



STATES OF JERSEY ORDER PAPER

5th OCTOBER 2021

SUMMARY

- 9.30 a.m. Communications by the Presiding Officer and other announcements
- Appointments, matters of privilege, petitions
- Nomination of the Connétable of St. Clement as a member the Planning Committee
- 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 International Development
 - Minister for Treasury and Resources
 - Chief Minister
- Statements (if any)*
- Approx. 2.15 p.m. **Draft Road Traffic (No.68) (Jersey) Regulations 202-**. (P.39/2021. (re-issue))
- Draft Road Traffic (No.68) (Jersey) Regulations 202-**. (P.39/2021): **amendment** (P.39/2021 Amd.)
- Draft Taxation (Income Tax, Goods and Services Tax and Revenue Administration) (Amendment) (Jersey) Law 202-**. (P.51/2021.)
- Draft Taxation (Income Tax, Goods and Services Tax and Revenue Administration) Law 202-** (P.51/2021): **amendment**. (P.51/2021 Amd.)
- Draft Taxation (Income Tax, Goods and Services Tax and Revenue Administration) Law 202-** (P.51/2021): **second amendment**. (P.51/2021 Amd.(2).)
- Draft Taxation (Income Tax, Goods and Services Tax and Revenue Administration) (Amendment) (Jersey) Law 202-** (P.51/2021): **third amendment**. (P.51/2021 Amd.(3).)
- Draft Planning and Building (Amendment No. 8) (Jersey) Law 202-**. (P.76/2021.)
- Our Hospital – Budget, Financing and Land Assembly**. (P.80/2021 (re-issue))
- Our Hospital – Budget, Financing and Land Assembly (P.80/2021): amendment**. (P.80/2021. Amd (re-issue))
- Our Hospital – Budget, Financing and Land Assembly (P.80/2021): amendment (P.80/2021 Amd.) – Amendment**. (P.80/2021. Amd.Amd.)



**Our Hospital – Budget, Financing and Land Assembly (P.80/2021):
second amendment (P.80/2021 Amd.(2))**

**Draft Electronic Communications (Amendment No. 2) (Jersey) Law
202-. (P.81/2021.)**

**Draft Covid-19 (Enabling Provisions) (Amendment No. 3) (Jersey)
Law 202-. (P.83/2021.)**

**Draft Covid-19 (Amendments – Further Extensions) (Jersey)
Regulations 202-. (P.84/2021.)**

**Draft Covid-19 (Employment-Minimum Wage) (Jersey) Regulations
202-. (P.85/2021 (re-issue))**

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 6th, Thursday 7th and Friday 8th October 2021 if necessary.



STATES OF JERSEY ORDER PAPER

5th OCTOBER 2021

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Road Traffic (St. Helier) (Amendment No. 37) (Jersey) Order 2021. <i>Minister for Infrastructure.</i>	R&O.109/2021.
Criminal Procedure (Jersey) Rules 2021. <i>Criminal Procedure Rules Committee.</i>	R&O.113/2021.
Royal Court (Amendment No. 26) Rules 2021 <i>Superior Number of the Royal Court.</i>	R&O.114/2021.
Service of Process (Amendment) Rules 2021. <i>Superior Number of the Royal Court.</i>	R&O.115/2021.
Court of Appeal (Criminal) (Preparatory Hearings – Interlocutory Appeals) Rules 2021. <i>Court of Appeal.</i>	R&O.116/2021.
Court of Appeal (Criminal) (Retrial after Acquittal) Rules 2021. <i>Court of Appeal.</i>	R&O.117/2021.
Court of Appeal (Criminal) (Amendment No. 2) Rules 2021. <i>Court of Appeal.</i>	R&O.118/2021.
Court of Appeal (Civil) (Amendment No. 6) Rules 2021. <i>Court of Appeal.</i>	R&O.119/2021.
Covid-19 (Workplace – Twenty-Seventh Extension) (Jersey) Order 2021. <i>Minister for Health and Social Services.</i>	R&O.120/2021.

C. DOCUMENTS PRESENTED

Draft Road Traffic (No.68) (Jersey) Regulations 202- (P.39/2021): comments. Presented: 29th September 2021, <i>Environment, Housing and Infrastructure Panel.</i>	P.39/2021. Com.
Jersey Data Protection Authority: reappointment of Members. Presented: 17th September 2021, <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	R.149/2021.
Proposed Government Plan 2022-2025: Annex. Presented: 21st September 2021, <i>Council of Ministers.</i>	R.150/2021.
Report on the revised forecast of States income for Spring 2021. Presented: 21st September 2021, <i>Minister for Treasury and Resources.</i>	R.151/2021.



Addendum to the IFG forecast for Spring 2021. Presented: 21st September 2021, <i>Minister for Treasury and Resources.</i>	R.151/2021. Add.
Jersey Employment Forum – Appointment of new Members. Presented: 23rd September 2021, <i>Minister for Social Security.</i>	R.152/2021.
Meetings of the States in 2022. Presented: 23rd September 2021, <i>Privileges and Procedures Committee.</i>	R.153/2021. (re-issue)
Jersey Overseas Aid Commission Annual Report 2020. Presented: 24th September 2021, <i>Minister for International Development.</i>	R.154/2021.
Organisations receiving grants of over £75,000: 2019 accounts. Presented: 24th September 2021, <i>Minister for Treasury and Resources.</i>	R.155/2021.
Early Years Policy Development Board: Final Report for the Chief Minister. Presented: 30th September 2021, <i>Council of Ministers.</i>	R.156/2021.
Action on Housing – recent progress and waterfront guidance Presented: 30th September 2021, <i>Council of Ministers.</i>	R.157/2021.
Jersey Appointments Commission: Commissioner Appointments Presented: 30th September 2021, <i>Chief Minister.</i>	R.158/2021.
Review of Maternity Services (S.R.9/2021): Response of the Minister for Health and Social Services. Presented: 22nd September 2021, <i>Minister for Health and Social Services.</i>	S.R.9/2021. Res.
Executive Response to the PAC's Review of States Annual Report and Accounts 2020 (P.A.C. 1.2021). Presented: 28th September 2021, <i>Chief Minister.</i>	P.A.C.1/2021. Res.

D. NOTIFICATION OF LODGED PROPOSITIONS

Draft Road Traffic (No.68) (Jersey) Regulations 202-. (P.39/2021): amendment. Lodged: 29th September 2021, <i>Minister for Infrastructure.</i>	P.39/2021. Amd.
Our Hospital – Budget, Financing and Land Assembly (P.80/2021): amendment (P.80/2021 Amd.) – Amendment. Lodged: 28th September 2021. <i>Council of Ministers.</i>	P.80/2021. Amd.Amd.
Our Hospital – Budget, Financing and Land Assembly (P.80/2021): second amendment Lodged: 21st September 2021. <i>Future Hospital Review Panel.</i>	P.80/2021. Amd.(2).
Draft Employment (Amendment of Law) (No. 3)) (Jersey) Regulations 202-. Lodged: 17th September 2021, <i>Minister for Social Security.</i>	P.88/2021.
Draft World Trade Organization (Privileges and Immunities) (Jersey) Regulations 202-. Lodged: 20th September 2021, <i>Minister for External Relations and Financial Services.</i>	P.89/2021.
Proposed Government Plan 2022-2025. Lodged: 21st September 2021, <i>Council of Ministers.</i>	P.90/2021.



Draft Social Security (Amendment of Law - Home Carer's Allowance) (Jersey) Regulations 202-. P.91/2021.
Lodged: 24th September 2021, *Minister for Social Security*.

Changes to the objects and purpose of the Ann Alice Rayner Fund. P.92/2021.
Lodged: 28th September 2021, *Minister for Treasury and Resources*. (re-issue)

E. WITHDRAWAL OF LODGED PROPOSITIONS

F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

Nomination of the Connétable of St. Clement as a member the Planning Committee.

