



**THE STATES assembled on Tuesday
4th June 2019, at 09.30 a.m. under
the Presidency of the Deputy Bailiff,
Timothy John Le Cocq, Esquire.**

**His Excellency the Lieutenant Governor,
Air Chief Marshall Sir Stephen Dalton, G.C.B., LL.D. (Hon.), D.Sc. (Hon.), B.Sc., F.R.Ae.S.,
C.C.M.I. was present.**

All members were present at roll call with the exception of –

Senator Ian Joseph Gorst – absent on States business
Deputy Jeremy Martin Maçon of St. Saviour – en défaut (défaut raised at 9.41 a.m.)

Prayers

Subordinate enactments tabled

The following enactments were tabled, namely –

States of Jersey (Transfer of Responsibilities and Functions) (Chief Minister to External Relations) Order 2019. R&O.40/2019.
Chief Minister.

Documents presented

Draft Public Finances (Jersey) Law 201- (P.28/2019): comments. P.28/2019.
Presented: 3rd June 2019. Com.(2)
Corporate Services Scrutiny Panel.

Draft Public Finances (Jersey) Law 201- (P.28/2019): amendments (P.28/2019 Amd., P.28/2019 Amd.(2), P.28/2019 Amd.(3) and P.28/2019 Amd.(5)) – comments. P.28/2019.
Presented: 4th June 2019. Amds.
Com.
Minister for Treasury and Resources.

Green Street: proposal to make one-way (P.50/2019) – comments. P.50/2019.
Presented: 3rd June 2019. Com.
Minister for Infrastructure.

The States as Shareholder – Follow-up (R.25/2019) – Executive response with comments of the Public Accounts Committee. R.25/2019.
Presented: 23rd May 2019. Res.
Public Accounts Committee.

Role and Operation of the States Employment Board (R.35/2019): Executive response with comments of the Public Accounts Committee. R.35/2019.
Presented: 28th May 2019. Res.
Public Accounts Committee.

Arrangements for Freedom of Information: Follow-up. Presented: 23rd May 2019. <i>Comptroller and Auditor General.</i>	R.61/2019.
States of Jersey Complaints Board: findings – complaint by X against the Health and Community Services Department in respect of a Division of that Department. Presented: 24th May 2019. <i>Privileges and Procedures Committee.</i>	R.62/2019.
Office of the Information Commissioner: Annual Report 2018 of the Jersey Data Protection Authority. Presented: 24th May 2019. <i>Chief Minister.</i>	R.63/2019.
States of Jersey Police: Annual Report 2018. Presented: 28th May 2019. <i>Minister for Home Affairs.</i>	R.64/2019.
Jersey Council for Safety and Health at Work: appointment of Chairman. Presented: 29th May 2019. <i>Minister for Social Security.</i>	R.65/2019.
Public Records (Jersey) Law 2002: Annual Report 2018 on the work of Jersey Heritage and the Archivist. Presented: 4th June 2019. <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	R.66/2019.
Land Transactions under Standing Order 168(3) – sale of land adjacent to 34 Le Clos Orange, St. Brelade. Presented: 4th June 2019. <i>Minister for Infrastructure.</i>	R.67/2019.
Family Friendly Employment Rights. Presented: 4th June 2019. <i>Economic and International Affairs Scrutiny Panel.</i>	S.R.9/2019.

Notification of lodged propositions

Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.17/2019): third amendment (P.17/2019 Amd.(3)) – amendment. Lodged: 4th June 2019. <i>Economic and International Affairs Scrutiny Panel.</i>	P.17/2019. Amd.(3) Amd.
Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.17/2019): fourth amendment. Lodged: 4th June 2019. <i>Economic and International Affairs Scrutiny Panel.</i>	P.17/2019. Amd.(4)
Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.17/2019): fifth amendment. Lodged: 4th June 2019. <i>Economic and International Affairs Scrutiny Panel.</i>	P.17/2019. Amd.(5)

Draft Public Finances (Jersey) Law 201- (P.28/2019): second amendment (P.28/2019 Amd.(2)) – amendment. Lodged: 29th May 2019. <i>Minister for Treasury and Resources.</i>	P.28/2019. Amd.(2) Amd.
Draft Income Support (Amendment No. 19) (Jersey) Regulations 201-. Lodged: 3rd June 2019. <i>Minister for Social Security.</i>	P.56/2019.
Draft Unlawful Public Entertainments (Jersey) Regulations 201-. Lodged: 4th June 2019. <i>Minister for Home Affairs.</i>	P.57/2019.
Draft Sanctions and Asset-Freezing (Amendment) (Jersey) Law 201-. Lodged: 4th June 2019. <i>Minister for External Relations.</i>	P.58/2019.

