. Mézec will ask the following question of the Minister for Children and Housing –
- “Does the Minister support the ambition set out in the Jersey Homelessness Strategy that setting more affordable rents for social housing should be considered?”





- OQ.66/2021 21. Deputy I. Gardiner of St. Helier will ask the following question of the Minister for Infrastructure –
- “Given that, in adopting P.64/2020, the Assembly agreed that legislation should be brought forward by February 2021 for the prohibition of plastic and paper bags, will the Minister advise when this legislation will be lodged for debate?”
- OQ.47/2021 22. Deputy M.R. Le Hegarat of St. Helier will ask the following question of the Minister for Home Affairs –
- “Will the Minister provide an update on the number of applicants currently awaiting confirmation of their new status under the Jersey-EU Settlement Scheme?”
- OQ.50/2021 23. Deputy K.F. Morel of St. Lawrence will ask the following question of the Minister for Health and Social Services –
- “Will the Minister advise the Assembly of the expected date, and anticipated cost, of the removal of the Nightingale hospital at Millbrook?”

**(c) – Questions to Ministers without notice (45 minutes) –**

1st question period – Minister for External Relations

2nd question period – Minister for Health and Social Services

3rd question period – Chief Minister

**J. PERSONAL STATEMENTS**

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

**L. PUBLIC BUSINESS**

**Encroachments on the Foreshore: Revised Policy.** P.111/2020.  
Lodged: 18th September 2020, *Minister for Infrastructure.*

Foreshore Encroachment Policy Review. S.R.1/2021.  
Presented: 14th January 2021, *Environment, Housing and Infrastructure Scrutiny Panel.*

**Encroachments on the Foreshore: Revised Policy: amendment.** P.111/2020.  
Lodged: 31st December 2020, *Deputy of Grouville.* Amd.

**Encroachments on the Foreshore: Revised Policy (P.111/2020) – amendment (P.111/2020 Amd.): amendment.** P.111/2020.  
Presented: 24th February 2021, *Minister for Infrastructure.* Amd.Amd.

**Encroachments on the Foreshore: Revised Policy (P.111/2020) – second amendment.** P.111/2020.  
Presented: 16th February 2021, *Minister for Infrastructure* Amd.(2).



<b>Migration Control Policy.</b> Lodged: 20th October 2020, <i>Chief Minister.</i>	P.137/2020.
P.137/2020 Migration Control Policy (Phase 1) Review. Presented 25th February 2021, <i>Migration Population Review Panel.</i>	S.R.6/2021.
<b>Migration Control Policy (P.137/2020): second amendment.</b> Lodged: 16th February 2021, <i>Deputy J.H. Perchard of St. Saviour.</i>	P.137/2020. Amd.(2).
<b>Migration Control Policy (P.137/2020): third amendment.</b> Presented: 16th February 2021, <i>Migration and Population Review Panel.</i>	P.137/2020. Amd.(3).
Migration Control Policy (P.137/2020): third amendment – Comments. Presented: 25th February 2021, <i>Privileges and Procedures Committee.</i>	P.137/2020. Amd.(3). Com.
<b>Jersey Overseas Aid Commission: Reappointment of Commissioner.</b> Lodged: 25th January 2021, <i>Minister for International Development.</i>	P.4/2021.
<b>Improvements to Road Safety.</b> Lodged: 26th January 2021, <i>Connétable of St. Martin.</i>	P.5/2021.
<b>Improvements to Road Safety (P.5/2021): amendment</b> Lodged: 19th February 2021, <i>Minister for Infrastructure</i>	P.5/2021. Amd.
<b>Comptroller and Auditor General Board of Governance: Appointment of Chair and Members.</b> Lodged: 3rd February 2021, <i>Chief Minister.</i>	P.7/2021.

## M. ARRANGEMENT OF PUBLIC BUSINESS

### 23rd March 2021

<b>Secondary Employment of Public Sector Employees: Review of Policies.</b> Lodged: 30th October 2020, <i>Deputy J.M. Maçon of St. Saviour.</i>	P.146/2020.
<b>Draft States of Jersey (Amendment No. 9) Law 202-.</b> Lodged: 22nd January 2021, <i>Privileges and Procedures Committee.</i>	P.3/2021.
<b>Draft Road Traffic (No. 65) (Jersey) Regulations 202-.</b> Lodged: 2nd February 2021, <i>Minister for Infrastructure.</i>	P.6/2021.
<b>Draft Termination of Pregnancy (Amendment No.2) (Jersey) Law 202-.</b> Lodged: 5th February 2021, <i>Deputy L.M.C. Doublet of St. Saviour</i>	P.8/2021.