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

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

- WQ.356/2021 1. The Chair of the Comité des Connétables tabled an answer on 20th September 2021 to a question asked by Deputy R.J. Ward of St. Helier regarding the implementation of the proposition ‘Green Lanes and Quiet Lanes: priority to pedestrians, cyclists and horse riders’ (P.79/2020).
- WQ.357/2021 2. The Chief Minister tabled an answer on 20th September 2021 to a question asked by Senator S.Y. Mézec regarding income inequality.
- WQ.358/2021 3. The Minister for the Environment tabled an answer on 20th September 2021 to a question asked by Deputy L.M.C. Doublet of St. Saviour regarding the Intergovernmental Panel on Climate Change (I.P.C.C.) report ‘Climate Change 2021: The Physical Science Basis’.
- WQ.359/2021 4. The Minister for the Environment tabled an answer on 20th September 2021 to a question asked by Deputy K.F. Morel of St. Lawrence regarding visitors to Les Écréhous.
- WQ.360/2021 5. The Minister for Treasury and Resources tabled an answer on 20th September 2021 to a question asked by Deputy S.M. Ahier of St. Helier regarding bonuses to Executive Directors of Subsidiary Companies.
- WQ.361/2021 6. The Chair of the States Employment Board tabled an answer on 20th September 2021 to a question asked by Senator K.L. Moore regarding employment numbers of the States of Jersey.
- WQ.362/2021 7. The Minister for Infrastructure tabled an answer on 20th September 2021 to a question asked by the Connétable of St. Brelade regarding the cost of contracting out estate management.
- WQ.363/2021 8. The Minister for Infrastructure tabled an answer on 27th September 2021 to a question asked by Deputy R.J. Ward of St. Helier regarding the changes in legislation to give effect to P.79/2020 (‘Green Lanes and Quiet Lanes: priority to pedestrians, cyclists and horse riders’).



- WQ.364/2021 9. The Minister for Infrastructure tabled an answer on 28th September 2021 to a question asked by Deputy K.F. Morel of St. Lawrence regarding recycling electric vehicle car batteries.
- WQ.365/2021 10. The Minister for Treasury and Resources tabled an answer on 28th September 2021 to a question asked by Senator K.L. Moore regarding the Common Investment Fund.
- WQ.366/2021 11. The Chief Minister tabled an answer on 28th September 2021 to a question asked by the Connétable of St. Brelade regarding a debrief on Covid-19.
- WQ.367/2021 12. The Minister for External Relations and Financial Services tabled an answer on 28th September 2021 to a question asked by the Connétable of St. Brelade regarding meetings with representatives from Normandy and Brittany.
- WQ.368/2021 13. The Minister for the Environment tabled an answer on 28th September 2021 to a question asked by Deputy M.R. Le Hegarat of St. Helier regarding glasshouse sites.
- WQ.369/2021 14. The Minister for Children and Education tabled an answer on 28th September 2021 to a question asked by Deputy L.M.C. Doublet of St. Saviour regarding the Corporate Parenting Board's minutes.
- WQ.370/2021 15. The Minister for the Environment tabled an answer on 28th September 2021 to a question asked by Deputy R.J. Ward of St. Helier regarding the green algal bloom in St. Aubin's Bay
- WQ.371/2021 16. The Minister for the Environment tabled an answer on 28th September 2021 to a question asked by Deputy R.J. Ward of St. Helier regarding the Carbon Neutral Steering Group.
- WQ.372/2021 17. The Minister for Children and Education tabled an answer on 28th September 2021 to a question asked by the Connétable of St. John regarding Corporate Parenting Board.
- WQ.373/2021 18. The Minister for Health and Social Services tabled an answer on 28th September 2021 to a question asked by the Connétable of St. John regarding pay for a Theatre Nurse.
- WQ.374/2021 19. The Minister for Health and Social Services tabled an answer on 28th September 2021 to a question asked by the Connétable of St. John regarding private medical procedures.
- WQ.375/2021 20. The Minister for the Environment tabled an answer on 28th September 2021 to a question asked by Deputy M.R. Higgins of St. Helier regarding contracts held between the States of Jersey and Simon Sand and Gravel Ltd.
- WQ.376/2021 21. The Minister for Housing and Communities tabled an answer on 28th September 2021 to a question asked by Deputy M.R. Higgins of St. Helier regarding the digital register of landlords and tenants.
- WQ.377/2021 22. The Minister for Economic Development, Tourism, Sport and Culture tabled an answer on 28th September 2021 to a question asked by Deputy M.R. Higgins of St. Helier regarding labour shortages in the Island.

(b) – Oral Questions

(140 minutes)

- OQ.202/2021 1. Deputy R.J. Ward of St. Helier will ask the following question of the Minister for Housing and Communities –
- “Will the Minister advise how many people, to the best of his knowledge, are currently classed as homeless and without temporary accommodation; and what action is being taken to find these people suitable accommodation urgently?”



- OQ.199/2021 2. The Connétable of St. Martin will ask the following question of the Minister for Social Security –
- “Will the Minister explain why current Health and Safety rules prevent fresh supermarket produce one day past its sell-by-date from being donated at Food Banks, even to a person who has signed a disclaimer to acknowledge the food must be consumed immediately or frozen; and will he take action to amend this guidance to ensure food is not wasted and that those involved with Food Banks are not negatively impacted?”
- OQ.208/2021 3. Deputy S.M. Ahier of St. Helier will ask the following question of the Minister for Infrastructure –
- “Given that the St. Helier Roads Committee has now passed the Phase 2 Speed Limit Review, how will the Minister analyse the effect of these changes on traffic flow and congestion prior to making any decision on whether to implement the changes permanently?”
- OQ.205/2021 4. Senator S.C. Ferguson will ask the following question of the Minister for Health and Social Services –
- “Will the Minister advise whether there have been any delays in response time and provision of information by the Health and Community Services Department to Subject Access Requests; and, if so, will he explain the cause of any such delays?”
- OQ.206/2021 5. Deputy I. Gardiner of St. Helier will ask the following question of the Assistant Chief Minister –
- “Further to reports from the Project Team that, in the development of the new hospital, digging into granite would cost £10,500 per square metre and clinical and non-clinical space would cost £5,500 and £3,500 per square metre respectively, will the Assistant Chief Minister provide the total planned square meterage within the new hospital of each of these three categories?”
- OQ.211/2021 6. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for Health and Social Services –
- “What is the medical rationale behind the ongoing restrictions on singing in schools and what assessment has been made of any negative impact of these restrictions on children; and when does the Minister expect these restrictions to be lifted?”
- OQ.200/2021 7. Senator S.Y. Mézec will ask the following question of H.M. Attorney General –
- “What provisions, if any, exist in Jersey law to protect residential tenants from being evicted by their landlord when the landlord wishes to sell the property?”
- OQ.198/2021 8. Deputy J.M. Maçon of St. Saviour will ask the following question of the Minister for Infrastructure –
- “Will the Minister explain his Department’s policy with regards to the inclusion of boulevards in urban development areas, and how, if this policy exists, is in line with the States Assembly’s acknowledgment of a climate emergency?”



- OQ.209/2021 9. Deputy G.P. Southern of St. Helier will ask the following question of the Chief Minister –
- “With reference to the Rebalancing Government Finances section of the Draft Government Plan 2022-2025, will the Chief Minister provide members with a breakdown of how the “efficiencies and other rebalancing measures” under Delivery Plans A to D will be implemented without a reduction in the public services previously provided; and will he state how any fees and charges received will be used?”
- OQ.204/2021 10. Deputy K.F. Morel of St. Lawrence will ask the following question of the Minister for Health and Social Services –
- “Will the Minister advise whether any staff shortages at the General Hospital have led to full medical records being unavailable to clinicians at any time during the past month; and, if so, what action has been, or will be, taken to rectify this?”
- OQ.210/2021 11. Deputy G.P. Southern of St. Helier will ask the following question of the Minister for Social Security –
- “Will the Minister give members a detailed breakdown of how she proposes to alleviate any hardship caused to households by the rise in tariffs proposed by Jersey Gas over the winter period?”
- OQ.203/2021 12. Deputy R.J. Ward of St. Helier will ask the following question of the Minister for Children and Education –
- “Is any increase in class sizes currently being experienced, both in respect of primary and secondary schools; and what future increases, if any, are being planned for?”
- OQ.201/2021 13. Senator S.Y. Mézec will ask the following question of the Chief Minister –
- “What plans, if any, does the Chief Minister have to initiate a public inquiry into the Government’s response to the Covid pandemic, in order that an independent assessment is undertaken and recommendations produced on how Jersey’s Government should prepare itself for any future crises?”
- OQ.207/2021 14. Deputy I. Gardiner of St. Helier will ask the following question of the Minister for Health and Social Services-
- “Will the Minister advise what consideration, if any, has been given to a move towards treating Covid as endemic as opposed to pandemic in Jersey; and if so, will he explain how this will be determined?”
- OQ.212/2021 15. Deputy L.M.C. Doublet of St. Saviour will ask the following question of the Minister for Economic Development, Tourism, Sport and Culture –
- “What is being done to ensure that all children have convenient and affordable access to a swimming pool and equal access to funded swimming lessons, as per the pre-Covid policy?”