Withdrawal of lodged propositions

THE STATES noted that, in accordance with Standing Order 34(1), the proposer of the following proposition lodged “au Greffe” had informed the Greffier of the States that it had been withdrawn –

Vote of No Confidence: States Employment Board. Lodged: 21st May 2019. <i>Deputy G.P. Southern of St. Helier.</i>	P.55/2019.
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Privileges and Procedures Committee – appointment of member

In accordance with Standing Order 122(15), Deputy Jessica Harriet Perchard of St. Saviour was nominated by the Chairman of the Privileges and Procedures Committee as a member of the Privileges and Procedures Committee who was not a Minister or Assistant Minister.

There being no other nominations, the Deputy Bailiff declared that Deputy Jessica Harriet Perchard of St. Saviour had been duly appointed as a member of the Privileges and Procedures Committee.

Written Questions

(see *Official Report/Hansard*)

- WQ.215/2019** 1. The Minister for Health and Social Services tabled an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the staffing levels at the General Hospital.
- WQ.230/2019** 2. The Minister for Health and Social Services tabled an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the work to be undertaken on Orchard House.
- WQ.231/2019** 3. The Minister for Children and Housing tabled an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the review into key worker accommodation.
- WQ.232/2019** 4. The Minister for Health and Social Services tabled an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the transfer of the Child and Adolescent Mental Health Service.

- WQ.233/2019** 5. The Chief Minister tabled an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding expenditure by the Government of Jersey on contracted and interim appointees.
- WQ.234/2019** 6. The Minister for Home Affairs tabled an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the States of Jersey Fire and Rescue Service.
- WQ.235/2019** 7. The Minister for Economic Development, Tourism, Sport and Culture tabled an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the development of a new Jèrriais Plan.
- WQ.236/2019** 8. The Minister for Infrastructure tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the use of renewable energy sources at the new Les Quennevais School.
- WQ.237/2019** 9. The Minister for the Environment tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the monitoring of air quality.
- WQ.238/2019** 10. The Minister for Infrastructure tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the separation of organic waste from refuse.
- WQ.239/2019** 11. The Minister for Treasury and Resources tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the use of sustainable features in Andium Homes developments.
- WQ.240/2019** 12. The Minister for Infrastructure tabled an answer to a question asked by Deputy I. Gardiner of St. Helier regarding the contract with I.P.M. for consultation in relation to Fort Regent.
- WQ.241/2019** 13. The Minister for Health and Social Services tabled an answer to a question asked by Deputy I. Gardiner of St. Helier regarding the impact of infected blood transfusions on Jersey patients.
- WQ.242/2019** 14. The Minister for Infrastructure tabled an answer to a question asked by Deputy S.M. Ahier of St. Helier regarding the use of fully electric vehicles.
- WQ.243/2019** 15. The Minister for Infrastructure tabled an answer to a question asked by Deputy S.M. Ahier of St. Helier regarding the use of the school bus service.
- WQ.244/2019** 16. The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding Income Support for working-age recipients who were not in work.
- WQ.245/2019** 17. The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding legislation to control the use and abuse of zero-hours contracts.

Oral Questions

(see Official Report/Hansard)

- OQ.142/2019** 1. Deputy K.F. Morel of St. Lawrence asked a question of the Minister for Economic Development, Tourism, Sport and Culture regarding the services provided to High Value Residents.
- OQ.144/2019** 2. Deputy C.S. Alves of St. Helier asked a question of the Minister for Social Security regarding the expenditure by pharmacies on medication.
- OQ.135/2019** 3. Deputy M.R. Le Hagarat of St. Helier asked a question of the Chairman of the States Employment Board regarding the number of States of Jersey staff on temporary contracts or engaged as consultants.

