



**THE STATES assembled on Tuesday  
10th October 2017, at 09.30 a.m. under  
the Presidency of the Deputy Bailiff,  
Timothy John Le Cocq, Esquire.**

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**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.**

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

Senator Philip Francis Cyril Ozouf – en défaut (défaut raised at 10.25 a.m.)  
Senator Ian Joseph Gorst – absent on States business  
Connétable Philip Bond Le Sueur of Trinity – en défaut (défaut raised at 9.37 a.m.)  
Deputy Michael Roderick Higgins of St. Helier – en défaut (défaut raised at 9.41 a.m.)  
Deputy Roderick Gordon Bryans of St. Helier – ill  
Deputy Kristina Louise Moore of St. Peter – en défaut (défaut raised at 10.10 a.m.)

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Prayers

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### **Subordinate enactments tabled**

The following enactments were tabled, namely –

Prison (Amendment No. 3) (Jersey) Rules 2017. <i>Minister for Home Affairs.</i>	R&O.101/2017.
Health Insurance (Pharmaceutical Benefit) (General Provisions) (No. 2) (Amendment No. 14) (Jersey) Order 2017. <i>Minister for Social Security.</i>	R&O.102/2017.
Control of Housing and Work (Fees) (Amendment No. 2) (Jersey) Order 2017. <i>Chief Minister</i> <i>[signed by Senator P.F. Routier, M.B.E. for and on behalf of the Chief Minister]</i>	R&O.103/2017.

### **Documents presented**

Contributory Benefits: Living Today – Thinking Ahead – public consultation. Presented: 4th October 2017. <i>Minister for Social Security.</i>	R.112/2017.
Minimum wage rates for April 2018: Employment Forum’s recommendation and Minister’s response. Presented: 5th October 2017. <i>Minister for Social Security.</i>	R.113/2017.
Land Transactions under Standing Order 168(3) – acquisition of land at West View Development, St. Mary. Presented: 9th October 2017. <i>Minister for Infrastructure.</i>	R.114/2017.

**Notification of lodged propositions**

Draft Budget Statement 2018. Lodged: 3rd October 2017. <i>Minister for Treasury and Resources.</i>	P.90/2017.
Draft Marriage and Civil Status (Amendment No. 4) (Jersey) Law 201-. Lodged: 3rd October 2017. <i>Chief Minister.</i>	P.91/2017.
Jersey Appointments Commission: re-appointment of Commissioner. Lodged: 5th October 2017. <i>States Employment Board.</i>	P.92/2017.
Draft Public Employees (Pensions) (Deferred Pensions, Transfer Payments and Refund of Contributions) (Miscellaneous Amendments) (Jersey) Regulations 201-. Lodged: 10th October 2017. <i>Chief Minister.</i>	P.93/2017.

**Privileges and Procedures Committee – resignation of member**

The Deputy Bailiff notified the Assembly that, in accordance with Standing Order 129(2), the Bailiff had received a letter of resignation from the Privileges and Procedures Committee from the Connétable of St. John.

**Corporate Services Scrutiny Panel – resignation of member**

The Deputy Bailiff notified the Assembly that, in accordance with Standing Order 137(2), the Bailiff had received a letter of resignation from the Corporate Services Scrutiny Panel from the Connétable of St. John.

**Appointment of unelected members of the Public Accounts Committee**

In accordance with the provisions of Standing Order 124(1), the following nominations were made by the Connétable of St. John, Chairman of the Public Accounts Committee, as unelected members of the Public Accounts Committee –

Mr. Robert John Parker  
Mr. Michael John Robinson.

There having been no further nominations, in accordance with the provisions of Standing Order 124(2), the Deputy Bailiff declared that the above persons had been duly appointed as unelected members of the Public Accounts Committee.