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

1st question period – Minister for International Development

2nd question period – Minister for Treasury and Resources

3rd question period – Chief Minister



J. PERSONAL STATEMENTS

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Draft Road Traffic (No.68) (Jersey) Regulations 202- P.39/2021.
Lodged: 19th April 2021, *Minister for Infrastructure.* (re-issue)

Note: The 2nd reading of the Draft Law will resume, following adoption of the principles on 9th June 2021 and the subsequent referral to the Environment, Housing and Infrastructure Scrutiny Panel under Standing Order 72(1).

Draft Road Traffic (No.68) (Jersey) Regulations 202-. (P.39/2021): amendment. P.39/2021.
Lodged: 29th September 2021, *Minister for Infrastructure.* Amd.

Note: Because of the requirement for a two-week lodging period, the minimum lodging period of the amendment of the Minister for Infrastructure will expire on Wednesday 13th October 2021. The Minister has therefore given notice of her intention to propose, in accordance with Standing Order 26(7), that the minimum lodging period for the proposition be reduced in order that it can be debated at the meeting.

Draft Road Traffic (No.68) (Jersey) Regulations 202-(P.39/2021): comments. P.39/2021.
Presented: 29th September 2021, *Environment, Housing and Infrastructure Panel.* Com.

Draft Taxation (Income Tax, Goods and Services Tax and Revenue Administration) (Amendment) (Jersey) Law 202- P.51/2021.
Lodged: 18th May 2021, *Minister for Treasury and Resources.*

Draft Taxation (Income Tax, Goods and Services Tax and Revenue Administration) (Amendment) (Jersey) Law 202-(P.51/2021): Comments. P.51/2021.
Presented: 14th July 2021, *Corporate Services Scrutiny Panel.* Com.

Draft Taxation (Income Tax, Goods and Services Tax and Revenue Administration) Law 202- (P.51/2021): amendment. P.51/2021.
Lodged: 6th July 2021, *Corporate Services Scrutiny Panel.* Amd.

Draft Taxation (Income Tax, Goods and Services Tax and Revenue Administration) Law 202- (P.51/2021): second amendment. P.51/2021.
Lodged: 6th July 2021, *Corporate Services Scrutiny Panel.* Amd.(2).

Draft Taxation (Income Tax, Goods and Services Tax and Revenue Administration) (Amendment) (Jersey) Law 202- (P.51/2021): third amendment. P.51/2021.
Lodged: 23rd August 2021, *Minister for Treasury and Resources.* Amd.(3).

Draft Planning and Building (Amendment No. 8) (Jersey) Law 202- P.76/2021.
Lodged: 2nd August 2021, *Minister for the Environment.*

Our Hospital – Budget, Financing and Land Assembly. P.80/2021.
Lodged: 3rd August 2021, *Council of Ministers.* (re-issue)



Our Hospital – Budget, Financing and Land Assembly (P.80/2021): amendment. Lodged: 13th August 2021, <i>Connétable of St. Helier.</i>	P.80/2021. Amd (re-issue)
Our Hospital – Budget, Financing and Land Assembly (P.80/2021): amendment (P.80/2021 Amd.) – Amendment. Lodged: 28th September 2021. <i>Council of Ministers.</i>	P.80/2021. Amd.Amd.
Our Hospital – Budget, Financing and Land Assembly (P.80/2021): second amendment. Lodged: 21st September 2021. <i>Future Hospital Review Panel.</i>	P.80/2021. Amd.(2).
Draft Electronic Communications (Amendment No. 2) (Jersey) Law 202-. Lodged: 10th August 2021, <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	P.81/2021.
Draft Covid-19 (Enabling Provisions) (Amendment No. 3) (Jersey) Law 202-. Lodged: 23rd August 2021, <i>Minister for Health and Social Services.</i>	P.83/2021.
Draft Covid-19 (Amendments – Further Extensions) (Jersey) Regulations 202-. Lodged: 23rd August 2021, <i>Minister for Health and Social Services.</i>	P.84/2021.
Draft Covid-19 (Employment-Minimum Wage) (Jersey) Regulations 202-. Lodged: 2nd September 2021, <i>Minister for Social Security.</i>	P.85/2021. (re-issue)

Note: Because of the requirement for a six-week lodging period, the minimum lodging period of the proposition of the Minister for Social Security will expire on Thursday 7th October 2021. The Minister has therefore given notice of her intention to propose, in accordance with Standing Order 26(7), that the minimum lodging period for the proposition be reduced in order that it can be debated at the meeting.

M. ARRANGEMENT OF PUBLIC BUSINESS

2nd November 2021

Competent Authorities Ministers: Release of minutes of meetings to Scrutiny. Lodged: 6th September 2021, <i>Corporate Services Scrutiny Panel.</i>	P.86/2021.
Draft Employment (Amendment of Law) (No. 3) (Jersey) Regulations 202-. Lodged: 17th September 2021, <i>Minister for Social Security.</i>	P.88/2021.
Draft World Trade Organization (Privileges and Immunities) (Jersey) Regulations 202-. Lodged: 20th September 2021, <i>Minister for External Relations and Financial Services.</i>	P.89/2021.
Changes to the objects and purpose of the Ann Alice Rayner Fund. Lodged: 28th September 2021, <i>Minister for Treasury and Resources.</i>	P.92/2021. (re-issue)

23rd November 2021

Draft Social Security (Amendment of Law - Home Carer's Allowance) (Jersey) Regulations 202-. Lodged: 24th September 2021, <i>Minister for Social Security.</i>	P.91/2021.
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14th December 2021

Proposed Government Plan 2022-2025

Lodged: 21st September 2021, *Council of Ministers*.

P.90/2021.

14th March 2022

Island Plan 2022-25: Approval.

Lodged: 19th April 2021, Minister for the Environment.

P.36/2021.

Note: It has been agreed by the Privileges and Procedures Committee that this Proposition from the Minister for the Environment be listed for debate on 14th March 2022.

Island Plan 2022-25: Approval - Addendum.

Presented: 19th April 2021, *Minister for the Environment*.

P.36/2021.

Add.

Island Plan 2022-25: approval (P.36/2021) – amendment.

Removal of St Helier Fields.

Lodged: 1st July 2021, *Deputy M.R. Le Hegarat of St. Helier*.

P.36/2021.

Amd.

Island Plan 2022-25: approval (P.36/2021) – second amendment.

Removal of St Saviour Fields.

Lodged: 5th July 2021, *Deputy K.C. Lewis of St. Saviour*.

P.36/2021.

Amd.(2).

Island Plan 2022-25: Approval (P.36/2021) – third amendment.

Play Area Proximity.

Lodged: 6th July 2021, *Deputy I. Gardiner of St. Helier*.

P.36/2021.

Amd.(3).

Island Plan 2022-25: Approval (P.36/2021) – fourth amendment.

Use of Field P558 in St. Peter.

Lodged: 6th July 2021, *Connétable of St. Peter*.

P.36/2021.

Amd.(4).

Island Plan 2022-25: Approval (P.36/2021) – fifth amendment.

Children's Play Space.

Lodged: 8th July 2021, *Deputy L.M.C. Doublet of St. Saviour*.

P.36/2021.

Amd.(5).

(re-issue)

Island Plan 2022-25: Approval (P.36/2021) – sixth amendment.

Education Estates.

Lodged: 9th July 2021, *Deputy I. Gardiner of St. Helier*.

P.36/2021.

Amd.(6).

Island Plan 2022-25: Approval (P.36/2021) – seventh amendment.

Restriction of Parish Priority.

Lodged: 9th July 2021, *Deputy I. Gardiner of St. Helier*.

P.36/2021.

Amd.(7).

Island Plan 2022-25: Approval (P.36/2021) – eighth amendment.

Gas site Tunnell Street St. Helier.

Lodged: 9th July 2021, *Deputy R.J. Ward of St. Helier*.

P.36/2021.

Amd.(8).

Island Plan 2022-25: Approval (P.36/2021) – ninth amendment.

Springfield Development.

Lodged: 9th July 2021, *Deputy R.J. Ward of St. Helier*.

P.36/2021.

Amd.(9).

Island Plan 2022-25: Approval (P.36/2021) – tenth amendment.

Nelson Street Car Park.

Lodged: 9th July 2021, *Deputy R.J. Ward of St. Helier*.

P.36/2021.

Amd.(10).

Island Plan 2022-25: Approval (P.36/2021) – eleventh amendment.

Field 630, St. Ouen.

P.36/2021.

Amd.(11).



Lodged: 9th July 2021, *Connétable of St. Ouen.*

Island Plan 2022-25: Approval (P.36/2021) – twelfth amendment. P.36/2021.
Removal of Field H1219 St. Helier. Amd.(12).

Lodged: 9th July 2021, *Connétable S. Crowcroft of St. Helier.*

Island Plan 2022-25: Approval (P.36/2021) – thirteenth amendment. P.36/2021.
Trees and Water Features. Amd.(13).