- OQ.146/2019** 4. Deputy K.G. Pamplin of St. Saviour asked a question of the Minister for Health and Social Services regarding research into assisted dying.
- OQ.138/2019** 5. The Connétable of St. Lawrence asked a question of the Minister for Home Affairs regarding appointments to Heads of Service roles within the Justice and Home Affairs portfolio.
- OQ.148/2019** 6. Deputy M.R. Higgins of St. Helier asked a question of the Minister for Home Affairs regarding the wages earned by prisoners at H.M.P. La Moye.
- OQ.137/2019** 7. The Connétable of St. Ouen asked a question of the Minister for the Environment regarding the use of energy-efficient measures in relation to listed buildings.
- OQ.140/2019** 8. Deputy R.J. Ward of St. Helier asked a question of the Minister for Social Security regarding the amount paid in maintenance by absent parents to lone parents.
- OQ.150/2019** 9. Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the implementation of Priority 4 of the Common Strategic Policy, to reduce income inequality and improve the standard of living.
- OQ.151/2019** 10. Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the use of zero-hours contracts.
- OQ.145/2019** 11. Deputy C.S. Alves of St. Helier asked a question of the Minister for Education regarding the delivery of political education in the Island's schools.
- OQ.149/2019** 12. Deputy M.R. Higgins of St. Helier asked a question of the Assistant Minister for Health and Social Services regarding the implementation of Court Orders in relation to children in the care system.
- OQ.143/2019** 13. Deputy K.F. Morel of St. Lawrence asked a question of the Minister for Children and Housing regarding the number of contracts awarded to Altair by the Government of Jersey.
- OQ.139/2019** 14. The Connétable of St. Lawrence asked a question of the Minister for Home Affairs regarding the service review of the Fire and Rescue and Ambulance Services.
- OQ.141/2019** 15. Deputy R.J. Ward of St. Helier asked a question of the Minister for Infrastructure regarding the Public Finance Initiative for the regeneration of Fort Regent.
- OQ.136/2019** 16. Deputy M.R. Le Hegarat of St. Helier asked a question of the Chairman of the States Employment Board regarding applications in the public sector for posts with salaries of more than £100,000 per annum.
- OQ.147/2019** 17. Deputy K.G. Pamplin of St. Saviour asked a question of the Minister for Children and Housing regarding the Minister's response to the recently-published Youth Justice Review.

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Economic Development, Tourism, Sport and Culture answered questions without notice from members.

The Minister for the Environment answered questions without notice from members.

Statements on a matter of official responsibility*(see Official Report/Hansard)*

The Chairman of the States Employment Board made a statement regarding pay negotiations.

Arrangement of public business for the present meeting

THE STATES, adopting the request of the Minister for Treasury and Resources, agreed in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of her amendment to the amendment of the Corporate Services Scrutiny Panel (P.28/2019 Amd.(2)Amd.) to the Draft Public Finances (Jersey) Law 201- in order that it might be debated at the present meeting.

Draft Public Finances (Jersey) Law 201- P.28/2019

THE STATES, resuming consideration of the Draft Public Finances (Jersey) Law 201-, the principles having been adopted on 30th April 2019, commenced consideration of Articles 1 to 13 and, adopting paragraph 1 of an amendment of the Corporate Services Scrutiny Panel (P.28/2019 Amd.), agreed that –

In Article 9(9), for the words “The Council of Ministers may” there should be substituted the words “The Council of Ministers must”.

THE STATES resumed consideration of Articles 1 to 13 and, adopting paragraph 1 of an amendment of the Minister for Treasury and Resources (P.28/2019 Amd.(4)), agreed that –

For Article 13(2), there should be substituted the following paragraph –

- “(2) A person, committee or panel who intends to propose an amendment to any element of a lodged government plan referred to in Article 9(2) must, in preparing the amendment, take into account the impact of the amendment on –
- (a) the States’ finances;
 - (b) the medium-term and long-term sustainability of the States’ finances and the outlook for the economy in Jersey; and
 - (c) the sustainable well-being of the inhabitants of Jersey over successive generations.”.

THE STATES adopted Articles 1 to 13, as amended.

Members present voted as follows –

POUR: 39**CONTRE: 0****ABSTAIN: 0**

Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator T.A. Vallois
 Senator K.L. Moore
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Peter

Connétable of St. Ouen
 Connétable of St. Martin
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B.E. Ash (C)
 Deputy G.C.U. Guida (L)
 Deputy of St. Peter
 Deputy of Trinity
 Deputy of St. John
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

THE STATES commenced consideration of Article 14 and, adopting paragraph 2 of an amendment of the Corporate Services Scrutiny Panel (P.28/2019 Amd.), agreed that Article 14(c) should be deleted.

THE STATES, resuming consideration of Article 14, as amended, rejected paragraph 1 of an amendment of the Corporate Services Scrutiny Panel (P.28/2019 Amd.(5)) that –

In Article 14, before there words “The States may not” there should be inserted “(1)”; and

After Article 14(c), there should be inserted the following paragraphs –

- “(d) authorise the obtaining, during the first financial year covered by the plan, of financing in an amount that would permit the total amount of financing obtained by the States (including financing obtained under Article 26(1)(b)) to exceed the estimated income of the States derived from taxes and duties during the financial year that is immediately before the first financial year covered by the plan.
- (2) The following are not to be taken into account in calculating the total amount of financing obtained by the States for the purpose of paragraph (1)(d) –
 - (a) any financing obtained from a third party by an organisation that is owned or controlled by the States; and
 - (b) any liability of an organisation owned or controlled by the States under any guarantee or indemnity given by the organisation; and
 - (c) for the avoidance of doubt, the amount of any transfer of money from one States fund to another.”.

