



STATES OF JERSEY ORDER PAPER

12th SEPTEMBER 2023

SUMMARY

- 9.30 a.m. Communications by the Presiding Officer and other announcements
- Appointments, matters of privilege, petitions (if any)
- Resignation of Deputy M.B. Andrews of St. Helier North from the Public Accounts Committee
 - Nomination of the Connétable of St. Clement to the Children, Education and Home Affairs Scrutiny Panel
- Approx. 9.40 a.m.
Up to 2 hours 20 minutes
- Oral questions with notice
- Urgent questions (if any)
- Up to 45 minutes, divided between the three Ministers
- Oral questions without notice:
- Minister for Children and Education
 - Minister for Treasury and Resources
 - Chief Minister
- Statements
- Deputy M.B. Andrews of St. Helier North will make a personal statement.
- Approx. 2.15 p.m.
- Vote of Censure: Deputy M.B. Andrews of St. Helier North.** (P.66/2023).
- In accordance with Standing Order 31(2)(d), this proposition has been listed as the first item for debate.*
- Amendment to Standing Orders – the establishment of PPC sub-committees.** (P.46/2023).
- Financial support for local disasters.** (P.51/2023).
- Draft Financial Services (Amendment of Law) (No. 6) (Jersey) Regulations 202-.** (P.54/2023 re-issue).
- Draft Cold Weather Bonus and Payments (Miscellaneous Amendments No. 2) (Jersey) Regulations 202-.** (P.55/2023).
- GST on menstrual sanitary products (P.66/2022) – Rescindment.** (P.58/2023).
- Increase to Christmas Bonus.** (P.59/2023).
- Income Support Medical Appeal Tribunal: Re-Appointment of member.** (P.60/2023 (re-issue)).
- Social Security Medical Appeal Tribunal: Re-Appointment of member.** (P.61/2023 (re-issue)).
- New Stamp Duty Rates.** (P.63/2023).



Reinstate the re-use centre at La Collette. (P.65/2023).

Reinstate the re-use centre at La Collette (P.65/2023) – amendment.
(P.65/2023. Amd.)

Arrangement of public business at subsequent meetings

Lunch adjournment likely around 12.45 p.m., until 2.15 p.m.

If business is not completed by around 5.30 p.m. the Assembly usually adjourns for the evening and will resume its meeting at 9.30 a.m. on Wednesday 13th, Thursday 14th and Friday 15th September 2023 if necessary.



STATES OF JERSEY ORDER PAPER

12th SEPTEMBER 2023

A. COMMUNICATIONS BY THE PRESIDING OFFICER

B. TABLING OF SUBORDINATE ENACTMENTS

(Explanatory note attached)

Banking Business (Accounts, Auditors and Reports) (Jersey) Order 2023. R&O.64/2023.
Chief Minister.

Banking Business (General Provisions) (Amendment No. 5) (Jersey) Order 2023. R&O.65/2023.
Chief Minister.

Road Traffic (St. Clement) (Amendment No. 26) (Jersey) Order 2023. R&O.66/2023.
Minister for Infrastructure.

Money Laundering (Amendment No. 12) (Jersey) Order 2023. R&O.67/2023.
Chief Minister.

Road Traffic (St. John) (Amendment No. 9) (Jersey) Order 2023. R&O.68/2023.
Minister for Infrastructure.

Proceeds of Crime (Provision of Information by Trustees) (Amendment) (Jersey) Order 2023. R&O.69/2023.
Chief Minister.

Money Laundering (Amendment No. 13) (Jersey) Order 2023. R&O.70/2023.
Chief Minister.

Proceeds of Crime (Duties of Non-Professional Trustees) (Amendment) (Jersey) Order 2023. R&O.71/2023.
Chief Minister.

Social Security (Health Bonus Scheme) (Amendment) (Jersey) Order 2023. R&O.72/2023.
Minister for Social Security.

C. DOCUMENTS PRESENTED

Draft Financial Services (Amendment of Law) (No. 6) (Jersey) Regulations 202-. (P.54/2023) – comments. P.54/2023.
Presented: 16th August 2023, *Economic and International Affairs Scrutiny Com.*
Panel.

Draft Register of Names and Addresses (Amendment) (Jersey) Law 202- (P.56/2023): comments. P.56/2023.
Presented: 6th September 2023, *Economic and International Affairs Scrutiny Com.*
Panel.

Meetings of the States in 2024. R.116/2023.
Presented: 20th July 2023, *Privileges and Procedures Committee.*

States Greffe and Legislative Drafting Office Business Plan 2023. R.117/2023.
Presented: 20th July 2023, *Privileges and Procedures Committee.*