Lodged: 9th July 2021, *Connétable S. Crowcroft of St. Helier.*

Island Plan 2022-25: Approval (P.36/2021) – fourteenth amendment. P.36/2021.
Double Glazing. Amd.(14).

Lodged: 12th July 2021, *Deputy R. Huelin of St. Peter.*

Island Plan 2022-25: Approval (P.36/2021) – fifteenth amendment. P.36/2021.
Corbière Walk. Amd.(15).

Lodged: 12th July 2021, *Deputy G.J. Truscott of St. Brelade.*

Island Plan 2022-25: Approval (P.36/2021) – sixteenth amendment. P.36/2021.
Field MN410, St. Martin. Amd.(16).

Lodged: 12th July 2021, *Deputy S. Luce of St. Martin.*

Island Plan 2022-25: Approval (P.36/2021) – seventeenth amendment. P.36/2021.
Use of Field MN489 for Over-55s Homes. Amd.(17).

Lodged: 12th July 2021, *Deputy S. Luce of St. Martin.*

Island Plan 2022-25: Approval (P.36/2021) – eighteenth amendment. P.36/2021.
Field L127. Amd.(18).

Lodged: 12th July 2021, *Senator S.W. Pallet.*

Island Plan 2022-25: Approval (P.36/2021) – nineteenth amendment. P.36/2021.
St. Brelade's Bay Improvement Plan Time Frame. Amd.(19).

Lodged: 12th July 2021, *Senator S.W. Pallet.*

Island Plan 2022-25: Approval P.36/2021 – nineteenth amendment P.36/2021.
(P.36/2021 Amd.(19)) – amendment. Amd.(19).

St. Brelade's Bay Improvement Plan Amended Timeframe. Amd.

Lodged: 12th July 2021, *Senator S.C. Ferguson.*

Island Plan 2022-25: Approval (P.36/2021) – twentieth amendment. P.36/2021.
La Gigoulante Quarry. Amd.(20).

Lodged: 12th July 2021, *Senator K. Moore.*

Island Plan 2022-25: Approval (P.36/2021) – twenty-first amendment. P.36/2021.
Disability Inclusion – Active Travel. Amd.(21).

Lodged: July 2021, *Deputy I. Gardiner of St. Helier.*

Island Plan 2022-25: Approval (P.36/2021) – twenty-second amendment. P.36/2021.
Disability Inclusion – Homes for Independent Living. Amd.(22).

Lodged: 12th July 2021, *Deputy I. Gardiner of St. Helier.*

Island Plan 2022-25: Approval (P.36/2021) – twenty-third amendment. P.36/2021.
Disability Inclusion – Clauses. Amd.(23).

Lodged: 12th July 2021, *Deputy I. Gardiner of St. Helier.*

Island Plan 2022-25: Approval (P.36/2021) – twenty-fourth amendment. P.36/2021.
Disability Inclusion – Listed Building Accessibility. Amd.(24).



Lodged: 12th July 2021, *Deputy I. Gardiner of St. Helier.*

Island Plan 2022-25: Approval (P.36/2021) – twenty-fifth amendment. P.36/2021.
Future Affordable Housing Provision. Amd.(25).

Lodged: 12th July 2021, *Senator S.Y. Mézec.*

Island Plan 2022-25: Approval (P.36/2021) – twenty-sixth amendment. P.36/2021.
Amendments to Policy H8, Policy SP2 and Policy PL5. Amd.(26).

Lodged: 12th July 2021, *Senator K.L. Moore.*

Island Plan 2022-25: Approval (P.36/2021) – twenty-seventh amendment. P.36/2021.
Waterworks Valley. Amd.(27).

Lodged: 12th July 2021, *Deputy K.F. Morel of St. Lawrence.*

Island Plan 2022-25: Approval (P.36/2021) – twenty-eighth amendment. P.36/2021.
Traditional Farm Buildings. Amd.(28).

Lodged: 12th July 2021, *Deputy K.F. Morel of St. Lawrence.*

Island Plan 2022-25: Approval (P.36/2021) – twenty-ninth amendment. P.36/2021.
First-Time Buyers. Amd.(29).

Lodged: 12th July 2021, *Connétable of St. Saviour.*

Island Plan 2022-25: Approval (P.36/2021) – thirtieth amendment. P.36/2021.
Coastal National Park. Amd.(30).

Lodged: 12th July 2021, *Deputy R.J. Renouf of St. Ouen.*

Island Plan 2022-25: Approval (P.36/2021) – thirty-first amendment. P.36/2021.
St. Helier Country Park. Amd.(31).

Lodged: 12th July 2021, *Connétable of St. Helier.*

Island Plan 2022-25: Approval (P.36/2021) – thirty-second amendment. P.36/2021.
Les Quennevais Development. Amd.(32).

Lodged: 12th July 2021, *Connétable of St. Helier.*

Island Plan 2022-25: Approval (P.36/2021) – thirty-third amendment. P.36/2021.
Field J371, St. John. Amd.(33).

Lodged: 12th July 2021, *Connétable of St. John.*

Island Plan 2022-25: Approval (P.36/2021) – thirty-fourth amendment. P.36/2021.
Field J229, St. John. Amd.(34).

Lodged: 12th July 2021, *Connétable of St. John.*

Island Plan 2022-25: Approval (P.36/2021) – thirty-fifth amendment. P.36/2021.
Field J236, St. John. Amd.(35).

Lodged: 12th July 2021, *Connétable of St. John.*

Island Plan 2022-25: Approval (P.36/2021) – thirty-sixth amendment. P.36/2021.
Field J939, St. John. Amd.(36).

Lodged: 12th July 2021, *Connétable of St. John.*

Island Plan 2022-25: Approval (P.36/2021) – thirty-seventh amendment. P.36/2021.
Aquaculture. Amd.(37).

Lodged: 12th July 2021, *Deputy K.F. Morel of St. Lawrence.*

Island Plan 2022-25: Approval (P.36/2021) – thirty-eighth amendment. P.36/2021.
Warehousing. Amd.(38).

Lodged: 12th July 2021, *Deputy K.F. Morel of St. Lawrence.*



Island Plan 2022-25: Approval (P.36/2021) – thirty-ninth amendment. Conservation Areas. Lodged: 12th July 2021, <i>Deputy K.F. Morel of St. Lawrence.</i>	P.36/2021. Amd.(39).
Island Plan 2022-25: Approval (P.36/2021) – fortieth amendment. Field 559 – Affordable Housing. Lodged: 12th July 2021, <i>Senator K.L. Moore.</i>	P.36/2021. Amd.(40).
Island Plan 2022-25: Approval (P.36/2021) – forty-first amendment. States’ Owned Land. Lodged: 12th July 2021, <i>Senator S.Y. Mézec.</i>	P.36/2021. Amd.(41).
Island Plan 2022-25: Approval (P.36/2021) – forty-second amendment. Transport and Parking. Lodged: 12th July 2021, <i>Connétable of St. Helier.</i>	P.36/2021. Amd.(42).
Island Plan 2022-25: Approval (P.36/2021) – forty-third amendment. Les Quennevais. Lodged: 12th July 2021, <i>Deputy M. Tadier of St. Brelade.</i>	P.36/2021. Amd.(43).
Island Plan 2022-25: Approval (P.36/2021) – forty-fourth amendment. Policy H4. Lodged: 12th July 2021, <i>Connétable of St. Brelade.</i>	P.36/2021. Amd.(44).
Island Plan 2022-25: Approval (P.36/2021) – forty-fifth amendment. Night-Time Economy. Lodged: 12th July 2021, <i>Connétable of St. Brelade.</i>	P.36/2021. Amd.(45).
Island Plan 2022-25: Approval (P.36/2021) – forty-sixth amendment. Driveways. Lodged: 12th July 2021, <i>Connétable of St. Brelade.</i>	P.36/2021. Amd.(46).
Island Plan 2022-25: Approval (P.36/2021) – forty-seventh amendment. Warwick Farm. Lodged: 12th July 2021, <i>Deputy K. Morel of St. Lawrence.</i>	P.36/2021. Amd.(47).
Island Plan 2022-25: Approval (P.36/2021) – forty-eighth amendment. Tall Buildings. Lodged: 12th July 2021, <i>Senator S.C. Ferguson.</i>	P.36/2021. Amd.(48).
Island Plan 2022-25: Approval (P.36/2021) – forty-ninth amendment. Field MY563, St. Mary. Lodged: 12th July 2021, <i>Connétable of St. Mary.</i>	P.36/2021. Amd.(49).
Island Plan 2022-25: Approval (P.36/2021) – fiftieth amendment. Field MY493, St. Mary. Lodged: 12th July 2021, <i>Connétable of St. Mary.</i>	P.36/2021. Amd.(50).
Island Plan 2022-25: Approval (P.36/2021) – fifty-first amendment. Marine Park. Lodged: 12th July 2021, <i>Senator L.J. Farnham.</i>	P.36/2021. Amd.(51). (re-issue)
Island Plan 2022-25: Approval (P.36/2021) – fifty-second amendment. Coastal National Park Exclusion. Lodged: 12th July 2021, <i>Connétable of Grouville.</i>	P.36/2021. Amd.(52).