Members present voted as follows –

POUR: 16

Senator S.C. Ferguson
 Senator K.L. Moore
 Senator S.W. Pallett
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of St. Peter
 Connétable of St. Martin
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy K.F. Morel (L)
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

CONTRE: 29

Senator L.J. Farnham
 Senator J.A.N. Le Fondré
 Senator T.A. Vallois
 Senator S.Y. Mézec
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Ouen
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B.E. Ash (C)
 Deputy G.C.U. Guida (L)
 Deputy of St. Peter
 Deputy of Trinity
 Deputy of St. John
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)

ABSTAIN: 0

THE STATES adopted Article 14, as amended.

THE STATES commenced consideration of Articles 15 to 37 and, adopting paragraphs 3 and 4 of an amendment of the Corporate Services Scrutiny Panel (P.28/2019 Amd), agreed that –

In Article 18(4), for the words “at least 2 weeks’ notice” there should be substituted the words “at least 4 weeks’ notice”; and

In Article 23(1)(a), for the words “Articles 18 to 21” there should be inserted the words “Articles 18 to 21, 24”.

THE STATES resumed consideration of Articles 15 to 37 and, adopting paragraphs 2 and 3 of an amendment of the Corporate Services Scrutiny Panel (P.28/2019 Amd.(5)), agreed that –

In Article 26, after paragraph (1) there should be inserted the following paragraph –

“(2) The Minister is not permitted to arrange for a proposed bank overdraft or bank overdraft facility under paragraph (1)(a) in any given financial year if the total outstanding amount of bank overdrafts and bank overdraft facilities, including the proposed bank overdraft or bank overdraft facility, would exceed 25% of the estimated income of the States derived from taxes and duties during the previous financial year.”.

and the existing paragraphs (2) and (3) should be renumbered accordingly; and

In Article 30, before the words “The Minister must ensure” there should be inserted “(1)”; and

After Article 30(1), there should be inserted the following paragraph –

“(2) The Minister must present to the States –

- (a) a written statement setting out –
 - (i) the Minister’s procedures for directing, under Article 15(3), how an approved appropriation for a reserve head of expenditure in a government plan may be spent, and
 - (ii) the expected purposes or subjects on which the Minister may direct that such appropriations be spent;
- (b) a notice of any amendments to that statement, as soon as practicable after they are made.”.

THE STATES, resuming consideration of Articles 15 to 37, commenced consideration of an amendment of the Corporate Services Scrutiny Panel (P.28/2019 Amd.(2)), and, adopting an amendment of the Minister for Treasury and Resources to that amendment (P.28/2019 Amd.(2)Amd.), agreed that –

Amendments 3(a) and (b) should be deleted;

In amendment 3(c), “(c)” should be deleted;

For Articles 32(4) and (5) as added by amendment 3, there should be substituted the following paragraphs –

- “(4) As part of establishing the system of internal auditing referred to in paragraph (2)(c), the Treasurer must, with the agreement of the Minister, designate a person who is employed in the States body or area of operation referred to in paragraph (3) as the chief internal auditor.
- (5) The chief internal auditor must, in accordance with the Public Finances Manual, carry out internal audits of States bodies, States funds and trust assets for the purpose of assisting the Minister and Treasurer in the performance of their functions under this Law.”;

In Article 32(6) as added by amendment 3, for the words “time and frequency of an internal audit”, there should be substituted the words “scope, times and frequency of internal audits”; and

In Article 32(7) as added by amendment 3, after the words “at any time” there should be inserted the words “and may determine the scope of any such audit”.

THE STATES resumed consideration of Articles 15 to 37 and, adopting an amendment of the Corporate Services Scrutiny Panel (P.28/2019 Amd.(2)), as amended, agreed that –

After Article 30(1), there should be inserted the following paragraph –

“(2) The Minister must present to the States –

- (a) a written statement of the policy of the Council of Ministers on obtaining financing, including with respect to –
 - (i) the types and amounts of financing that might be included in a government plan, and
 - (ii) the process through which any risks associated with financing proposed in a government plan will be assessed; and

- (b) a notice of any amendments to that statement, as soon as practicable after they are made.”.