Jersey Financial Services Commission Annual Report 2022. Presented: 25th July 2023, <i>Chief Minister</i> .	R.118/2023.
Export Strategy 2023-2026. Presented: 28th July 2023, <i>Minister for Economic Development, Tourism, Sport and Culture</i> .	R.119/2023.
Thinkpiece: Mid Term Reflections. Presented: 31st July 2023, <i>Comptroller and Auditor General</i> .	R.120/2023.
Roadmap for improving access to social housing in Jersey. Presented: 31st July 2023, <i>Minister for Housing and Communities</i> .	R.121/2023.
Jersey Gambling Commission Annual Report 2022. Presented: 3rd August 2023, <i>Minister for Economic Development, Tourism, Sport and Culture</i> .	R.122/2023.
Land Transactions under Standing Order 168(3) – Eastern edge of the Five Oaks trade park development, La Grande Route de St. Martin – Transfer of Land to the public. Presented: 9th August 2023, <i>Minister for Infrastructure</i> .	R.123/2023.
The Rivington Fund Review 2022. Presented: 10th August 2023, <i>Minister for Economic Development, Tourism, Sport and Culture</i> .	R.124/2023.
Regulation of Investigatory Powers (Jersey) Law 2005 and Police Procedures and Criminal Evidence (Jersey) Law 2003: Report of the Investigatory Powers Commissioner - 1st January to 31st December 2022. Presented: 17th August 2023.	R.125/2023.
Notice under Article 29a(3) of the States of Jersey Law 2005: transfer of Justice functions – Chief Minister to Justice and Home Affairs. Presented: 21st August 2023, <i>Chief Minister</i> .	R.126/2023.
Renewal of the States of Jersey Complaints Panel membership. Presented: 25th August 2023, <i>Privileges and Procedures Committee</i> .	R.127/2023.
States of Jersey Law 2005: delegation of functions – Minister for Economic Development, Tourism, Sport and Culture – Director of the Jersey Cyber Security Centre. Presented: 25th August 2023, <i>Minister for Economic Development, Tourism, Sport and Culture</i> .	R.128/2023.
Commissioner for Standards: Investigation of Complaint of Breach of the Code of Conduct for Elected Members by Deputy M.R. Scott of St. Brelade. Presented: 29th August 2023, <i>Privileges and Procedures Committee</i> .	R.129/2023.
Commissioner for Standards: Investigation of Complaint of Breach of the Code of Conduct for Elected Members by M.B. Andrews of St. Helier North. Presented: 29th August 2023, <i>Privileges and Procedures Committee</i> .	R.130/2023.
States Assembly Annual Report 2022. Presented: 31st August 2023, <i>Privileges and Procedures Committee</i> .	R.131/2023.



Finance Law Delegation Report for the six-month period to 30th June 2023. R.132/2023.
Presented: 5th September 2023, *Minister for Treasury and Resources.*

D. NOTIFICATION OF LODGED PROPOSITIONS

Draft Cold Weather Bonus and Payments (Miscellaneous Amendments No. 2) P.55/2023.
(Jersey) Regulations 202-
Lodged: 27th July 2023, *Minister for Social Security.*

Draft Register of Names and Addresses (Amendment) (Jersey) Law 202-. P.56/2023.
Lodged: 31st July 2023, *Chief Minister.*

Restrict parking on beach slipways. P.57/2023.
Lodged: 2nd August 2023, *Deputy M.B. Andrews of St. Helier North.*

GST on menstrual sanitary products (P.66/2022) – Rescindment. P.58/2023.
Lodged: 2nd August 2023, *Minister for Treasury and Resources.*

Increase to Christmas Bonus. P.59/2023.
Lodged: 3rd August 2023, *Deputy R.J. Ward of St. Helier Central.*

Income Support Medical Appeal Tribunal: Re-Appointment of member. P.60/2023.
Lodged: 15th August 2023, *Minister for Social Security.* (re-issue).

Social Security Medical Appeal Tribunal: Re-Appointment of member. P.61/2023.
Lodged: 15th August 2023, *Minister for Social Security.* (re-issue).

Draft Employment (Amendment No.14) (Jersey) Law 202-. P.62/2023.
Lodged: 16th August 2023, *Minister for Social Security.*

New Stamp Duty Rates. P.63/2023.
Lodged: 17th August 2023, *Deputy M.B. Andrews of St. Helier North.*

Extension of Cold Weather Bonus. P.64/2023.
Lodged: 22nd August 2023, *Deputy B.B. de S.V.M. Porée of St. Helier South.*

Reinstate the re-use centre at La Collette. P.65/2023.
Lodged: 22nd August 2023, *Deputy. C.D. Curtis of St. Helier Central.*

Reinstate the re-use centre at La Collette (P.65/2023) – amendment. P.65/2023.
Lodged: 5th September 2023, *Minister for Infrastructure.* Amd.

Vote of Censure: Deputy M.B. Andrews of St. Helier North. P.66/2023.
Lodged: 29th August 2023, *Privileges and Procedures Committee.*

Law Revision Board: Appointment of Members. P.67/2023.
Lodged: 31st August 2023, *Chief Minister.*

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 –

New Stamp Duty Rates. P.39/2023.
Lodged: 5th June 2023, *Deputy M.B. Andrews of St. Helier North.*



F. APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

Resignation of Deputy M.B. Andrews of St. Helier North from the Public Accounts Committee.

Nomination of the Connétable of St. Clement to the Children, Education and Home Affairs Scrutiny Panel.

G. MATTERS OF PRIVILEGE

H. PETITIONS

I. QUESTIONS

(a) – Written Questions

(see attached)

- WQ.317/2023 1. The Minister for Treasury and Resources tabled an answer on 24th July 2023 to a question asked by Deputy M.B. Andrews of St. Helier North regarding additional revenue from the application of GST on Amazon orders.
- WQ.318/2023 2. The Chair of the Comité des Connétables tabled an answer on 24th July 2023 to a question asked by Deputy R.S. Kovacs of St. Saviour regarding electoral registrations.
- WQ.319/2023 3. The Minister for Social Security tabled an answer on 24th July 2023 to a question asked by Deputy M.R. Scott of St. Brelade regarding the impact of minimum wage to living wage increases.
- WQ.320/2023 4. The Minister for Children and Education tabled an answer on 24th July 2023 to a question asked by Deputy R.J. Ward of St. Helier Central regarding the Jersey Designated Officer.
- WQ.321/2023 5. The Minister for Health and Social Services tabled an answer on 24th July 2023 to a question asked by Deputy B.B. de S.V.M. Porée of St. Helier South regarding discussions with the Stroke Association regarding the support available to stroke victims.