Island Plan 2022-25: Approval (P.36/2021) – fifty-third amendment. St. Brelade’s Shoreline. Lodged: 12th July 2021, <i>Connétable of St. Brelade.</i>	P.36/2021. Amd.(53).
Island Plan 2022-25: Approval (P.36/2021) – fifty-fourth amendment. St. Brelade’s Bay. Lodged: 12th July 2021, <i>Connétable of St. Brelade.</i>	P.36/2021 Amd.(54)
Island Plan 2022-25: Approval (P.36/2021) – fifty-fifth amendment. St. Brelade’s Bay Parking. Lodged: 12th July 2021, <i>Connétable of St. Brelade.</i>	P.36/2021. Amd.(55).
Island Plan 2022-25: Approval (P.36/2021) – fifty-sixth amendment. St. Brelade’s Workers’ Accommodation. Lodged: 12th July 2021, <i>Connétable of St. Brelade.</i>	P.36/2021. Amd.(56).
Island Plan 2022-25: Approval (P.36/2021) – fifty-seventh amendment. Tourist Economy and Public Amenities. Lodged: 12th July 2021, <i>Connétable of St. Brelade.</i>	P.36/2021. Amd.(57).
Island Plan 2022-25: Approval (P.36/2021) – fifty-eighth amendment. St. Brelade’s Bay Development. Lodged: 12th July 2021, <i>Connétable of St. Brelade.</i>	P.36/2021. Amd.(58).
Island Plan 2022-25: Approval (P.36/2021) – fifty-ninth amendment. St. Brelade’s Bay Community Participation. Lodged: 12th July 2021, <i>Connétable of St. Brelade.</i>	P.36/2021. Amd.(59).
Island Plan 2022-25: Approval (P.36/2021) – sixtieth amendment. Performance Measures. Lodged: 12th July 2021, <i>Connétable of St. Brelade.</i>	P.36/2021. Amd.(60).

DR. M. EGAN
Greffier of the States

30th September 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 6th, Thursday 7th October and Friday 8th October 2021.



Note regarding the appointments processes

(See Item F)

Members of the Planning Committee

Standing Order 125A provides for the appointment of members of the Planning Committee. The Presiding Officer shall invite the Chair of the Committee to make the nomination (the Connétable of St. Clement). The Presiding Officer will then invite alternative nominations of elected members who are neither the Minister, nor an Assistant Minister, for the Environment. If alternative nominations are made, a secret ballot will be held. If there are no alternative nominations, the Connétable of St. Clement will be declared a member of the Planning Committee.

The appointment of a member to the Committee will see it comprise 9 members (in addition to the Chair) in accordance with Standing Order 141A that stipulates the Committee comprises the Chair and not less than 3 but no more than 9 members.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.109/2021.

Road Traffic (St. Helier) (Amendment No. 37) (Jersey) Order 2021.

Minister for Infrastructure.

This Order amends the Road Traffic (St. Helier) (Jersey) Order 1996 by specifying parts of Albert Place where parking is prohibited or limited to one hour and specifying a part of Le Quai aux Marchands where parking is limited to 2 hours.

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

The Order was made on 13th September 2021 and came into force on 20th September 2021.

R&O.113/2021.

Criminal Procedure (Jersey) Rules 2021.

Criminal Procedure Rules Committee.

The Criminal Procedure (Jersey) Rules 2021 supplement the provisions of the Criminal Procedure (Jersey) Law 2018 (the “2018 Law”), the Criminal Procedure (Bail) (Jersey) Law 2017 (the “2017 Law”) and the Police Procedures and Criminal Evidence (Jersey) Law 2003 (the “2003 Law”), and re-enact/modernise various other rules being repealed.

Part 1: Preliminary

Rule 1 is an interpretive provision which includes definitions.

Rule 2 makes provision in respect of the jurisdiction of the Inferior Number.

Rule 3 makes provision as to the service of documents, including the persons to be served and the means of service.

Rule 4 makes provision for substituted service.

Rule 5 makes provision for reckoning periods of time.

Rule 6 makes provision for the extension of time in respect of days when the offices of the Viscount or the Greffier are closed.

Rule 7 makes provision for varying the requirements of the Rules.

Rule 8 makes provision in respect of indictments, and prescribes the form thereof (set out in *Schedule 1*).

Rule 9 makes provision in respect of applications for offences or defendants to be tried together or separately, or for counts to be deleted from indictments.

Rule 10 provides for certain applications under the Sex Offenders (Jersey) Law 2010 to be made by representation, and for such matters to be determined by a judge sitting alone.

Part 2: Bail

Rule 11 prescribes the form (set out in *Schedule 2*) that an applicant must fill out in order to apply to the court (under Article 13(4) of the 2017 Law) to show that the defendant had a reasonable excuse for failing to surrender to custody (and thus any security should not be forfeited).

Rule 12 prescribes the form (set out in *Schedule 3*) that an applicant must fill out in order to apply to the Magistrate, under Article 30(6) or (8) or 31B(4) or (7) of the 2003 Law, to vary the applicant’s conditions of bail.



Rule 13 provides that a person who agrees to stand as a surety for a defendant must provide the applicable court with an address for service in Jersey.

Rule 14 prescribes the form (set out in *Schedule 4*) that must be used, under Article 14(2) or (3) of the 2017 Law, to summons a surety to appear before the court to show cause as to why he or she should not be required to pay the amount in which he or she is bound, in the circumstances where the defendant fails to surrender to custody or fails to comply with other conditions imposed on him or her.

Rule 15 sets out the means by which a summons of a surety may be served on the surety.

Rule 16 requires that a summons of a surety be served at least 4 clear days before the day on which the surety is required to appear before the court.

Rule 17 provides that the court summoning a surety may declare that the summons is invalid if it is not served in accordance with the Rules.

Rule 18 provides that a surety may apply to a court to have an order made under Article 14(6) of the 2017 Law (that an amount in which the surety is bound is forfeited) set aside if the order was made in the absence of the surety. The court may set aside the order if the court is satisfied that it is in the interests of justice to do so.

Rule 19 authorises the Viscount to distrain (i.e., to seize) the movable property (including wages) of a surety if an order made under Article 14(6) of the 2017 Law requires that an amount be forfeited. The Viscount may apply the seized movable property, or the proceeds from its sale, to satisfying the forfeited amount. If the Viscount is not satisfied that the surety is aware that his or her movable property has been distrained, the Viscount must obtain leave of the court before selling the movable property. The Viscount must also ensure that notice of any sale of movable property is published in the Jersey Gazette.

Rule 20 is an evidentiary rule that applies in proceedings to prosecute a defendant who is charged, under Article 20 of the 2017 Law, with failing to surrender to custody or failing to do so as soon as is reasonably practicable. A copy of the part of the decision to grant a defendant bail is certified, and therefore evidence for the purpose of such proceedings, if the Judicial Greffier sets out the name of the defendant on the copy, affirms in writing that the copy is a true copy, and signs and dates the copy.

Part 3: Preparatory hearings

Rule 21 sets out requirements for applications for preparatory hearings under Article 53(3) of the 2018 Law, and prescribes the form (set out in *Schedule 5*) that an applicant must fill out.

Rule 22 makes provision in respect of the time for making such an application.

Rule 23 sets out requirements where a party who has received a copy of an application proposes to make written representation to the Bailiff concerning that application.

Rule 24 provides that an application under Article 53(3) of the 2018 Law may be determined by the Bailiff without a hearing, and prescribes the form (set out in *Schedule 6*) by which the parties shall be notified of a decision of the Bailiff.

Rule 25 sets out requirements for an order made under Article 55(4) of the 2018 Law for a prosecutor to prepare and serve documents, and provides that the Judicial Greffier shall give notice of the order to the parties in the case.

Rule 26 makes provision in connection with the giving of notice of orders made or requirements imposed in relation to defence disclosure, and prescribes the form (set out in *Schedule 7*) for giving such notice.

Part 4: Miscellaneous pre-trial procedures

Rule 27 prescribes the form of summons for jury service (set out in *Schedule 8*) and provides that a summons sent by post is deemed to be served on the second day after the day on which it was posted.