### 20th April 2021

<b>Draft Income Tax (Payment of 2019 Liability) (Jersey) Regulations 202-.</b> Lodged: 10th February 2021, <i>Minister for Treasury and Resources.</i>	P.9/2021.
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**Draft States of Jersey Police Force (Amendment No.3) Law 202-.**  
Lodged: 17th February 2021, *Minister for Home Affairs*

P.10/2021.  
(re-issue)

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

25th February 2021

**Note –**

**In accordance with the meeting dates fixed for 2021 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 3rd and Thursday 4th March 2021.**



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

(See Item B)

### **R&O.15/2021.**

Covid-19 (Workplace Restrictions) (Amendment No. 9) (Jersey) Order 2021.

*Minister for Health and Social Services.*

This Order amends the Covid-19 (Workplace Restrictions) (Jersey) Order 2020 (*Article 1* is the interpretation provision referring to that Order) to relax some of the restrictions on the opening of workplaces (and to tighten them in one small respect).

*Article 2* amends *Article 2* (the provision of the 2020 Order requiring the closure to the public of certain workplaces). The amendments:

- (a) allow the opening of workplaces used for the purposes of carrying out:
  - (i) activities undertaken by spas, nail salons, beauty salons, waxing salons or tanning salons, or for laser hair removal,
  - (ii) non-surgical cosmetic procedures such as Botox injections and facial fillers,
  - (iii) tattooing, piercing, acupuncture or massage, or
  - (iv) providing haircuts, hair styling or the professional application of make-up;
- (b) require changing and shower facilities used in connection with indoor or outdoor sport or exercise to be closed whether those facilities are indoors or outdoors; and
- (c) remove the requirement for swimming and paddling pools to be closed in all circumstances (they are now allowed to be open for limited purposes described below).

*Article 3* amends *Article 3* (the provision of the 2020 Order allowing specified workplaces to be open to the public for certain purposes). It is widened to allow:

- (a) changing facilities used in connection with swimming pools or paddling pools to be open but only for the purpose of certain children's activities;
- (b) swimming pools and paddling pools to be open but only for the same purposes as indoor physical activity facilities are allowed to be open;
- (c) licensed premises to be open additionally for the purposes mentioned in (a)(i) to (iv) as to *Article 2*; and
- (d) indoor physical activity facilities to be open additionally to allow up to 5 high performing athletes to take part in a physical activity along with up to 2 trainers or others instructing the athletes or assisting them with their training or physical fitness.

*Article 4* limits the requirement to wear masks in indoor physical activity facilities to where they are required to be worn by visitors, namely when access is incidental to the use of outdoor facilities or in connection with therapeutic services.

*Article 5* provides for how the Order is to be cited and for it to come into force on 10th February 2021.

The Order was made on 9th February 2021 and came into force on 10th February 2021.

### **R&O.17/2021.**

Road Traffic (Public Parking Places – Charges) (Amendment No. 5) (Jersey) Order 2021.

*Minister for Infrastructure.*

This Order increases parking charges in public parking places by a maximum of 1.15%. The parking unit charge is increased except for electric and plug in hybrid electric vehicles. The charges for monthly season tickets are increased, including for electric and plug in hybrid electric vehicles. Excess charges remain



unchanged and parking remains free for electric or plug in hybrid electric vehicles for a period of 12 months after first registration in Jersey.

This Order removes the definition “low emission vehicle” as this is no longer considered necessary in the light of the specific provisions for electric and plug in hybrid vehicles.

Parking charges were last increased with effect from 1st March 2020. This Order comes into force on 1st March 2021.

The Order was made on 12th February 2021 and came into force on 1st March 2021.

### **R&O.18/2021.**

Road Traffic (St. Mary) (Amendment No. 3) (Jersey) Order 2021.

*Minister for Infrastructure.*

This Order amends the Road Traffic (St. Mary) (Jersey) Order 2000 by allowing pedal cycles to be used in both directions along the part of La Rue de la Vallée which is one-way for other vehicles.

This Order comes into force 7 days after the day it is made.

The Order was made on 12th February 2021 and came into force on 19th February 2021.