In Article 31(1), after the words “Public Finances Manual” there should be inserted the words “, present it to the States’ Public Accounts Committee”.

In Article 31(2), after the words “Public Finances Manual” there should be inserted the words –

“and must present to the States’ Public Accounts Committee a notice of any such amendments as soon as practicable after they are made”.

In Article 31(3) –

- (i) for the words “The Public Finances Manual may include” there should be substituted the words “The Public Finances Manual must include”.
- (ii) after the words “in Jersey”, there should be inserted the words –
- “, and in particular must include directions with respect to –
- (a) the accounting standards according to which the accounts of the States are to be prepared; and
- (b) the standards according to which internal audits are to be conducted”.

After Article 32(3), there should be inserted the following paragraphs –

- “(4) As part of establishing the system of internal auditing referred to in paragraph (2)(c), the Treasurer must, with the agreement of the Minister, designate a person who is employed in the States body or area of operation referred to in paragraph (3) as the chief internal auditor.
- (5) The chief internal auditor must, in accordance with the Public Finances Manual, carry out internal audits of States bodies, States funds and trust assets for the purpose of assisting the Minister and Treasurer in the performance of their functions under this Law.
- (6) The scope, times and frequency of internal audits are to be determined by the chief internal auditor with the agreement of the Treasurer.
- (7) However, the chief internal auditor may carry out an internal audit of the States body or area of operation referred to in paragraph (3) at any time and may determine the scope of any such audit.”; and

After Article 36(2), there should be inserted the following paragraph –

- “(3) Despite paragraph (1), the Treasurer is not permitted to authorise the Principal Accountable Officer to carry out the Treasurer’s functions on his or her behalf and in his or her name.”.

THE STATES adopted Articles 15 to 37, as amended.

Members present voted as follows –

POUR: 43

CONTRE: 1

ABSTAIN: 0

Senator L.J. Farnham
Senator S.C. Ferguson

Deputy M.R. Higgins (H)

Senator J.A.N. Le Fondré
 Senator T.A. Vallois
 Senator K.L. Moore
 Senator S.Y. Mézec
 Connétable of St. Clement
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B.E. Ash (C)
 Deputy K.F. Morel (L)
 Deputy G.C.U. Guida (L)
 Deputy of St. Peter
 Deputy of Trinity
 Deputy of St. John
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

THE STATES adopted Article 38.

Members present voted as follows –

POUR: 26

Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator K.L. Moore
 Senator S.W. Pallett
 Connétable of St. Clement
 Connétable of St. Brelade
 Connétable of Grouville

CONTRE: 19

Senator T.A. Vallois
 Senator S.Y. Mézec
 Connétable of St. Saviour
 Connétable of St. Peter
 Connétable of St. Martin
 Deputy G.P. Southern (H)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)

ABSTAIN: 0

Connétable of St. John	Deputy J.M. Maçon (S)
Connétable of Trinity	Deputy L.M.C. Doublet (S)
Connétable of St. Mary	Deputy R. Labey (H)
Connétable of St. Ouen	Deputy J.H. Young (B)
Deputy J.A. Martin (H)	Deputy K.F. Morel (L)
Deputy of Grouville	Deputy of St. John
Deputy K.C. Lewis (S)	Deputy M.R. Le Hegarat (H)
Deputy S.J. Pinel (C)	Deputy S.M. Ahier (H)
Deputy of St. Martin	Deputy J.H. Perchard (S)
Deputy of St. Ouen	Deputy R.J. Ward (H)
Deputy S.M. Wickenden (H)	Deputy C.S. Alves (H)
Deputy of St. Mary	
Deputy G.J. Truscott (B)	
Deputy L.B.E. Ash (C)	
Deputy G.C.U. Guida (L)	
Deputy of Trinity	
Deputy K.G. Pamplin (S)	
Deputy I. Gardiner (H)	

THE STATES adopted Article 39.

Members present voted as follows –

POUR: 28

Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator S.W. Pallett
 Senator S.Y. Mézec
 Connétable of St. Clement
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Mary
 Connétable of St. Ouen
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy S.M. Wickenden (H)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B.E. Ash (C)
 Deputy G.C.U. Guida (L)
 Deputy of St. Peter
 Deputy of Trinity
 Deputy S.M. Ahier (H)

CONTRE: 18

Senator T.A. Vallois
 Senator K.L. Moore
 Connétable of St. Peter
 Connétable of St. Martin
 Deputy G.P. Southern (H)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy K.F. Morel (L)
 Deputy of St. John
 Deputy M.R. Le Hegarat (H)
 Deputy J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

ABSTAIN: 0

THE STATES adopted Article 40.