**Written Questions**

*(see Official Report/Hansard)*

- 1(525)** 1. Deputy L.M.C. Doublet of St. Saviour asked a question of the Minister for Health and Social Services regarding the Mental Health Strategy for Jersey 2016–2020.
- 1(527)** 2. Deputy G.P. Southern of St. Helier asked a question of the Minister for Education regarding overspends at Haute Vallée School in 2015 and 2016.

- 1(528) 3. Deputy J.M. Maçon of St. Saviour asked a question of the Minister for Health and Social Services regarding the recommendations of the ‘Williamson Report’.
- 1(529) 4. Deputy J.M. Maçon of St. Saviour asked a question of the Minister for Home Affairs regarding the recommendations of the Independent Jersey Care Inquiry.
- 1(530) 5. Deputy J.M. Maçon of St. Saviour asked a question of the Minister for Health and Social Services regarding the recommendations of the Independent Jersey Care Inquiry.
- 1(531) 6. Deputy J.M. Maçon of St. Saviour asked a question of H.M. Attorney General regarding the legal status of living wills.
- 1(532) 7. Deputy J.M. Maçon of St. Saviour asked a question of the Chairman of the States Employment Board regarding changes to employment practices in light of recommendations of the Independent Jersey Care Inquiry.
- 1(533) 8. Deputy G.P. Southern of St. Helier asked a question of the Minister for Infrastructure regarding the safety plan for access to the Millennium Park.
- 1(534) 9. The Deputy of St. John asked a question of the Chairman of the Privileges and Procedures Committee regarding Disclosure and Barring Service checks for election candidates and elected members.
- 1(535) 10. The Deputy of St. John asked a question of the Minister for Home Affairs regarding policy in respect of alleged criminal activity where a decision was made not to continue with the case.
- 1(536) 11. The Deputy of St. John asked a question of H.M. Attorney General regarding his Department’s policy in respect of alleged criminal activity where a decision was made not to continue with the case.
- 1(537) 12. The Deputy of St. John asked a question of the Chairman of the States Employment Board regarding codes of practice issued under the Employment of States of Jersey Employees (Jersey) Law 2005.
- 1(538) 13. The Deputy of St. John asked a question of the Minister for Education regarding changes at Highlands College since 2014.
- 1(539) 14. Deputy M. Tadier of St. Brelade asked a question of the Chief Minister regarding sudden death inquests.
- 1(540) 15. Deputy G.P. Southern of St. Helier asked a question of the Minister for Housing regarding rent levels for tenancies of Andium Homes.
- 1(541) 16. Deputy L.M.C. Doublet of St. Saviour asked a question of the Minister for the Environment regarding nitrate levels in Jersey’s mains water supply.
- 1(542) 17. Deputy J.A.N. Le Fondré of St. Lawrence asked a question of the Minister for Infrastructure regarding the International Conference on Sea Lettuce Management.
- 1(543) 18. Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the operation of the lower contribution threshold.
- 1(544) 19. Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding communication with the Employment Forum.

**Oral Questions***(see Official Report/Hansard)*

- 1(549) 1. Deputy G.P. Southern of St. Helier asked a question of the Minister for Economic Development, Tourism, Sport and Culture regarding the economic standard of living in Jersey.
- 1(545) 2. Senator P.F. Routier, M.B.E. asked a question of the Chairman of the Comité des Connétables regarding the accessibility of Parish buildings to electors and candidates with physical, sensory or health disabilities.
- 1(551) 3. Deputy M. Tadier of St. Brelade asked a question of the Minister for Infrastructure regarding the application of BREEAM (Building Research Establishment Environmental Assessment Method) to the design and maintenance of buildings.
- 1(548) 4. The Deputy of St. Ouen asked a question of the Assistant Minister for Health and Social Services regarding the feasibility study examining the requirements for Jersey's mental health estate.
- 1(547) 5. The Connétable of Grouville asked a question of the Minister for Housing regarding the Residential Tenancy Deposit Scheme.
- 1(552) 6. Deputy M. Tadier of St. Brelade asked a question of the Minister for Infrastructure regarding the energy efficiency of the new Les Quennevais School.
- 1(550) 7. Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the protection of vulnerable employees who failed to qualify for sickness benefit.
- 1(546) 8. Senator P.F. Routier, M.B.E. asked a question of the Chairman of the Privileges and Procedures Committee regarding the accessibility of States Assembly buildings to elected members with physical, sensory or health disabilities.
- 1(554) 9. Senator P.F.C. Ozouf asked a question of the Assistant Chief Minister regarding the promotion of greater competition in Jersey's gas market.
- 1(553) 10. Senator P.F.C. Ozouf asked a question of the Minister for Treasury and Resources regarding the payment of rates by the States.