Rule 28 provides that a person making an application under Article 65(3) of the 2018 Law shall make that application in writing to the court no later than 7 days after receipt of the Viscount's decision under Article 65(1) of that Law, and that a determination on the application may be made by the Bailiff sitting alone, with or without a hearing, and may be made orally.

Rule 29 makes provision for the issue or withdrawal of a witness summons or order by the court, with or without a hearing.



Rule 30 sets out requirements in relation to an application for the court to issue a witness summons or order, and prescribes the form for making such an application (set out in *Schedule 9*).

Rule 31 makes provision in connection with an application to the court to require a proposed witness to produce or give in evidence confidential information about another person, and prescribes the form for making such an application (set out in *Schedule 10*).

Rule 32 makes provision in connection with the objection by a person to a witness summons requiring that person to produce in evidence a document or thing, and with the court's assessment of relevance and confidentiality.

Rule 33 prescribes the form of defence case statement and witnesses notice (set out in *Schedule 11*) that a defendant must fill out for the purposes of Articles 83 to 85 of the 2018 Law, and provides that it must be given no later than 14 days after disclosure by the prosecution. Provision is also made in respect of amendment by the defendant to the defence case statement and witness notice.

Part 5: Witnesses and evidence

Division 1: Introductory

Rule 34 makes provision in connection with the taking of evidence by the Judicial Greffier and Viscount in specified circumstances.

Rule 35 sets out the order of events at trial, in respect of opening and final representations.

Division 2: Statements not made in oral evidence

Rule 36 sets out the application of Division 2, to statements not made in oral evidence that are admissible under specified provisions of the 2003 Law.

Rule 37 requires a party wishing to introduce a statement to serve, as soon as reasonably practicable after the defendant has pleaded not guilty. It also sets out what information the notice must contain, and how a party may waive entitlement to notice.

Rule 38 sets out how a party may object to the introduction of a statement by applying to the court, including the time limit for serving the application.

Division 3: Evidence of bad character

Rule 39 is an interpretive provision.

Rule 40 requires a person wishing to introduce evidence of a person's bad character to give notice (in the case of a defendant's bad character) or to make an application (in the case of a non-defendant's bad character). It also sets out what information the notice or application must contain.

Rule 41 sets out time limits for serving a notice to introduce evidence of a defendant's bad character.

Rule 42 sets out time limits for serving an application to introduce evidence of a non-defendant's bad character.

Rule 43 sets out how a party may object to the introduction of evidence of bad character by applying to the court, including the time limit for serving the application.

Division 4: Expert evidence

Rule 44 sets out the application of Division 4, to where a party wishes to introduce expert evidence.

Rule 45 provides that a party shall not adduce expert evidence at trial without the prior leave of the court.

Rule 46 sets out an expert's duty to the court.

Rule 47 sets out the procedure where a party wishes to introduce expert evidence that is agreed by all parties.

Rule 48 sets out the procedure where a party wishes to introduce expert evidence other than under Rule 47.

Rule 49 sets out requirements in connection with an expert's report.

Rule 50 provides that a party who serves another party or the court with an expert's report shall immediately inform the expert of that fact.

Rule 51 makes provision in connection with the making by the court of directions, where more than one party wishes to introduce expert evidence, for a pre-hearing discussion of expert issues and for the preparation of a statement of the matters on which the experts agree and disagree.



Rule 52 makes provision in connection with directions by the court for a single joint expert.

Division 5: Special measures

Rule 53 sets out procedure in connection with an application for special measures for a witness, and prescribes the application form (set out in *Schedule 12*).

Rule 54 sets out procedure in connection with an application for special measures for a defendant who is an eligible witness, and prescribes the application form (set out in *Schedule 12*).

Rule 55 sets out procedure in connection with an application to vary or discharge a special measures order.

Rule 56 sets out procedure in connection with an application for special measures where the party applying wishes to withhold information contained in that application from another party.

Rule 57 makes provision in connection with representations in response to an application for special measures.

Part 6: Costs and sentencing

Rule 58 sets out matters for the court to take into consideration in determining the amount of costs to be awarded under Article 108 of the 2018 Law.

Rule 59 makes provision for the court to take other offences into account when sentencing a person in specified circumstances.

Rule 60 provides that where the court takes other offences into consideration, it may impose in respect of the charged offence a greater sentence than it would have imposed had it not taken such other offences into consideration.

Rule 61 sets out the status of offences that have been taken into consideration.

Rule 62 makes provision in connection with the computation of custodial sentences.

Rule 63 makes provision in respect of fines and forfeitures, authorising the Viscount to distrain (i.e. to seize) the movable property of a person ordered to pay a fine, penalty or other monetary order, and to apply the seized movable property, or the proceeds from its sale, in satisfaction thereof. If the Viscount is not satisfied that the person is aware that his or her movable property has been distrained, the Viscount must obtain leave of the court before selling the movable property. The Viscount must also ensure that notice of any sale of movable property is published in the Jersey Gazette.

Part 7: Enforcement of British Islands forfeiture orders under the Terrorism (Jersey) Law 2002

Rule 64 is an interpretive provision.

Rule 65 makes provision in connection with applications for English, Scottish, Northern Irish or Islands orders within the meaning of paragraph 9 of Schedule 3 to the Terrorism (Jersey) Law 2002.

Rule 66 makes provision in connection with the giving of notice of the registration of such an order.

Rule 67 makes provision in respect of applications to vary or set aside the registration of such an order.

Rule 68 makes provision in respect of the variation and cancellation of a registration where effect has been given to such an order or where such an order has been varied or discharged by the court by which it was made.

Part 8: Final

Rule 69 sets out the name by which the Rules may be cited. It also provides that the Rules come into force on 1st October 2021.

Schedule 1 sets out the form of indictment, for the purpose of Rule 8.

Schedule 2 sets out the form of application to show reasonable excuse for failure to surrender to custody where there is a surety, for the purpose of Rule 11.

Schedule 3 sets out the form of application to vary conditions of bail, for the purpose of Rule 12.

Schedule 4 sets out the form of summons of a surety, for the purpose of Rule 14.



Schedule 5 sets out the form of application for a preparatory hearing under Article 55(3) of the 2018 Law, or for an extension of time within which to apply, for the purpose of Rules 21(a) and 22(3).

Schedule 6 sets out the form of notification of the Bailiff's determination of an application and/or order for a preparatory hearing under Article 55(3) of the 2018 Law, for the purpose of Rule 24.

Schedule 7 sets out the form of order for disclosure by a defendant prior to a preparatory hearing or at a preparatory hearing under Article 55(6), (7) or (9) of the 2018 Law, for the purpose of Rule 26.

Schedule 8 sets out the form of summons for jury service, for the purpose of Rule 27.

Schedule 9 sets out the form of application for a witness summons, for the purpose of Rule 30.

Schedule 10 sets out the form of application for a witness summons to give confidential information relating to another person, for the purpose of Rule 31.

Schedule 11 sets out the form of defence case statement and witness notice, for the purpose of Rule 33.

Schedule 12 sets out the form of application for special measures directions, for the purpose of Rules 53 and 54.

The Rules were made on 17th September 2021 and came into force on 1st October 2021.

R&O.114/2021.

Roya Court (Amendment No. 26) Rules 2021.

Superior Number of the Royal Court.

Revocation of Royal Court Rules governing criminal procedure

1. On 22nd July 2021 the States approved the Criminal Procedure (Jersey) Law 2018 (Appointed Day) (No. 4) Act 2021 which brings into force all the remaining provisions of the Criminal Procedure (Jersey) Law 2018 ("the 2018 Law") on 1st October 2021.
2. The 2018 Law provides for rules of court governing criminal procedure to be made in the future by a new Criminal Procedure Rules Committee.
3. The creation of the Criminal Procedure Rules Committee means that the Superior Number of the Royal Court will no longer be empowered to make rules of court as relating to criminal procedure. The existing provisions in the Royal Court Rules 2004 relating to criminal procedure will therefore become redundant.
4. Accordingly, these Rules remove all provisions in the Royal Court Rules 2004 which relate to criminal procedure.

Amendment of Rule 6/20 (Evidence)

5. Rule 6/20(1) of the Royal Court Rules 2004 provides that "*any fact required to be proved at the hearing of any proceedings by the evidence of witnesses shall be proved by the examination of the witnesses orally and in open court*".
6. Under Rule 6/20(2)(a) the Court may order that any particular facts to be specified may be proved by affidavit or a witness statement. Under Rule 6/20(4), in spite of any order made under subparagraph (2)(a), the Court may at any time order the production of a witness for cross-examination.
7. These Rules amend Rule 6/20(4) so as to make it clear that the power to order the production of a witness for cross-examination may be exercised whether or not a witness has been required to prove particular fact by affidavit or a witness statement under Rule 6/20(2)(a).