Members present voted as follows –

POUR: 43

Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator T.A. Vallois
 Senator K.L. Moore
 Senator S.W. Pallett
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B.E. Ash (C)
 Deputy G.C.U. Guida (L)
 Deputy of St. Peter
 Deputy of Trinity
 Deputy of St. John
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

CONTRE: 1

Deputy K.F. Morel (L)

ABSTAIN: 0

THE STATES commenced consideration of Article 41 and, adopting paragraph 5 of an amendment of the Corporate Services Scrutiny Panel (P.28/2019 Amd.(2)), agreed that, for Article 41, there should be substituted the following Article –

“41 Answerability and accountability

- (1) The Principal Accountable Officer is answerable to the States’ Public Accounts Committee, and is accountable to the Council of Ministers, for the performance of his or her functions.
- (2) Accountable officers are answerable to the States’ Public Accounts Committee for the performance of their functions.”.

THE STATES adopted Article 41, as amended.

THE STATES commenced consideration of Articles 42 to 66 and Schedules 1 to 6 and, adopting an amendment of the Corporate Services Scrutiny Panel (P.28/2019 Amd.(3)), agreed that –

In Schedule 1, after the entry for “Office of the Comptroller and Auditor General” there should be inserted –

“Office of the Official Analyst”.

THE STATES resumed consideration of Articles 42 to 66 and Schedules 1 to 6 and, adopting paragraph 6 of an amendment of the Corporate Services Scrutiny Panel (P.28/2019 Amd.(2)), agreed that –

For paragraph 20(4) of Schedule 6, there should be substituted the following paragraph –

“(4) In Article 9(2), for “Article 36(1)” there is substituted “Article 32(5)”.”.

THE STATES resumed consideration of Articles 42 to 66 and Schedules 1 to 6 and, adopting paragraphs 2 to 6 of an amendment of the Minister for Treasury and Resources (P.28/2019 Amd.(4)), agreed that –

The following paragraph should be inserted after paragraph 20(4) of Schedule 6 –

“(5) In Article 11(1)(b), for “special funds” there is substituted “States funds, other than those referred to in sub-paragraphs (c) to (e),”.”;

and the existing paragraph 20(5) should be re-numbered accordingly.

For paragraph 20(5)(b) of Schedule 6, there should be substituted the following paragraph –

“(b) in paragraph (2), for “Article 32(2) of the Public Finances Law has been” there is substituted “the accounting standards referred to in the Public Finances Manual issued under the Public Finances Law have been”.

In paragraph 24(a) of Schedule 6, before the words “Public Finances Manual” there should be inserted the words “accounting standards referred to in the”.

In paragraph 25(a) of Schedule 6, before the words “Public Finances Manual” there should be inserted the words –

“accounting standards referred to in the”; and

In paragraph 27 of Schedule 6 –

- (a) in sub-paragraph (3)(a), before the words “Public Finances Manual” there should be inserted the words “accounting standards referred to in the”; and
- (b) after sub-paragraph (3), there should be inserted –

- “(4) In Article 32(1), for “in a year which is a base year within the meaning given by Article 9A(6),” there is substituted “in the year that is immediately before a year in which an election is to be held under Article 6(1) of the States of Jersey Law 2005.”.

THE STATES adopted Articles 42 to 66 and Schedules 1 to 6, as amended.

THE STATES noted that the Presiding Officer, in accordance with Standing Order 75(4), had granted permission for a clerical error within the draft to be amended, arising from the fact that approval of amendments to the Law had led to the establishment of two provisions numbered Article 30(2). The Presiding Officer declared that, in the second instance, the provision would be renumbered Article 30(3).

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Public Finances (Jersey) Law 201-.

Members present voted as follows –

POUR: 40

CONTRE: 4

ABSTAIN: 0

Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator K.L. Moore
 Senator S.W. Pallett
 Senator S.Y. Mézec
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy S.M. Wickenden (H)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B.E. Ash (C)
 Deputy K.F. Morel (L)
 Deputy G.C.U. Guida (L)
 Deputy of St. Peter
 Deputy of Trinity
 Deputy of St. John
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)

Deputy G.P. Southern (H)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy C.S. Alves (H)

Deputy R.J. Ward (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

Cats: additional protection when involved in road traffic accidents P.30/2019

THE STATES commenced consideration of a proposition of Deputy Jeremy Martin Maçon of St. Saviour entitled ‘Cats: additional protection when involved in road traffic accidents’ (P.30/2019) and, adopting an amendment of Deputy Jeremy Martin Maçon of St. Saviour (P.30/2019 Amd.), agreed that for the words “protection under either the Road Traffic (Jersey) Law 1956, Highway Code or Animal Welfare (Jersey) Law 2004, in order to ensure that drivers involved in accidents in which cats are injured are required to contact the police”, there should be substituted the words “legal protection in the event of death or injury in a road traffic accident involving a motor vehicle, with the consultation to include consideration of the Road Traffic (Jersey) Law 1956, the Animal Welfare (Jersey) Law 2004 and other legislation as appropriate”.