(b) – Oral Questions

(2 hours 20 minutes)

- OQ.175/2023 1. Deputy L.V. Feltham of St. Helier Central will ask the following question of the Chair of the States Employment Board –
- “Will the Chair advise who authorised and approved the social media post issued by the Government on Tuesday 5th September relating to the teaching strikes, and provide her assurance that the information contained within the communication was accurate?”
- OQ.173/2023 2. Deputy R.J Ward of St. Helier Central will ask the following question of the Chair of the States Employment Board –
- “Will the Chair detail what action has been taken in the preceding week, if any, to prevent strike action by teaching unions and the subsequent closure of schools?”
- OQ.167/2023 3. Deputy A. Howell of Deputy St. John, St. Lawrence and Trinity will ask the following question of the Minister for Health and Social Services –
- “Will the Minister advise the date for the first meeting of the Health and Community Services Advisory Board, and the dates of any subsequent scheduled meetings, and confirm that these public meetings will be recorded so that Islanders have the opportunity to view proceedings?”



- OQ.172/2023** 4. Deputy B.B. de Sousa V.M. Porée of St. Helier South will ask the following question of the Minister for Health and Social Services –
- “Will the Minister clarify what steps, if any, she has taken to stop the sale of single-use vapes in Jersey and the marketing of single-use vapes aimed at children and young people?”
- OQ.177/2023** 5. Deputy S.Y. Mézec of St. Helier South will ask the following question of the Minister for Children and Education –
- “Will the Minister advise what representations, if any, she has made to members of the States Employment Board, regarding the effect that years of real terms pay cuts has had on the ability of schools to recruit and retain teachers?”
- OQ.179/2023** 6. Deputy G.P Southern of St. Helier Central will ask the following question of the Chief Minister –
- “Will the Chief Minister advise what taxation measures, if any, she has under consideration to prevent further deterioration of standards in health provision in the Island?”
- OQ.165/2023** 7. Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter will ask the following question of the Chief Minister –
- “Following States approval of P.35/2023, will the Chief Minister confirm that she has communicated the views of the Assembly to both the United Kingdom Government and the Faroe Islands Government, and will she advise members whether either Government has responded, and commit to sharing any relevant correspondence with States Members?”
- OQ.170/2023** 8. Deputy C.D Curtis of St. Helier Central will ask the following question of the Minister for Housing and Communities –
- “Will the Minister confirm whether there are any plans to alter the criteria for the affordable rented housing gateway to permit those who currently have a lease to be added to the waiting list, and if not, why not?”
- OQ.181/2023** 9. Deputy C.S Alves of St. Helier Central will ask the following question of the Minister for the Environment –
- “Will the Minister advise whether a vehicle scrappage scheme was considered as part of Electric Vehicle strategy?”
- OQ.176/2023** 10. Deputy L.V. Feltham of St. Helier Central will ask the following question of the Assistant Chief Minister –
- “Will the Assistant Chief Minister state the total number of people working in communications teams across the Government, the total staff cost, and the average salary of a member of these teams?”
- OQ.166/2023** 11. Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter will ask the following question of the Minister for Health and Social Services –
- “Given that a new study has indicated that a 10-minute MRI scan can be used to screen men for prostate cancer, which is the most common cancer found in men, and that these scans have proved more effective in diagnosing cancer than blood tests, will the Minister undertake to consider introducing an MRI screening programme for prostate cancer, and potentially other types of cancer?”



- OQ.171/2023 12. Deputy C.D Curtis of St. Helier Central will ask the following question of the Minister for the Environment –
- “Will the Minister clarify what work, if any, is currently being undertaken to bring forward food allergy legislation that aims to decrease the risk of anaphylaxis and other allergic reactions to islanders?”
- OQ.180/2023 13. Deputy G.P Southern of St. Helier South will ask the following question of the Minister for Social Security –
- “Will the Minister advise whether consideration has been given to providing employees with a statutory day-one right to request flexible working, to improve terms and conditions for our workforce, and if not, why not?”
- OQ.174/2023 14. Deputy R.J Ward of St. Helier Central will ask the following question of the Minister for Housing and Communities –
- “Will the Minister clarify the basis and evidence used in deciding the recent changes to the Affordable Housing Gateway eligibility criteria?”
- OQ.178/2023 15. Deputy S.Y. Mézec of St. Helier South will ask the following question of the Minister for Housing and Communities –
- “Will the Minister advise whether he has given consideration to the abolition of ‘no-fault and revenge evictions, in order to empower tenants to challenge unjustifiable rent increases and non-compliance with the minimum health and safety standards for rental properties, and will he ensure that these measures are included in any new Residential Tenancy Law he proposes, and if not why not?”

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

1st question period – Minister for Children and Education

2nd question period – Minister for Treasury and Resources

3rd question period – Chief Minister

J. PERSONAL STATEMENTS

Deputy M.B. Andrews of St. Helier North will make a personal statement.

K. STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

L. PUBLIC BUSINESS

Vote of Censure: Deputy M.B. Andrews of St. Helier North. P.66/2023.
Lodged: 29th August 2023, *Privileges and Procedures Committee*.

In accordance with Standing Order 31(2)(d), this proposition has been listed as the first item for debate.

Amendment to Standing Orders – the establishment of PPC sub-committees. P.46/2023.
Lodged: 23rd June 2023, *Privileges and Procedures Committee*.

Financial support for local disasters. P.51/2023.
Lodged: 27th June 2023, *Deputy L.J. Farnham of St Mary, St. Ouen and St. Peter*.