Commencement

8. The Rules were made by the Superior Number of the Royal Court on 22nd September 2021 and came into force on 1st October 2021.



R&O.115/2021.

Service of Process (Amendment) Rules 2021.

Superior Number of the Royal Court.

These Rules correct a printing fault in Rule 5 of the Service of Process Rules 2019. The corrected Rule 5 now reads as follows –

“5 Service of documents other than the Summons – permission

Where –

- (a) the Court gives permission for the Summons to be served on a defendant out of the jurisdiction; and*
 - (b) the Summons states that particulars of claim are to follow,*
- the permission of the Court is not required to serve the particulars of claim.”*

These Rules were made by the Superior Number of the Royal Court on 22nd September 2021 and came into force on 23rd September 2021.

R&O.116/2021.

Court of Appeal (Criminal) (Preparatory Hearings – Interlocutory Appeals) Rules 2021.

Court of Appeal.

These Rules are made under Article 40 of the Court of Appeal (Jersey) Law 1961 with the approval of the Minister for Home Affairs and under Article 58(4) of the Criminal Procedure (Jersey) Law 2018 (“the 2018 Law”).

These Rules replace Part 3 of the Police Procedures and Criminal Evidence (Preparatory Hearings) Rules 2003 made under Article 88 of the Police Procedures and Criminal Evidence (Jersey) Law 2003.

Part 8 of the 2018 Law empowers the Bailiff in complex cases involving a long trial to order a preparatory hearing in order to –

- (a) identify issues which are likely to be material to the verdict of the Royal Court or jury;
- (b) assist comprehension of those issues;
- (c) expedite the proceedings before the Royal Court or jury;
- (d) assist the management of the trial.

Among other things the Bailiff may make a ruling as to –

- (a) any question as to the admissibility of evidence;
- (b) any other question of law relating to the case; or
- (c) any question as to the joinder or severance of the offences in the indictment.

An appeal to the Court of Appeal from any such ruling of the Bailiff requires the leave of the Bailiff or of the Court of Appeal. The Court of Appeal may under Article 58(4) of the 2018 Law make Rules of Court to specify the time within which such an appeal shall be made and to regulate generally the practice and procedure relating to any such appeal.

Rule 1 of these Rules provides for matters of interpretation.

Rule 2 sets out the procedures and requirements for making an application for leave to appeal and, if leave is granted, for giving notice of appeal; or, if leave is refused, for renewing the application for leave to appeal.

Rule 3 makes certain requirements regarding a respondent’s notice i.e. a notice filed by a party to the preparatory hearing directly affected by the ruling in question.



Rule 4 makes provision in relation to attendance at the hearing of an appeal by a person in custody.

Rule 5 makes provision regarding supply of documentary and other exhibits.

Rule 6 makes provision concerning the abandonment of proceedings on an appeal, or an application for leave to appeal.

Rule 7 concerns the powers exercisable by a single judge of the Court of Appeal for the purposes of these Rules.

Rule 8 makes provision for the delivery of notice of any determination by the Court of Appeal or by a single judge under these Rules.

Rule 9 enables the Bailiff to issue practice directions about forms and notices.

These Rules were made by the Court of Appeal on 23rd September 2021 and (in accordance with *Rule 10*) came into force on 1st October 2021.

R&O.117/2021.

Court of Appeal (Criminal) (Retrial after Acquittal) Rules 2021.

Court of Appeal.

These Rules are made under Article 40 of the Court of Appeal (Jersey) Law 1961 and under paragraph 16 of Schedule 2 to the Criminal Procedure (Jersey) Law 2018.

The Court of Appeal is empowered under Schedule 2 to the Criminal Procedure (Jersey) Law 2018 to determine whether to –

- (a) quash an acquittal for an offence and order a person to be retried; or
- (b) order that an acquittal outside Jersey is no bar to the person being tried in Jersey,

if there is new and compelling evidence and it is in the interests of justice to make such an order.

These Rules apply to procedures before the Court of Appeal when exercising this jurisdiction (*Rule 1*).

Rule 2 concerns applications about reporting restrictions where an investigation on behalf of the Attorney General has begun into an offence with a view to an application for an order for a retrial.

Rule 3 concerns procedures to be followed by the Attorney General on an application for an order for a retrial.

Rule 4 provides for an acquitted person, who has received an application for an order for a retrial, to serve a respondent's notice, and sets out the requirements in relation to such a notice.

Rule 5 provides for the Court of Appeal (Criminal) Rules 1964 to apply with the necessary modifications to proceedings on an application for an order for a retrial.

These Rules were made by the Court of Appeal on 23rd September 2021 and (in accordance with *Rule 6*) came into force on 1st October 2021.

R&O.118/2021.

Court of Appeal (Criminal) (Amendment No. 2) Rules 2021.

Court of Appeal.

These Rules insert a provision in the Court of Appeal (Criminal) Rules 1964 to make clear how periods of time are to be reckoned for the purposes of all criminal or quasi-criminal proceedings before the Court of Appeal; and make consequential amendments in related Rules of Court.

These Rules were made by the Court of Appeal on 23rd September 2021 and came into force on 24th September 2021.



R&O.119/2021.

Court of Appeal (Civil) (Amendment No. 6) Rules 2021.

Court of Appeal.

These Rules insert a provision in the Court of Appeal (Civil) Rules 1964 to make clear how periods of time are to be reckoned for the purposes of all civil proceedings before the Court of Appeal.

These Rules were made by the Court of Appeal on 23rd September 2021 and came into force on 24th September 2021.

R&O.120/2021.

Covid-19 (Workplace - Twenty-Seventh Extension) (Jersey) Order 2021.

Minister for Health and Social Services.

This Order amends the Covid-19 (Workplace Restrictions) (Jersey) Order 2020, to extend the restriction period to end at the end of Sunday 31st October 2021.

The Order was made on 28th September 2021 and came into force on 1st October 2021.



WRITTEN QUESTIONS

(See Item I(a))

1. The Chair of the Comité Des Connétables tabled an answer on 20th September 2021 to the following question asked by Deputy R.J. Ward of St. Helier:

“Will the Chair advise what measures have been undertaken to implement the actions set out in ‘Green Lanes and Quiet Lanes: Priority to Pedestrians, Cyclists and Horse Riders (P.79/2020), as amended, since the proposition’s adoption in June 2020?”

2. The Chief Minister tabled an answer on 20th September 2021 to the following question asked by Senator S.Y. Mézec:

“What objective statistical evidence does the Chief Minister have to demonstrate whether income inequality has either increased or reduced during his term of office?”

3. The Minister for the Environment tabled an answer on 20th September 2021 to the following question asked by Deputy L.M.C. Doublet of St. Saviour:

“Will the Minister advise whether he has read the recent Intergovernmental Panel on Climate Change (I.P.C.C.) report ‘Climate Change 2021: The Physical Science Basis’; and, if so, what assessment has he made of any further actions that Jersey needs to take beyond the existing commitments laid out in the Carbon Neutral Strategy, and elsewhere, in light of this new evidence?”

4. The Minister for the Environment tabled an answer on 20th September 2021 to the following question asked by Deputy K.F. Morel of St. Lawrence:

“Will the Minister advise members whether the number of visitors to Les Écréhous is monitored and quantified, and, if so, whether there has been an increase; and, furthermore, will he commit to investigating reports of visitors to Les Écréhous disturbing wildlife and causing damage to the reef’s unique natural environment?”

5. The Minister for Treasury and Resources tabled an answer on 20th September 2021 to the following question asked by Deputy S.M. Ahier of St. Helier:

“Will the Minister, as shareholder representative, state what action, if any, she has taken to ensure she is satisfied that the payment of bonuses to Executive Directors of Subsidiary Companies (as outlined in the respective 2020 Annual Reports) is justified; and is it her intention to review all such bonus payments – as well as the levels of emoluments – before the end of this term?”