**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 Housing answered questions without notice from members.

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

The Chairman of the Environment, Housing and Infrastructure Scrutiny Panel made a statement regarding the Panel's review of proposed waste charges.

**Draft Taxation (Implementation) (International Tax Compliance) (Common Reporting Standard) (Amendment) (Jersey) Regulations 201- P.69/2017**

THE STATES commenced consideration of the Draft Taxation (Implementation) (International Tax Compliance) (Common Reporting Standard) (Amendment) (Jersey) Regulations 201- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 to 5.

THE STATES, in pursuance of Article 2 of the Taxation (Implementation) (Jersey) Law 2004, made Regulations entitled the Taxation (Implementation) (International Tax Compliance) (Common Reporting Standard) (Amendment) (Jersey) Regulations 2017.

**Draft Air and Sea Ports (Incorporation) (Transfer No. 2) (Jersey) Regulations 201- P.77/2017**

THE STATES commenced consideration of the Draft Air and Sea Ports (Incorporation) (Transfer No. 2) (Jersey) Regulations 201- and adopted the principles.

Members present voted as follows –

**POUR: 40**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator A.J.H. Maclean  
 Senator P.M. Bailhache  
 Senator A.K.F. Green  
 Senator S.C. Ferguson  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of St. John  
 Connétable of Trinity  
 Deputy J.A. Martin (H)  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy K.C. Lewis (S)  
 Deputy E.J. Noel (L)  
 Deputy of St. John  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy of St. Peter  
 Deputy R.J. Rondel (H)  
 Deputy A.D. Lewis (H)  
 Deputy of St. Ouen

**CONTRE: 3**

Deputy G.P. Southern (H)  
 Deputy M. Tadier (B)  
 Deputy S.Y. Mézec (H)

**ABSTAIN: 0**

Deputy R. Labey (H)  
 Deputy S.M. Wickenden (H)  
 Deputy S.M. Bree (C)  
 Deputy M.J. Norton (B)  
 Deputy T.A. McDonald (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy P.D. McLinton (S)

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 and 2.

Members present voted as follows –

**POUR: 40**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator A.J.H. Maclean  
 Senator P.M. Bailhache  
 Senator A.K.F. Green  
 Senator S.C. Ferguson  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of St. John  
 Connétable of Trinity  
 Deputy J.A. Martin (H)  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy K.C. Lewis (S)  
 Deputy E.J. Noel (L)  
 Deputy of St. John  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy of St. Peter  
 Deputy R.J. Rondel (H)  
 Deputy A.D. Lewis (H)  
 Deputy of St. Ouen  
 Deputy R. Labey (H)  
 Deputy S.M. Wickenden (H)  
 Deputy S.M. Bree (C)  
 Deputy M.J. Norton (B)  
 Deputy T.A. McDonald (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy P.D. McLinton (S)

**CONTRE: 3**

Deputy G.P. Southern (H)  
 Deputy M. Tadier (B)  
 Deputy S.Y. Mézec (H)

**ABSTAIN: 0**

THE STATES, in pursuance of Articles 33 and 53 of the Air and Sea Ports (Incorporation) (Jersey) Law 2015, made Regulations entitled the Air and Sea Ports (Incorporation) (Transfer No. 2) (Jersey) Regulations 2017.