### **R&O.19/2021.**

Social Security (Contributions) (Covid-19) (Amendment No. 2) (Jersey) Order 2021.

*Minister for Social Security.*

This Order amends Articles 2 and 3 of the Social Security (Contributions) (Covid-19) (Jersey) Order 2020 (the “principal Order”) to provide that an employer required to make a Class 1 contribution in respect of the period of 3 months beginning 1st October 2020 (“Quarter D”), or an insured person required to pay a Class 2 contribution in respect of Quarter D, may apply to defer payment of those contributions by up to 24 months. The Order comes into force on the day after it is made.

The Order was made on 7th January 2021 and came into force on 8th January 2021.

### **R&O.20/2021.**

Covid-19 (Gathering Control) (Amendment No. 2) (Jersey) Order 2021.

*Minister for Health and Social Services.*

This Order amends the current limitations on people gathering that are set out in the Covid-19 (Gathering Control) (Jersey) Order 2020 (see *Article 1*).

The effect is to increase the numbers of people who may gather for the celebration of a marriage or civil partnership, at a funeral or part of a service of religious worship from 20 to 40 (*Article 2*). The Order also allows up to 35 people to gather to enable children to participate in sport or exercise (*Article 3*).

The Order comes into force on 17th February 2021 (*Article 4*).

The Order was made on 15th February 2021 and came into force on 17th February 2021.

**R&O.21/2021.**

Covid-19 (Gathering Control) (Amendment No. 3) (Jersey) Order 2021.

*Minister for Health and Social Services.*

This Order amends the Covid-19 (Gathering Control) (Jersey) Order 2020, following the amendment to that Order made by the Covid-19 (Gathering Control) (Amendment No. 2) (Jersey) Order 2021 (the “Amendment No. 2 Order”). The effect of this amendment is to require a gathering to be in the open air if it is to benefit from the exception for controlled gatherings of up to 35 people for children’s sport or exercise, which was added by the Amendment No. 2 Order.

This Order comes into force immediately after the commencement of the Amendment No. 2 Order, at the start of 17th February 2021.

The Order was made on 16th February 2021 and came into force on 17th February 2021.

**R&O.22/2021.**

Education (Grants and Allowances) (Amendment) (Jersey) Order 2021.

*Minister for Education.*

The Education (Grants and Allowances) (Amendment) (Jersey) Order 2021 makes amendments to certain definitions in the interpretation provision of the Education (Grants and Allowances) (Jersey) Order 2018 (the “2018 Order”). It also provides for a maximum available grant in respect of a distance learning course, for a maximum duration of a course for which a skills bursary is payable, and adds a further situation in which interview attendance allowance is not payable. In particular –

*Article 1* states that the Order amends the 2018 Order.

*Article 2* amends Article 1 (interpretation) of the 2018 Order to update the definition of “parent” and delete the definition “income” (which is re-inserted as its own Article in *Article 4*).

*Article 3* amends Article 2 (dependent and independent students) of the 2018 Order by amending the definition of “independent student” by removing the requirement for a married student to also be over the age of 21; and adding that a student qualifies as an independent student if the student has no living parents, is themselves a parent, or is under the care of the Minister for Children and Housing or is a care leaver.

*Article 4* inserts a new Article 3A (meaning of “income”) into the 2018 Order. This re-states the definition “income” that is deleted from Article 1 of the 2018 Order, and provides that, if an individual holds 5% or more interest in a business, income from that business is deemed to be the income of that individual, in proportion with the individual’s holding in the business.

*Article 5* amends Article 17 (distance learning courses) of the 2018 Order to provide that a distance learning grant is subject to a maximum payment of £7,400 per academic year.

*Article 6* amends Article 21 (skills bursary allowance) of the 2018 Order to provide that a skills bursary is available only for a course whose duration does not exceed 2 years.

*Article 7* amends Article 22 (interview attendance allowance) of the 2018 Order to provide that interview attendance allowance is not payable where the “relevant assets” in respect of the student exceed £500,000.

*Article 8* gives the citation and provides that the Order comes into force 7 days after it is made.

The Order was made on 19th February 2021 and came into force 26th February 2021.



### **R&O.23/2021.**

Road Traffic (St. Saviour) (Amendment No. 14) (Jersey) Order 2021.