Financial support for local disasters (P.51/2023): comments. Presented: 13th July 2023, <i>Minister for Treasury and Resources.</i>	P.51/2023. Com.
Draft Financial Services (Amendment of Law) (No. 6) (Jersey) Regulations 202- Lodged: 7th July 2023, <i>Chief Minister.</i>	P.54/2023. (re-issue).
Draft Financial Services (Amendment of Law) (No. 6) (Jersey) Regulations 202- (P.54/2023): comments. Presented: 16th August 2023, <i>Economic and International Affairs Scrutiny Panel.</i>	P.54/2023. Com.
Draft Cold Weather Bonus and Payments (Miscellaneous Amendments No. 2) (Jersey) Regulations 202- Lodged: 27th July 2023, <i>Minister for Social Security.</i>	P.55/2023.
GST on menstrual sanitary products (P.66/2022) – Rescindment. Lodged: 2nd August 2023, <i>Minister for Treasury and Resources.</i>	P.58/2023.
Increase to Christmas Bonus. Lodged: 3rd August 2023, <i>Deputy R.J. Ward of St. Helier Central.</i>	P.59/2023.
Income Support Medical Appeal Tribunal: Re-Appointment of member. Lodged: 15th August 2023, <i>Minister for Social Security.</i>	P.60/2023. (re-issue).
Social Security Medical Appeal Tribunal: Re-Appointment of member. Lodged: 15th August 2023, <i>Minister for Social Security.</i>	P.61/2023. (re-issue).
New Stamp Duty Rates. Lodged: 17th August 2023, <i>Deputy M.B. Andrews of St. Helier North.</i>	P.63/2023.
Reinstate the re-use centre at La Collette. Lodged: 22nd August 2023, <i>Deputy. C.D. Curtis of St. Helier Central.</i>	P.65/2023.
Reinstate the re-use centre at La Collette (P.65/2023) – amendment. Lodged: 5th September 2023, <i>Minister for Infrastructure.</i>	P.65/2023. Amd.

M. ARRANGEMENT OF PUBLIC BUSINESS

3rd October 2023

Draft Register of Names and Addresses (Amendment) (Jersey) Law 202- Lodged: 31st July 2023, <i>Chief Minister.</i>	P.56/2023.
Draft Register of Names and Addresses (Amendment) (Jersey) Law 202- (P.56/2023): comments. Presented: 6th September 2023, <i>Economic and International Affairs Scrutiny Panel.</i>	P.56/2023. Com.
Draft Employment (Amendment No.14) (Jersey) Law 202- Lodged: 16th August 2023, <i>Minister for Social Security.</i>	P.62/2023.
Extension of Cold Weather Bonus. Lodged: 22nd August 2023, <i>Deputy B.B. de S.V.M. Porée of St. Helier South.</i>	P.64/2023.
Law Revision Board: Appointment of Members. Lodged: 31st August 2023, <i>Chief Minister.</i>	P.67/2023.



17th October 2023

7th November 2023

Draft Public Health and Safety (Rented Dwellings) (Licensing) (Jersey) Regulations 202-. (P.40/2023). P.40/2023.

Note: The 2nd reading of the Draft Regulations will resume following adoption of the principles on 18th July 2023 and the subsequent referral to the Environment, Housing and Infrastructure Scrutiny Panel under Standing Order 72(1).

Draft Income Tax (Amendment – Stage 2 of Independent Taxation) (Jersey) Law 202-. P.41/2023.

Lodged: 6th June 2023, *Minister for Treasury and Resources.*

Draft Act declaring that the Income Tax (Amendment – Stage 2 of Independent Taxation) (Jersey) Law 202- has immediate effect. P.41/2023.
Add.

Presented: 6th June 2023, *Minister for Treasury and Resources.*

28th November 2023

Restrict parking on beach slipways. P.57/2023.

Lodged: 2nd August 2023, *Deputy M.B. Andrews of St. Helier North.*

L.-M. HART
Greffier of the States

7th September 2023

Note –

In accordance with the meeting dates fixed for 2023 by the Privileges and Procedures Committee, this meeting will continue, if necessary, on Wednesday 13th, Thursday 14th and Friday 15th September 2023.



Explanatory Note regarding subordinate legislation tabled at this meeting.

(See Item B)

R&O.64/2023.

Banking Business (Accounts, Auditors and Reports) (Jersey) Order 2023.

Signed by Assistant Chief Minister Deputy M.E. Millar of St. John, St. Lawrence and Trinity, for and on behalf of the Chief Minister.

The Banking Business (Accounts, Auditors and Reports) (Jersey) Order 2023 provides for an auditor to be appointed by banks registered under the Banking Business (Jersey) Law 1991 and introduces reporting requirements, including requirements for financial statements to be prepared.

Article 1 (interpretation) defines words and phrases used in this Order.

Article 2 (appointment of auditor) requires every Jersey incorporated bank, overseas incorporated bank and Jersey branch of an overseas incorporated bank (the “registered person”) to appoint an auditor that has the skills, resources and experience to perform the functions of an auditor in relation to its business and to give the Jersey Financial Services Commission (the “Commission”) the name and address and qualifications of the proposed auditor. By *Article 2(9)*, the Commission may require the proposed auditor to provide it with information the Commission considers appropriate relating to that proposed auditor’s skills, resources and experience. By *Article 2(10)*, the proposed auditor must comply with any requirement given to the proposed auditor under *Article 2(9)* and, at the same time, provide the registered person concerned with a copy of the information. *Article 2(11)* exempts a registered person who is also registered under the Financial Services (Jersey) Law 1998 in respect of trust company business, investment business or both from having to appoint an auditor under Article 3 of the Financial Services (Trust Company and Investment Business (Accounts, Audits and Reports)) (Jersey) Order 2007 if the registered person appoints an auditor in compliance with this Order. *Article 2(12)* exempts a registered person who is also registered under the Financial Services (Jersey) Law 1998 in respect of fund services business from having to appoint an auditor under Article 4 of the Financial Services (Fund Services Business (Accounts, Audits and Reports)) (Jersey) Order 2007 if the registered person appoints an auditor in compliance with this Order.