THE STATES, adopting the proposition of Deputy Jeremy Martin Maçon of St. Saviour, as amended, requested the Ministers for Infrastructure and the Environment to consult on how cats could be given additional legal protection in the event of death or injury in a road traffic accident involving a motor vehicle, with the consultation to include consideration of the Road Traffic (Jersey) Law 1956, the Animal Welfare (Jersey) Law 2004, and other legislation as appropriate.

Members present voted as follows –

POUR: 45

CONTRE: 0

ABSTAIN: 0

Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator K.L. Moore
 Senator S.W. Pallett
 Senator S.Y. Mézec
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)

Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B.E. Ash (C)
 Deputy K.F. Morel (L)
 Deputy G.C.U. Guida (L)
 Deputy of St. Peter
 Deputy of Trinity
 Deputy of St. John
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(c), Senator Sarah Craig Ferguson declared an interest which was not financial, and remained in the Chamber for the duration of the debate on the proposition of Deputy Jeremy Martin Maçon of St. Saviour.

Draft Taxation (Companies – Economic Substance) (Amendment) (Jersey) Law 201- P.44/2019

THE STATES commenced consideration of the Draft Taxation (Companies – Economic Substance) (Amendment) (Jersey) Law 201- and adopted the principles.

Members present voted as follows –

POUR: 39

CONTRE: 0

ABSTAIN: 0

Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator K.L. Moore
 Senator S.Y. Mézec
 Connétable of St. Helier
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy G.P. Southern (H)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy R. Labey (H)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)

Deputy J.H. Young (B)
 Deputy L.B.E. Ash (C)
 Deputy K.F. Morel (L)
 Deputy G.C.U. Guida (L)
 Deputy of St. Peter
 Deputy of Trinity
 Deputy of St. John
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Articles 1 to 6.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Taxation (Companies – Economic Substance) (Amendment) (Jersey) Law 201-.

Members present voted as follows –

POUR: 40

CONTRE: 0

ABSTAIN: 0

Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator K.L. Moore
 Senator S.W. Pallett
 Senator S.Y. Mézec
 Connétable of St. Helier
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy G.P. Southern (H)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy R. Labey (H)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B.E. Ash (C)
 Deputy K.F. Morel (L)
 Deputy G.C.U. Guida (L)
 Deputy of St. Peter

Deputy of Trinity
 Deputy of St. John
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

Arrangement of public business for the present meeting

THE STATES, adopting the request of Deputy Russell Labey of St. Helier, agreed in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of his proposition entitled ‘Green Street: proposal to make one-way’ (P.50/2019) in order that it might be debated at the present meeting.

Green Street: proposal to make one-way P.50/2019

THE STATES commenced consideration of a proposition of Deputy Russell Labey of St. Helier entitled ‘Green Street: proposal to make one-way’ (P.50/2019) and, adopting the proposition –

- (a) agreed that the current temporary arrangement allowing all vehicular traffic to travel in one direction only, south to north, on Green Street from the junction with Havre des Pas to the junction with La Route de Fort, St. Helier should be made permanent;
- (b) requested the Minister for Infrastructure, following consultation with the Parish of St. Helier, to bring forward for approval the necessary amendments to legislation to give effect to the proposal; and
- (c) requested the Minister for Infrastructure, following consultation with the Parish of St. Helier and LibertyBus, to make permanent the current re-routing of the outbound No. 1 bus route via Library Place, Pier Road and Mount Bingham.