*Minister for Infrastructure.*

This Order amends the Road Traffic (St. Saviour) (Jersey) Order 2000 by replacing the current one-way restriction in La Chasse Brunet. That restriction allows traffic to be driven a northerly direction only from the junction with Bagatelle Road to the junction with La Rue de Patier. This Order provides for the one-way restriction to run in the opposite direction, that is, to allow vehicles to be driven only in the direction from the junction with La Rue de Patier to Bagatelle Road.

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

The Order was made on 19th February 2021 and came into force on 20th February 2021.

### **R&O.24/2021.**

Covid-19 (Workplace Restrictions and Gathering Control) (Amendment No. 2) (Jersey) Order 2021.

*Minister for Health and Social Services.*

This Order further relaxes the restrictions imposed by the Covid-19 (Workplace Restrictions) (Jersey) Order 2020 and makes a minor amendment to the Covid-19 (Gathering Control) (Jersey) Order 2020.

*Article 1* provides that *Articles 2 to 8* amend the above-mentioned Order on restrictions in workplaces.

*Article 2* inserts into the interpretation Article a definition of “accommodation premises” to cover registered tourism premises (hotels, guest houses, self-catering accommodation, youth hostels and camp sites) and clubs where members can stay.

*Article 3* removes the restriction on the opening of workplaces used by driving instructors (meaning their vehicles).

*Article 4* lifts some of the restrictions on the opening of food and drink premises to allow food and drink to be served at tables of up to 10 people till 10 p.m., for premises to be open till 10.30 p.m. and for alcohol to be served if it is ordered at the same time as, or during the consumption of, a meal. In the case of food and drink premises that are also accommodation premises, the time limits do not apply in respect of residents and their guests. Nightclubs are now allowed to be open for the purpose of serving food and drink in accordance with these requirements. Other restrictions applying to licensed premises are removed. Nothing in the whole of this Article is to affect any other condition to which a licence is subject.

*Article 5* limits the requirements for visitors to food and drink premises to wear masks to where the visitor is purchasing or waiting to purchase take-away food or is consuming food or drink on the premises, except while actually eating or drinking. In the case of accommodation premises the visitor must wear a mask in the non-food and drink part of the premises except in the visitor’s own sleeping accommodation. People are also required to wear masks in driving instructors’ vehicles.

*Article 6* requires workers to wear masks or visors in accommodation premises, and in the case of food premises and accommodation premises, the requirement now applies also while the worker is in the presence of a person working as part of a different workforce to the worker. Driving instructors are also now required to wear masks unless to do so would be unsafe.

*Article 7* extends the contact tracing requirements to accommodation premises and driving instructors’ vehicles.

*Article 8* extends the 2 metre distancing requirements to food and drink premises where customers are purchasing or waiting to purchase take-away food or consuming food or drink on the premises. The exceptions are in respect of people who expected to sit at the same table or where the occupier or operator of the premises has deployed screens that shield people from each other. The distancing requirements are also extended to accommodation premises except in the person’s own sleeping accommodation.



*Article 9* amends the Covid-19 (Gathering Control) (Jersey) Order 2020 to correct a cross-reference and make it clear that the relaxation on gatherings at weddings, funerals and religious services to up to 40 people applies only to the ceremony itself.

*Article 10* provides the name by which the Order may be cited and for it to come into force on 22nd February 2021.

The Order was made on 19th February 2021 and came into force on 22nd February 2021.

**R&O.25/2021.**

Prison (Amendment No. 5) (Jersey) Rules 2021.

*Minister for Home Affairs.*

These Rules amend the Prison (Jersey) Rules 2007 to allow a unit manager to inquire into a disciplinary charge against a prisoner (currently, only senior unit managers and above can inquire into a charge). These Rules come into force 7 days after they are made.

The Rules were made on 23rd February 2021 and came into force on 2nd March 2021.





## WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Treasury and Resources tabled an answer on 15th February 2021 to the following question asked by the Connétable of St Brelade –

“Will the Minister, as shareholder representative for the Ports of Jersey, advise Members of the cost of the tender submitted by Damen Shipyards Group for the provision of a new tug (due to be delivered in Quarter 4 this year), the basis on which the tender was accepted and the source of funding for the tug?”

2. The Minister for Treasury and Resources tabled an answer on 15th February 2021 to the following question asked by Senator S.Y. Mézec –

“Further to the answer to Written Question 1/2021, in which it was stated that the number of people in Jersey earning over £1 million a year in 2012 was fewer than 12, will the Minister explain why this figure does not correspond with the information provided in the response that was published on 8th April 2015 to a Freedom of Information request (Reference 202-03-59611), in which it was which stated that the figure was 59?”