Article 3 (objection to auditor or proposed auditor) provides the means by which the Commission may by written notice object to the appointment, or proposed appointment, of an auditor of a Jersey incorporated bank or a Jersey branch, and direct that the auditor or proposed auditor must not continue to be, or must not become, an auditor in relation to the registered person’s business.

Article 4 (offences relating to appointment and removal of an auditor) provides that a registered person commits an offence and is liable to a fine if the registered person contravenes *Article 2*, or fails to remove an auditor promptly after receipt of a notice of objection that has taken effect under *Article 3*.

Article 5(1) (powers of auditors) requires a registered person to give the auditors of the registered person a right of access at all times to the accounting and other records of the registered person and all other documents relating to its registered business, and a right to require from the registered person such information and explanation as the auditor thinks necessary for the performance of the auditor’s duties as auditor. By *Article 5(2)* a registered person who contravenes *Article 5(1)* commits an offence and is liable to a fine.

Article 6 (termination of appointment) provides for a registered person to notify the Commission upon terminating an auditor’s appointment, requires the auditor to make a statement to the Commission and report certain matters to the Commission, and provides that a person who fails to comply with the requirements commits an offence and is liable to a fine of level 3 on the standard scale.

Article 7 (accounting period) sets out how accounting periods for a registered person must be set and provides that a person who contravenes the requirements commits an offence and is liable to a fine.

Article 8 (accounting records) describes the accounting records that must be kept by a registered person, describes how they are to be stored and provides that a person who contravenes the requirements commits an offence and is liable to a fine.

Article 9 (declaration) sets out the contents of the declaration that must be made after each accounting period by a registered person. The declaration must state whether, throughout the accounting period to



which the declaration relates, the Jersey incorporated bank or Jersey branch, has in relation to its registered business complied with the matters described in *Article 9(3)*. *Article 9(4)* provides that if a Jersey incorporated bank or a Jersey branch has failed to comply with an applicable requirement, the declaration must provide details of all material failures and specify the measures taken or to be taken to ensure that the failures are not repeated.

Article 10 (directors' report) requires the registered person to prepare a report for each relevant accounting period and describes what the report must contain.

Article 11 (registered person to provide certain documents to auditor) sets out the information that a registered person must provide to its auditor and provides that it is an offence for a person to make a statement to the registered person's auditor that conveys or purports to convey information or an explanation that the auditor requires that is misleading, false or deceptive in a material particular.

Article 12 (auditor's reports) requires the auditor of a Jersey incorporated bank to prepare separate reports relating to the financial statements, declaration, directors' report and prudential return provided to the auditor under *Article 11(1)*. *Article 12* also provides equivalent but slightly different requirements for an overseas incorporated bank and a Jersey branch.

Article 13 (financial statements to be provided to Commission) requires a registered person, after the end of a relevant accounting period, to prepare financial statements in relation to the registered person in respect of that period and provide them to the Commission. A registered person who fails to comply with a requirement commits an offence and is liable to a fine.

Article 14 (declarations and reports to be provided to Commission at same time as financial statements) requires a registered person to ensure that the financial statements provided to the Commission under *Article 13* by the registered person are accompanied by, in relation to the period to which the statements relate, the declaration under *Article 9*, the directors' report under *Article 10* and the auditor's reports under *Article 12* in respect of the financial statements, declaration, directors' report and prudential return. A registered person who contravenes the requirements commits an offence and is liable to a fine.

Article 15 (consolidated financial statements, declarations and reports) enables consolidated financial statements, declarations and reports to be made in specified circumstances if approved by the Commission.

Article 16 (prudential returns) requires a registered person to complete quarterly prudential returns in the form required by the Code of Practice for Deposit-taking Business issued under *Article 19A* of the Banking Business (Jersey) Law 1991 (the "Code") and a prudential return in the form required by the Code with respect to the end date of each relevant accounting period of the registered person. A registered person who contravenes the requirements commits an offence and is liable to a fine.

Article 17 (exemption and variation) enables a registered person to be exempted from compliance with requirements in all or any part of *Articles 2 to 16* or for any requirements to be varied.

Article 18 (inspection and publication of accounts and financial statements) requires a registered person to keep a copy of its most recent audited financial statements provided to the Commission under *Article 13* at each of its offices in Jersey at which it holds itself out as accepting deposits, and during normal business hours make that copy available for inspection by any person on request. A registered person who contravenes the requirements commits an offence and is liable to a fine.

Article 19 (circumstances in which matters are to be reported directly to Commission) describes when and how certain matters must be reported to the Commission.

Article 20 (transitional provisions) makes provision for an auditor employed or engaged by a registered person immediately before *Article 20(1)* comes into force to be deemed to have been appointed in accordance with the provisions of this Order immediately after that date. Existing exemptions are also saved, subject to notification to the Commission.

Article 21 (citation and commencement) gives the title of this Order and paragraph (2) provides that *Article 1*, *Article 20(2)* and *Article 21* come into force 7 days after the Banking Business (Amendment No. 9) (Jersey) Law 2022 comes into force. *Article 21* also provides that *Article 18(3)* comes into force 3 months after the date the provisions referred to in paragraph (2) come into force and the remaining provisions of this Order come into force one month after the date that the provisions referred to in paragraph (2) come into force.