Members present voted as follows –

POUR: 28

Senator L.J. Farnham
 Senator T.A. Vallois
 Senator K.L. Moore
 Senator S.W. Pallett
 Connétable of St. Helier
 Connétable of St. Saviour
 Connétable of St. Peter
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy of St. Martin
 Deputy L.M.C. Doublet (S)

CONTRE: 19

Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator S.Y. Mézec
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of St. Mary
 Deputy K.C. Lewis (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Ouen
 Deputy G.J. Truscott (B)
 Deputy L.B.E. Ash (C)
 Deputy G.C.U. Guida (L)
 Deputy of St. Peter
 Deputy of Trinity

ABSTAIN: 0

Deputy R. Labey (H)	Deputy S.M. Ahier (H)
Deputy S.M. Wickenden (H)	Deputy J.H. Perchard (S)
Deputy of St. Mary	
Deputy J.H. Young (B)	
Deputy K.F. Morel (L)	
Deputy of St. John	
Deputy M.R. Le Hegarat (H)	
Deputy R.J. Ward (H)	
Deputy C.S. Alves (H)	
Deputy K.G. Pamplin (S)	
Deputy I. Gardiner (H)	

Arrangement of public business for future meetings

THE STATES agreed the following arrangement of public business for future meetings proposed, as amended, by the Chairman of the Privileges and Procedures Committee in accordance with the provisions of Standing Order 88(3) –

18th June 2019

Draft Employment (Amendment No. 11) (Jersey) Law 201-. Lodged: 12th February 2019. <i>Minister for Social Security.</i>	P.17/2019.
Family Friendly Employment Rights. Presented: 4th June 2019. <i>Economic and International Affairs Scrutiny Panel.</i>	S.R.9/2019.
Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.17/2019): amendment. Lodged: 6th March 2019. <i>Minister for Social Security.</i>	P.17/2019. Amd.
Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.17/2019): second amendment. Lodged: 10th April 2019. <i>Connétable of St. Mary.</i>	P.17/2019. Amd.(2)
Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.17/2019): third amendment. Lodged: 15th April 2019. <i>Minister for Social Security.</i>	P.17/2019. Amd.(3)
Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.17/2019): third amendment (P.17/2019 Amd.(3)) – amendment. Lodged: 4th June 2019. <i>Economic and International Affairs Scrutiny Panel.</i>	P.17/2019. Amd.(3) Amd.
Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.17/2019): fourth amendment. Lodged: 4th June 2019. <i>Economic and International Affairs Scrutiny Panel.</i>	P.17/2019. Amd.(4)
Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.17/2019): fifth amendment. Lodged: 4th June 2019. <i>Economic and International Affairs Scrutiny Panel.</i>	P.17/2019. Amd.(5)

- Draft Public Employees (Contributory Retirement Scheme) (Compensatory Added Years) (Amendments) (Jersey) Regulations 201-. P.37/2019.
Lodged: 1st April 2019.
States Employment Board.
- Draft Public Employees (Pension Scheme) (Transitional Provisions, Savings and Consequential Amendments) (Amendment) (Jersey) Regulations 201-. P.38/2019.
Lodged: 1st April 2019.
States Employment Board.
- Draft Human Transplantation and Anatomy (Jersey) Law 2018 (Appointed Day) Act 201-. P.48/2019.
Lodged: 1st May 2019.
Minister for Health and Social Services.
- Draft Human Transplantation and Anatomy (Jersey) Regulations 201-. P.49/2019.
Lodged: 1st May 2019.
Minister for Health and Social Services.
- Draft International Co-operation (Protection from Liability) (Jersey) Law 2018 (Appointed Day) Act 201-. P.51/2019.
Lodged: 14th May 2019.
Chief Minister.
- Bus services: proposals to make free of charge. P.52/2019.
Lodged: 14th May 2019.
Deputy R.J. Ward of St. Helier.
- Employment (Jersey) Law 2003: review of parental leave rights amendments. P.54/2019.
Lodged: 21st May 2019.
Deputy L.M.C. Doublet of St. Saviour.
- 2nd July 2019**
- Establishment of an elected Speaker. P.47/2019.
Lodged: 30th April 2019.
Senator J.A.N. Le Fondré.
- Housing developments for first-time buyers: allocation criteria. P.53/2019.
Lodged: 15th May 2019.
Deputy I. Gardiner of St. Helier.
- 16th July 2019**
- Draft Income Support (Amendment No. 19) (Jersey) Regulations 201-. P.56/2019.
Lodged: 3rd June 2019.
Minister for Social Security.
- Draft Unlawful Public Entertainments (Jersey) Regulations 201-. P.57/2019.
Lodged: 4th June 2019.
Minister for Home Affairs.
- Draft Sanctions and Asset-Freezing (Amendment) (Jersey) Law 201-. P.58/2019.
Lodged: 4th June 2019.
Minister for External Relations.

24th September 2019

Reform of the composition and election of the States.
Lodged: 23rd April 2019.
Privileges and Procedures Committee.

P.46/2019.
(re-issue)

THE STATES rose at 6.36 p.m.

DR. M. EGAN

Greffier of the States