3. The Chief Minister tabled an answer on 15th February 2021 to the following question by Deputy K.G. Pamplin of St. Saviour –

“Will the Chief Minister provide the Assembly with a list of any completed reviews falling within either his remit or that of the Chief Executive that are as yet unpublished or that have not been actioned, including any reviews relating to States of Jersey employees and Government infrastructure?”

4. The Minister for Education tabled an answer on 15th February 2021 to the following question by Deputy R.J. Ward of St. Helier –

“Will the Minister provide an update on the following aspects of peak flow testing in schools –

- (a) the number of students tested daily in schools between 12th January and 5th February 2021;
- (b) this number expressed as a percentage of the school-age population; and
- (c) the number of tests that were self-administered by students?”

5. H.M. Attorney General tabled an answer on 22nd February 2021 to the following question by Senator S.Y. Mézec –

“Will H.M. Attorney General advise whether the provisions of the Powers of Attorney (Jersey) Law 1995 allow for an individual to attend and vote at a Parish Assembly on behalf of those who have signed over power of attorney to them on that basis; and if so, does this enable one person to vote multiple times on behalf of a number of Parishioners?”

6. The Minister for Social Security tabled an answer on 22nd February 2021 to the following question by Senator S.Y. Mézec –

“Will the Minister advise, on the basis of Jersey’s minimum wage increasing to the level of the Island’s living wage (i.e. £10.96 per hour) –

- (a) how many workers would receive a pay rise;



- (b) how many workers who are claiming Income Support would be raised above the threshold to claim such support; and
- (c) what amount, if any, would be saved from the Income Support budget?"

7. The Chief Minister tabled an answer on 22nd February 2021 to the following question from Deputy R.J. Ward of St. Helier –

“Will the Chief Minister outline the process for declaring and documenting conflicts of interest that arise during any decision-making process, both for Ministers and for employees; and will he advise the Assembly how many decisions, if any, have been taken where a conflict of interest has been identified, specify what any such decisions were, and describe the steps that were taken to mitigate any risks arising from such conflicts of interest?”

8. The Minister for Education tabled an answer on 22nd February 2021 to the following question from Deputy R.J. Ward of St. Helier –

“Will the Minister advise what work, if any, is currently being undertaken to evaluate the free school meals pilot; and will he outline the timescale for decision-making regarding the future of this scheme?”

9. The Minister for Infrastructure tabled an answer on 22nd February 2021 to the following question from Deputy R.J. Ward of St. Helier –

“Will the Minister advise what work, if any, has been undertaken to date to bring forward the changes outlined in ‘Green Lanes and quiet lanes: priority to pedestrians, cyclists and horse riders’ (P.79/2020), adopted as amended by the Comité des Connétables?”

10. The Assistant Minister for Treasury and Resources tabled an answer on 22nd February 2021 to the following question from Senator S.C. Ferguson –

“Further to reports of problems with the JT network and data connections, will the Assistant Minister advise whether JT has notified the Minister, as shareholder representative, of any such problems; and if so, will he state what explanation has been provided by JT for the cause of the problems, if known, and whether they are ongoing problems or new issues with the network?”

11. The Minister for Economic Development, Tourism, Sport and Culture tabled an answer on 22nd February 2021 to the following question from Senator S.C. Ferguson –

“Given the importance of a reliable data supply to the delivery of improved productivity, will the Minister advise whether any problems with the reliability of the data supply and data sources within JT’s services have been communicated to his Department and, if so, whether the Department has been involved in any investigation of the problems and their impact on productivity; and, if problems have been reported, will he advise why States members have not been notified?”

12. The Minister for Education tabled an answer on 22nd February 2021 to the following question from Deputy C.S. Alves of St. Helier –

“Will the Minister state, in relation to the use of Lateral Flow Testing on students –

- (a) what percentage of students are being tested;
- (b) how often they are being tested;
- (c) how many tests have seen a positive result;



- (d) how many results have led to a subsequent P.C.R. test; and
- (e) of any such P.C.R. tests, how many have seen a positive result?"