The Order was made on 24th July 2023 and comes into force in accordance with *Article 21*.



R&O.65/2023.

Banking Business (General Provisions) (Amendment No. 5) (Jersey) Order 2023.

Signed by Assistant Chief Minister Deputy M.E. Millar of St. John, St. Lawrence and Trinity, for and on behalf of the Chief Minister.

The Banking Business (General Provisions) (Amendment No. 5) (Jersey) Order 2023 makes consequential amendments to the Banking Business (General Provisions) (Jersey) Order 2002 (the “2002 Order”), which are necessary as a consequence of the coming into force of the Banking Business (Amendment No. 7) (Jersey) Law 2011, the Banking Business (Amendment No. 9) (Jersey) Law 2022 and the Banking Business (Accounts, Auditors and Reports) (Jersey) Order 2023. Those Laws and that Order together amend the provisions in relation to the auditing of banks.

Article 1 introduces the amendments to be made to the 2002 Order.

Article 2 substitutes Article 11(2) (conditions of registration) of the 2002 Order so that the registration requirements described in that paragraph apply to an “overseas incorporated bank”, replacing the references to a “branch of an organization”. *Article 2* also substitutes Article 11(3) of the 2002 Order so that the restrictions described in that paragraph apply to a “Jersey incorporated bank”, replacing the references to a “subsidiary of an organization”. *Article 2* also removes the requirements concerning the appointment of an auditor and the provision and publishing of accounts. These are replaced by requirements under the Banking Business (Accounts, Auditors and Reports) (Jersey) Order 202-.

Article 3 amends Article 12 (control of advertising) of the 2002 Order so that the advertisement requirements set out in that Article now apply to Jersey incorporated banks and Jersey branches.

Article 4 deletes Article 13 of the 2002 Order to delete the requirement for an auditor to report the existence of exceptional circumstances which could be prejudicial to the interests of depositors of a registered person to the Commission as provision for that reporting requirement is made in the Banking Business (Accounts, Auditors and Reports) (Jersey) Order 2023.

Article 5 gives the title of this Order and provides for it to come into force immediately upon the coming into force of the Banking Business (Amendment No. 9) (Jersey) Law 2022.

The Order was made on 24th July 2023 and comes into force on 1st August 2023.

R&O.66/2023.

Road Traffic (St. Clement) (Amendment No. 26) (Jersey) Order 2023.

Minister for Infrastructure.

This Order amends the Road Traffic (St. Clement) (Jersey) Order 1987 so that waiting by vehicles is prohibited on lengths of La Rue de Samarès and La Rue du Pontlietaut and waiting in excess of 12 hours in any 24 hours is prohibited on lengths of La Rue de la Croix and La Rue de Samarès. The Order comes into force 7 days after it is made.

The Order was made on 26th July 2023 and comes into force on 2nd August 2023.

R&O.67/2023.

Money Laundering (Amendment No. 12) (Jersey) Order 2023.

Signed by Assistant Chief Minister Deputy M.E. Millar of St. John, St. Lawrence and Trinity, for and on behalf of the Chief Minister.

The Money Laundering (Amendment No. 12) (Jersey) Order 2023 makes a number of miscellaneous amendments to the Money Laundering (Jersey) Order 2008 to better align the Order with certain requirements of the Financial Action Task Force (“FATF”), and to provide for the declassification of politically exposed persons in certain circumstances.



Article 2 amends Article 1 (interpretation) so that references to FATF recommendations mean those recommendations as amended or replaced from time to time, and makes a minor change in the definition of “relevant person” in accordance with FATF terminology.

Article 3 amends Article 3 (meaning of “customer due diligence measures”) to confirm that a FATF compliant digital identification system constitutes a reliable and independent source.

Article 4 amends Article 4 (meaning of “one-off transaction”) to update references to “a money service business” to the broader “money or value transfer services” (which includes a money service business) within the meaning of the Proceeds of Crime (Jersey) Law 1999.

Article 5 amends Article 11 (policies, procedures and training to prevent and detect money laundering) to include under paragraph (3)(c) a policy for determining whether a beneficial owner or controller of a beneficiary under a life insurance policy is a politically exposed person.

Article 6 amends Article 11A (additional requirements for financial groups) to provide that the additional obligations imposed on financial groups also apply to a group of persons falling within Part 3 of Schedule 2 to the Proceeds of Crime (Jersey) Law 1999 (designated non-financial businesses and professions, i.e. casinos, real estate agents, high value dealers, lawyers, accountants, and trust and company service providers) if there is, in relation to the group, a parent company or other legal person that exercises control over every member of the group.

Article 7 makes a clarification in Article 13 (application and timing of customer due diligence measures).

Article 8 amends Article 15A (enhanced customer due diligence measures in relation to politically exposed persons). New paragraph (2A) allows a relevant person to treat a domestic politically exposed person as not being a politically exposed person 2 years after the person ceases to be entrusted with a prominent public function if, following a risk assessment, the person does not present a higher risk of money laundering and there is no reason to continue to treat the person as a politically exposed person. New paragraphs (2B) and (2C) make similar provision in relation to a foreign politically exposed person and a prominent person after a period of 5 years. New paragraph (2D) provides that paragraphs (2A) to (2C) apply also to immediate family members or close associates of the politically exposed person. The definition of “prominent person” is amended to provide that the definition includes immediate family members or close associates, and a new definition of “prominent public function” in relation to an international organisation is inserted.