6. The Chair of the States Employment Board tabled an answer on 20th September 2021 to the following question asked by Senator K.L. Moore:

“Will the Chair provide –

- (a) details of the number of people who joined the employment of the States of Jersey each year from 2017 and the number who left in each year; and



- (b) identify, for each year, how many of the individuals appointed moved to the Island to take up their role?”
7. The Minister for Infrastructure tabled an answer on 20th September 2021 to the following question asked by the Connétable of St. Brelade:
- “Will the Minister advise members what assessment, if any, has been undertaken of the policy of contracting out estate management, as opposed to using ‘in-house’ staff, and whether any such assessment has judged the policy to be successful; and will he provide an outline of any cost savings that have been achieved through this policy?”
8. The Minister for Infrastructure tabled an answer on 28th September 2021 to the following question asked by Deputy R.J. Ward of St. Helier:
- “Will the Minister advise what actions, if any, have been undertaken to progress the necessary changes to legislation required to give effect to P.79/2020 (Green Lanes and Quiet Lanes: Priority to pedestrians, cyclists and horse riders)?”
9. The Minister for Infrastructure tabled an answer on 28th September 2021 to the following question asked by Deputy K.F. Morel of St. Lawrence:
- “In respect of the recycling of electric vehicle car batteries, would the Minister –
- (a) describe the current process put in place by his department to ensure the effectiveness of such recycling; and
 - (b) advise whether there are costs borne by his department in order to achieve such recycling or whether revenue is generated by the process?”
10. The Minister for Treasury and Resources tabled an answer on 28th September 2021 to the following question asked by Senator K.L. Moore:
- “With reference to the recently published States Investment Strategies (R.131/2021), will the Minister outline the fees paid each year since 2011 for the management and administration of the various funds held in the Common Investment Fund?”
11. The Chief Minister tabled an answer on 28th September 2021 to the following question asked by the Connétable of St. Brelade:
- “Will the Chief Minister outline what plans, if any, he has to conduct a debrief for States members and officials in relation to the Covid-19 pandemic outbreak, in order to ensure that the Government is better prepared to protect both the health and economic wellbeing of Islanders arising from any future pandemics or similarly disruptive events?”
12. The Minister for External Relations and Financial Services tabled an answer on 28th September 2021 to the following question asked by the Connétable of St. Brelade:
- “Will the Minister advise whether he plans to have direct meetings with political representatives for Normandy and Brittany in order to arrive at an agreement that will ensure Jersey can manage its marine resource as laid out in the UK-EU Trade and Economic Cooperation Agreement (T.E.C.A.) agreement, and if so, when?”



13. The Minister for the Environment tabled an answer on 28th September 2021 to the following question asked by Deputy M.R. Le Hegarat of St. Helier:

“Will the Minister inform members of the following –

- (a) the number of glasshouse or polytunnel sites no longer in active use;
- (b) the length of time that they have been derelict for;
- (c) what, if any, actions are being taken by government to see these sites restored to agricultural use or adapted for another purpose; and
- (d) the reason why none of these sites was nominated for affordable housing in the Bridging Island Plan?”

14. The Minister for Children and Education tabled an answer on 28th September 2021 to the following question asked by Deputy L.M.C. Doublet of St. Saviour:

“Will the Minister provide (and commit to publishing as a matter of urgency) the minutes of the Corporate Parenting Board’s last meeting held on 11th September 2020, together with copies of all the accompanying meeting documents as requested in Written Question 355/2021?”

15. The Minister for the Environment tabled an answer on 28th September 2021 to the following question asked by Deputy R.J. Ward of St. Helier:

“Will the Minister advise what action, if any, apart from physical clearing has been undertaken to try to overcome the green algal bloom in St Aubin’s Bay?”

16. The Minister for the Environment tabled an answer on 28th September 2021 to the following question asked by Deputy R.J. Ward of St. Helier:

“Will the Minister advise what criteria were used to select members of the recently formed Carbon Neutral Steering Group?”

17. The Minister for Children and Education tabled an answer on 28th September 2021 to the following question asked by the Connétable of St. John:

“In respect the Corporate Parenting Board (“CPB”), will the Minister advise –

- (a) when the membership of the CPB last changed;
- (b) how new members were selected/appointed; and
- (c) how and when the new members of the board were notified?”

18. The Minister for Health and Social Services tabled an answer on 28th September 2021 to the following question asked by the Connétable of St. John:

“Will the Minister state the current annual rate of pay for a Theatre Nurse employed by the Health Department, and the estimated annual cost of hiring a Locum Theatre Nurse?”



19. The Minister for Health and Social Services tabled an answer on 28th September 2021 to the following question asked by the Connétable of St. John:

“Will the Minister provide the number of private medical procedures carried out at the Hospital by employees of the States of Jersey for each of the last 5 years, and outline how this figure compares with expected level of private medical procedures, if any, by States of Jersey employees?”

20. The Minister for the Environment tabled an answer on 28th September 2021 to the following question asked by Deputy M.R. Higgins of St. Helier:

“Will the Minister –

- (a) publish for members the terms of the sand extraction agreement or contracts held between the States of Jersey and Simon Sand and Gravel Ltd (redacted where commercially sensitive or confidential);
- (b) set out the requirements for restoring the site when the current planning permit to extract sand expires in 2023;
- (c) advise members whether there have been any recorded breaches of contract; and
- (d) outline the legal remedies and/or penalties that arise from any breaches, as defined within the contract?”

21. The Minister for Housing and Communities tabled an answer on 28th September 2021 to the following question asked by Deputy M.R. Higgins of St. Helier:

“Will the Minister update members on the progress –

- (a) of the investigation into the feasibility of establishing of a digital register of landlords and tenants following the adoption of P.82/2020; and
- (b) in establishing a digital register of the ownership of all commercial and residential property following the adoption of P.93/2020, to be in place by the end of 2021 at the latest?”

22. The Minister for Economic Development, Tourism, Sport and Culture tabled an answer on 28th September 2021 to the following question asked by Deputy M.R. Higgins of St. Helier:

“Will the Minister provide members with an explanation of the various labour shortages certain industries are experiencing in the Island, and set out any research that has been carried out into this matter by the Government identifying the scale, causes and possible solutions to these shortages?”



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)
Draft Road Traffic (No.68) (Jersey) Regulations 202- . P.39/2021. (re-issue)	<ul style="list-style-type: none">Chair of the Environment, Housing and Infrastructure Scrutiny Panel.
Draft Road Traffic (No.68) (Jersey) Regulations 202- . (P.39/2021): amendment P.39/2021 Amd.	<ul style="list-style-type: none">Chair of the Environment, Housing and Infrastructure Scrutiny Panel.
Draft Taxation (Income Tax, Goods and Services Tax and Revenue Administration) (Amendment) (Jersey) Law 202- . P.51/2021.	<ul style="list-style-type: none">Chair of the Corporate Services Scrutiny Panel.
Draft Taxation (Income Tax, Goods and Services Tax and Revenue Administration) Law 202- (P.51/2021): amendment. P.51/2021 Amd.	<ul style="list-style-type: none">Minister for Treasury and Resources.
Draft Taxation (Income Tax, Goods and Services Tax and Revenue Administration) Law 202- (P.51/2021): second amendment. P.51/2021 Amd.(2).	<ul style="list-style-type: none">Minister for Treasury and Resources.
Draft Taxation (Income Tax, Goods and Services Tax and Revenue Administration) (Amendment) (Jersey) Law 202- (P.51/2021): third amendment. P.51/2021 Amd.(3).	<ul style="list-style-type: none">Chair of the Corporate Services Scrutiny Panel.
Draft Planning and Building (Amendment No. 8) (Jersey) Law 202- .P.76/2021.	<ul style="list-style-type: none">Chair of the Environment, Housing and Infrastructure Scrutiny Panel.
Our Hospital – Budget, Financing and Land Assembly. P.80/2021 (re-issue)	<ul style="list-style-type: none">Chair of the Future Hospital Review Panel.
Our Hospital – Budget, Financing and Land Assembly (P.80/2021): amendment. P.80/2021. Amd.(re-issue)	<ul style="list-style-type: none">Assistant Chief Minister.
Our Hospital – Budget, Financing and Land Assembly (P.80/2021): amendment (P.80/2021 Amd.) – Amendment. P.80/2021. Amd.Amd.	<ul style="list-style-type: none">Connétable of St. Helier.



Our Hospital – Budget, Financing and Land Assembly (P.80/2021): second amendment P.80/2021 Amd.(2)	<ul style="list-style-type: none">• Assistant Chief Minister.
Draft Electronic Communications (Amendment No. 2) (Jersey) Law 202-. P.81/2021.	<ul style="list-style-type: none">• Chair of the Economic and International Affairs Scrutiny Panel.
Draft Covid-19 (Enabling Provisions) (Amendment No. 3) (Jersey) Law 202-. P.83/2021.	<ul style="list-style-type: none">• Chair of the Health and Social Security Scrutiny Panel.
Draft Covid-19 (Amendments – Further Extensions) (Jersey) Regulations 202-. P.84/2021.	<ul style="list-style-type: none">• Chair of the Health and Social Security Scrutiny Panel.
Draft Covid-19 (Employment-Minimum Wage) (Jersey) Regulations 202-. P.85/2021.(re-issue)	<ul style="list-style-type: none">• Chair of the Health and Social Security Scrutiny Panel.



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE

(See Item I(c))

Questions without notice 2021

1st Session 2021

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

2nd Session 2021

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