13. The Minister for Health and Social Services tabled an answer on 22nd February 2021 to the following question from Deputy C.S. Alves of St. Helier –

“Will the Minister provide an update on the usage of the Jersey Covid Alert app, including –

- (a) how many devices currently have the app installed;
- (b) how many times the app has been installed and subsequently uninstalled; and
- (c) since the launch of the app, the number of people each month who have been contact-traced via the app?”

14. The Minister for Health and Social Services tabled an answer on 22nd February 2021 to the following question from Deputy C.S. Alves of St. Helier –

“Will the Minister provide, by sector, the figures for take-up of workforce testing?”

15. The Minister for Social Security tabled an answer on 22nd February 2021 to the following question from Deputy G.P. Southern of St. Helier –

“Further to the response to Written Question 9/2021, will the Minister –

- (a) explain why the response drew a comparison between the change in average weekly claims for Income Support and the prospective uprate in Income Support components on the basis of R.P.I.;
- (b) state the percentage rise in the components labelled as Basic Rates (i.e. removing the rental components) in order to indicate changes in disposable income compared with R.P.I.; and
- (c) state the percentage rise in the rental components over the period 2014 to 2021?”

16. The Minister for External Relations tabled an answer on 22nd February 2021 to the following question from Deputy G.P. Southern of St. Helier –

“Given the impact of Brexit on the U.K.’s access to European financial markets, will the Minister advise –

- (a) when, if at all, he expects to see significant progress on the U.K. gaining access through the ‘equivalence’ of regulations;
- (b) what part, if any, he will have in any equivalence negotiations; and
- (c) whether there has been any loss in business volumes in Jersey’s own finance sector in response to the lack of agreement between U.K. and the E.U. or any transfer of business to European countries?”



17. The Minister for the Environment tabled an answer on 22nd February 2021 to the following question from Deputy I. Gardiner of St. Helier –

“In relation to the Jersey Blue Badge Scheme, will the Minister advise –

- (a) whether his Department has produced a report into parking for the Scheme and, if so, why;
- (b) when any such report was initiated;
- (c) whether the Minister for Infrastructure was consulted prior to the instigation of any such report; and, if not, why not given that this Minister has responsibility for car parks and Parking Control; and
- (d) whether there is any intention to liaise with the Parking Control Office (which holds relevant information) in order to avoid any duplication?”

18. The Minister for Infrastructure tabled an answer on 22nd February 2021 to the following question from Deputy I. Gardiner of St. Helier –

“In relation to the Jersey Blue Badge Scheme, will the Minister provide the following details for each year for the last three years, 2018 to 2020 –

- (a) the total number of applications to the Scheme;
- (b) the number of applications approved together with a breakdown by category;
- (c) the number of applications rejected, and the reasons given for rejection;
- (d) the number of applications that were renewals;
- (e) a breakdown of the total cost to the applicant of an application, to include the cost of the application fee and the cost of any documents that are required; and
- (f) a breakdown of the total administrative costs of a single application?”

19. The Minister for Health and Social Services tabled an answer on 22nd February 2021 to the following question from Deputy M.R. Higgins of St. Helier –

“Will the Minister advise members –

- (a) how the Hospital and Health service record the details of incidents involving injury to patients (whether in theatre, post-theatre, in wards, during transfer from one part of the hospital or health facilities to another or in post treatment or supportive services);
- (b) where any such records are kept, how patients can access them, and what restrictions on access to them, if any, there are;
- (c) what vetting or quality control, if any, is taken in compiling such reports to ensure their accuracy; and
- (d) what use is made of these records to ensure that lessons are learned?”

20. The Minister for Health and Social Services tabled an answer on 22nd February 2021 to the following question from Deputy M.R. Higgins of St. Helier –

“Will the Minister, in relation to incident reports generated in the Hospital and health service –

- (a) advise how many such reports have been generated each year since 2017 to the present date, in each department or category; and
- (b) detail the nature of the incidents reported in each of the years in paragraph (a), the frequency in which they occurred, and the lessons learned, and actions taken, in relation to them?”



21. The Minister for Treasury and Resources tabled an answer on 22nd February 2021 to the following question from Deputy M.R. Higgins of St. Helier –

“Will the Minister advise how much funding has been allocated over the last 5 years, from the Government Plan or budget, from the Criminal Offences Confiscation Fund or from any other special purpose fund, to the following organisations, breaking such expenditure down by funding source and the purpose of the funding –

- (a) the Judiciary (i.e. courts and tribunals);
- (b) the Law Officers’ Department;
- (c) the Police (both Honorary and States); and
- (d) any other organization or body that is funded from general funds, but that also has access to such special purpose funds?”