Article 9 amends Article 15B (enhanced customer due diligence measures in relation to banking relationships outside Jersey) so that the Article is broadened to require a Jersey financial institution or Jersey VASP (virtual asset service provider), which has or proposes to have a correspondent banking or similar relationship with a foreign financial institution or foreign VASP, to apply enhanced customer due diligence measures on a risk-sensitive basis. Definitions of Jersey and foreign financial institutions and VASPs are inserted in new paragraph (3).

Article 10 amends Article 17A(1) to provide that none of the identification exemptions in Part 3A (Articles 17B to 18) apply in the cases set out in that paragraph (suspicion or higher risk of money laundering, customer is resident in non-FATF compliant country or has relevant connection with enhanced risk state). Article 17A(2) is deleted as it does not align with FATF guidance.

Article 11 amends Article 23A (shell banks), which currently applies only to a person carrying on deposit-taking business. Paragraph (1) is broadened to include Jersey financial institutions and Jersey VASPs (virtual asset service providers) as defined in Article 15B (as amended by *Article 9* of this Order), so that they are prohibited from entering into or continuing a correspondent banking relationship with a shell bank. Paragraph (2) is also broadened to include Jersey financial institutions and Jersey VASPs, so that they are required to take appropriate measures to ensure that they do not enter into or continue a correspondent banking relationship with a Jersey or foreign financial institution or a Jersey or foreign VASP that is known to permit its accounts to be used by a shell bank. Paragraph (3), which provided exceptions for a deposit-taking business doing anything on behalf of the States, the Bank of England, the central bank of a member State of the European Community or the National Savings Bank of the United Kingdom, is deleted. Paragraph (4) is amended to insert definitions.

Article 12 gives the citation of this Order, and provides that this Order comes into force on 1st September 2023.

The Order was made on 27th July 2023 and came into force on 1st September 2023.



R&O.68/2023.

Road Traffic (St. John) (Amendment No. 9) (Jersey) Order 2023.

Minister for Infrastructure.

This Order amends the Road Traffic (St. John) (Jersey) Order 1982 (the “1982 Order”).

Article 1 provides that the Order amends the 1982 Order.

Article 2 inserts a new Part 2A into the 1982 Order to prohibit vehicles from parking on specified roads for more than 12 hours in any 24-hour period. The roads are specified in the new Schedule 5 to the 1982 Order, which is inserted by *Article 4*.

Article 3 amends Part 1 of Schedule 2 to the 1982 Order to remove the “no waiting” section on Bonne Nuit Harbour Road and to add new “no waiting” sections on Les Charrières de Bonne Nuit and Les Nouvelles Charrières de Bonne Nuit. *Article 3* also takes the opportunity to correct the names of the latter 2 roads.

Article 5 introduces the Schedule, which contains minor amendments to the 1982 Order. These minor amendments update the wording of the 1982 Order to align with current drafting practice but do not change the legal effect.

Article 6 gives the title of the Order and provides for it to come into force 7 days after it is made.

The Order was made on 2nd August 2023 and came into force on 9th August 2023.

R&O.69/2023.

Proceeds of Crime (Provision of Information by Trustees) (Amendment) (Jersey) Order 2023.

Signed by Assistant Chief Minister Deputy M.E. Millar of St. John, St. Lawrence and Trinity, for and on behalf of the Chief Minister.

This Order amends the Proceeds of Crime (Provision of Information by Trustees) (Jersey) Order 2021 (the “Proceeds of Crime Order”).

It replaces references to a “relevant business” with references to a “financial services business”, and “financial services business” has the meaning given in Article 1(1) of the Proceeds of Crime (Jersey) Law 1999.

It replaces the definition “competent authority” with the definition “Jersey competent authority”, which –

- (a) makes clear the distinction between a “Jersey competent authority”, and an “external competent authority” (as already defined in the Proceeds of Crime Order); and
- (b) specifies that a Jersey competent authority includes the Jersey Financial Services Commission, the Financial Intelligence Unit, the Attorney General, and the Minister for External Relations.

It also makes minor consequential amendments to the Proceeds of Crime Order.

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

The Order was made on 10th August 2023 and came into force on 17th August 2023.

R&O.70/2023.

Money Laundering (Amendment No. 13) (Jersey) Order 2023.

Signed by Assistant Chief Minister Deputy M.E. Millar of St. John, St. Lawrence and Trinity, for and on behalf of the Chief Minister.

This Order amends the Money Laundering (Jersey) Order 2008 (“the main Order”). The Order is made under the Proceeds of Crime (Jersey) Law 1999 (“the Law”).

A new Article 24B is inserted into the main Order. The new Article excludes certain requirements in the main Order from applying to a specified director for one year starting on 1st October 2023. A specified director is a person who, on or after the amendment of the Law on 30th January 2023 –



- acted as a director of a company; and
- in so acting, conducted a business that became a financial services business by falling within paragraph 23(2) of Schedule 2 to the Law.

The Order was made on 21st August 2023 and came into force on 28th August 2023.

R&O.71/2023.

Proceeds of Crime (Duties of Non-Professional Trustees) (Amendment) (Jersey) Order 2023.

Signed by Assistant Chief Minister Deputy M.E. Millar of St. John, St. Lawrence and Trinity, for and on behalf of the Chief Minister.

This Order amends the Proceeds of Crime (Duties of Non-Professional Trustees) (Jersey) Order 2016 (“the main Order”).

The main Order grants a partial exemption from the requirements of the Money Laundering (Jersey) Order 2008. Article 2 of the main Order is replaced to –

- apply the exemption only to natural persons; and
- clarify the meaning of express trust and the wording about not conducting a business.

The Order was made on 22nd August 2023 and came into force on 29th August 2023.