## Explanatory Note regarding the main respondents for items listed under Public Business

(Item L)

In accordance with Standing Order 104A, a time limit of 15 minutes applies to speeches made during debate, unless discretion has been exercised to allow for a longer, or shorter, time limit. No time limit applies to either speech made by the proposer.

Discretion is exercised by the Presiding Officer in accordance with guidance issued by the Bailiff, following consultation with the Privileges and Procedures Committee. The current guidance was presented to the States in the report ‘Time Limits on Speeches in Debates: Guidance on the Exercise of Discretion’ (R.3/2021). The report states that discretion may be exercised to allow for a longer speech than 15 minutes where the member speaking is designated as the ‘main respondent’ to the debate.

The following members have been identified as the main respondents in the debates listed to occur at this meeting –

Debate	Main Respondent(s)
Encroachments on the Foreshore: Revised Policy. (P.111/2020)	<ul style="list-style-type: none"> <li>Chair of the Environment, Housing and Infrastructure Scrutiny Panel</li> </ul>
Encroachments on the Foreshore: Revised Policy: amendment. (P.111/2020 Amd.)	<ul style="list-style-type: none"> <li>Minister for Infrastructure</li> </ul>
Encroachments on the Foreshore: Revised Policy: amendment (P.111/2020 Amd.): amendment (P.111/2020 Amd.Amd.)	<ul style="list-style-type: none"> <li>Deputy of Grouville</li> </ul>
Encroachments on the Foreshore: Revised Policy: second amendment (P.111/2020 Amd.(2))	<ul style="list-style-type: none"> <li>Chair of the Environment, Housing and Infrastructure Scrutiny Panel</li> </ul>
Migration Control Policy. (P.137/2020)	<ul style="list-style-type: none"> <li>Chair of Migration and Population Review Panel</li> </ul>
Migration Control Policy: second amendment. (P.137/2020 Amd.(2))	<ul style="list-style-type: none"> <li>Chief Minister</li> </ul>
Migration Control Policy: second amendment. (P.137/2020 Amd.(2)) – amendment	<ul style="list-style-type: none"> <li>Deputy J.H. Perchard of St. Saviour</li> </ul>
Migration Control Policy: third amendment. (P.137/2020 Amd.(3))	<ul style="list-style-type: none"> <li>Chief Minister</li> </ul>
Jersey Overseas Aid Commission: Reappointment of Commissioner. (P.4/2021)	<ul style="list-style-type: none"> <li>Economic and International Affairs Scrutiny Panel</li> </ul>
Improvements to Road Safety (P.5/2021)	<ul style="list-style-type: none"> <li>Minister for Infrastructure</li> </ul>
Improvements to Road Safety: amendment (P.5/2021 Amd.)	<ul style="list-style-type: none"> <li>Connétable of St. Martin</li> </ul>
Comptroller and Auditor General Board of Governance: Appointment of Chair and Members. (P.7/2021)	<ul style="list-style-type: none"> <li>Chair of the Corporate Services Scrutiny Panel</li> </ul>



## ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

### Questions without notice 2021

#### 1st Session 2021

<b>19th January</b>	Children and Housing	Economic Development, Tourism, Sport and Culture	Chief Minister
<b>9th February</b>	Education	Environment	Chief Minister
<b>2nd March</b>	External Relations	Health and Social Services	Chief Minister
<b>23rd March</b>	Home Affairs	Infrastructure	Chief Minister
<b>20th April</b>	International Development	Social Security	Chief Minister
<b>11th May</b>	Treasury and Resources	Children and Housing	Chief Minister
<b>8th June</b>	Economic Development, Tourism, Sport and Culture	Education	Chief Minister
<b>29th June</b>	Environment	External Relations	Chief Minister
<b>20th July</b>	Health and Social Services	Home Affairs	Chief Minister

#### 2nd Session 2021

<b>14th September</b>	Infrastructure	International Development	Chief Minister
<b>5th October</b>	Social Security	Treasury and Resources	Chief Minister
<b>2nd November</b>	Children and Housing	Economic Development, Tourism, Sport and Culture	Chief Minister
<b>23rd November</b>	Education	Environment	Chief Minister
<b>14th December</b>	External Relations	Health and Social Services	Chief Minister