R&O.72/2023.

Social Security (Health Bonus Scheme) (Amendment) (Jersey) Order 2023.

Signed by Assistant Minister Deputy M.R. Ferey of St. Saviour, for and on behalf of the Minister for Social Security.

This Order amends the Social Security (Health Bonus Scheme) (Jersey) Order 2016 to increase the maximum amount of health bonus payable for particular treatment or assistance and to increase the eligibility threshold for assets from £30,000 to £64,000. This is the first increase of the amounts and thresholds. The Order also makes some amendments to reflect that a separate table of amounts is no longer needed in the Schedule for people admitted to the health bonus scheme from the Jersey 65+ health plan.

The Order was made on 29th August 2023 and came into force on 1st September 2023.



WRITTEN QUESTIONS

(See Item I(a))

1. The Minister for Treasury and Resources tabled an answer on 24th July 2023 to the following question asked by Deputy M.B. Andrews of St. Helier North –

“Will the Minister state the amount of additional revenue it is estimated will be generated by the application of GST on all orders from Amazon, regardless of cost?”

2. The Chair of the Comité des Connétables tabled an answer on 24th July 2023 to the following question asked by Deputy R.S. Kovacs of St. Saviour –

“Will the Chair state, in respect of electoral registrations during the last two electoral periods –

- (a) how much each Parish spent on posting electoral registration forms;
- (b) how much each Parish spent on the administration of the Electoral Roll, including sorting paperwork, distributing it, and collating the returns;
- (c) what number and percentage of households returned their electoral registration forms within the period allowed;
- (d) what number and percentage of households did not return their electoral registration forms within the period allowed;
- (e) what follow up procedure, if any, was used when households did not return their electoral registration form within the period allowed;
- (f) what sanctions may be used in respect of those who fail to make the required returns; and
- (g) when any such sanctions were last used?”

3. The Minister for Social Security tabled an answer on 24th July 2023 to the following question asked by Deputy M.R. Scott of St. Brelade –

“Will the Minister advise whether she has –

- (a) referred, or is giving consideration to referring, to the Employment Forum, the issue surrounding the impact on, and cost to, major supermarkets of an increase in the minimum wage to the living wage and the likely impact on food prices in the Island; and
- (b) sought, or is considering seeking, the Employment Forum’s opinion on the appropriateness or desirability for different, sector-specific minimum wage rates to be introduced?”

4. The Minister for Children and Education tabled an answer on 24th July 2023 to the following question asked by Deputy R.J. Ward of St. Helier Central –

“Will the Minister advise what objective criteria or guidance the Jersey Designated Officer works to when determining that an allegation substantiated at the end of a disciplinary process is serious enough to refer onto the Disclosure and Barring Service (in light of the Service’s ability to bar an individual from working in any capacity, paid or voluntary, with young people or in other professions with vulnerable adults)?”



5. The Minister for Health and Social Services tabled an answer on 24th July 2023 to the following question asked by Deputy B.B. de S.V.M. Porée of St. Helier South –

“Will the Minister advise what discussions, if any, she has had with the Stroke Association – Jersey regarding the support available to stroke victims and the resources required to improve that support; and, further to any such discussions, what plans, if any, does the Minister have to improve the resourcing in this area?”



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)
Vote of Censure: Deputy M.B. Andrews of St. Helier North. (P.66/2023).	
Amendment to Standing Orders – the establishment of PPC sub-committees. (P.46/2023).	
Financial support for local disasters. (P.51/2023).	<ul style="list-style-type: none">• Minister for Treasury and Resources
Draft Financial Services (Amendment of Law) (No. 6) (Jersey) Regulations 202-. (P.54/2023 re-issue).	<ul style="list-style-type: none">• Chair of the Economic and International Affairs Scrutiny Panel
Draft Cold Weather Bonus and Payments (Miscellaneous Amendments No. 2) (Jersey) Regulations 202-. (P.55/2023).	<ul style="list-style-type: none">• Chair of the Health and Social Security Scrutiny Panel
GST on menstrual sanitary products (P.66/2022) – Rescindment. (P.58/2023).	<ul style="list-style-type: none">• Chair of the Corporate Services Scrutiny Panel
Increase to Christmas Bonus. (P.59/2023).	<ul style="list-style-type: none">• Minister for Social Security
Income Support Medical Appeal Tribunal: Re-Appointment of member. (P.60/2023 (re-issue)).	<ul style="list-style-type: none">• Chair of the Health and Social Security Scrutiny Panel
Social Security Medical Appeal Tribunal: Re-Appointment of member. (P.61/2023 (re-issue)).	<ul style="list-style-type: none">• Chair of the Health and Social Security Scrutiny Panel
New Stamp Duty Rates. (P.63/2023).	<ul style="list-style-type: none">• Minister for Treasury and Resources
Reinstate the re-use centre at La Collette. (P.65/2023).	<ul style="list-style-type: none">• Minister for Infrastructure
Reinstate the re-use centre at La Collette (P.65/2023) – amendment. (P.65/2023. Amd.)	<ul style="list-style-type: none">• Deputy C.D. Curtis of St. Helier Central



ORAL QUESTIONS TO MINISTERS WITHOUT NOTICE
(See Item I(c))

Questions without notice 2023

2nd Session 2023

3rd October	External Relations	Health and Social Services	Chief Minister
17th October	Home Affairs	Housing and Communities	Chief Minister
7th November	Infrastructure	International Development	Chief Minister
28th November	Social Security	Treasury and Resources	Chief Minister
12th December	Children and Education	Economic Development, Tourism, Sport and Culture	Chief Minister