Members present voted as follows –

**POUR: 40**

Senator P.F. Routier  
Senator P.F.C. Ozouf  
Senator A.J.H. Maclean  
Senator P.M. Bailhache  
Senator A.K.F. Green  
Senator S.C. Ferguson  
Connétable of St. Helier  
Connétable of St. Clement  
Connétable of St. Peter  
Connétable of St. Ouen  
Connétable of St. Brelade  
Connétable of St. Martin  
Connétable of St. Saviour  
Connétable of Grouville  
Connétable of St. John  
Connétable of Trinity  
Deputy J.A. Martin (H)  
Deputy of Grouville  
Deputy J.A. Hilton (H)  
Deputy J.A.N. Le Fondré (L)  
Deputy of Trinity  
Deputy K.C. Lewis (S)  
Deputy E.J. Noel (L)  
Deputy of St. John  
Deputy M.R. Higgins (H)  
Deputy J.M. Maçon (S)  
Deputy S.J. Pinel (C)  
Deputy of St. Martin  
Deputy of St. Peter  
Deputy R.J. Rondel (H)  
Deputy A.D. Lewis (H)  
Deputy of St. Ouen  
Deputy R. Labey (H)  
Deputy S.M. Wickenden (H)  
Deputy S.M. Bree (C)  
Deputy M.J. Norton (B)  
Deputy T.A. McDonald (S)  
Deputy of St. Mary  
Deputy G.J. Truscott (B)  
Deputy P.D. McLinton (S)

**CONTRE: 3**

Deputy G.P. Southern (H)  
Deputy M. Tadier (B)  
Deputy S.Y. Mézec (H)

**ABSTAIN: 0**

**Arrangement of public business for the present meeting**

THE STATES, adopting a proposition of Senator Alan John Henry Maclean agreed, in accordance with Standing Order 87(2)(b), to defer the debate on the proposition of the Deputy of Grouville entitled 'Jersey Electricity plc.: referral of stand-by charges to the Channel Islands Competition and Regulatory Authorities' (P.88/2017) from the present meeting to the meeting on 30th January 2018.

Members present voted as follows –

**POUR: 25**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator A.J.H. Maclean  
 Senator P.M. Bailhache  
 Senator A.K.F. Green  
 Senator S.C. Ferguson  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of St. John  
 Connétable of Trinity  
 Deputy of Trinity  
 Deputy E.J. Noel (L)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy of St. Peter  
 Deputy A.D. Lewis (H)  
 Deputy S.M. Bree (C)  
 Deputy M.J. Norton (B)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy P.D. McLinton (S)

**CONTRE: 21**

Connétable of St. Lawrence  
 Connétable of St. Mary  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy of St. John  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy R.J. Rondel (H)  
 Deputy S.Y. Mézec (H)  
 Deputy of St. Ouen  
 Deputy L.M.C. Doublet (S)  
 Deputy R. Labey (H)  
 Deputy S.M. Wickenden (H)  
 Deputy T.A. McDonald (S)

**ABSTAIN: 0****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) –

**31st October 2017**

Draft Health and Safety at Work (Freight Containers Safety Convention) (Amendment) P.80/2017.  
 (Jersey) Regulations 201-.  
 Lodged: 12th September 2017.  
*Minister for Social Security.*

Draft Social Security (Christmas Bonus) (Amendment) (Jersey) Regulations 201-. P.82/2017.  
 Lodged; 19th September 2017.  
*Minister for Social Security.*



Draft Public Health and Safety (Rented Dwellings) (Jersey) Law 201-. Lodged; 17th July 2017. <i>Minister for the Environment.</i>	P.66/2017.
Draft Building Loans (Amendment No. 13) (Jersey) Law 201-. Lodged: 5th September 2017. <i>Minister for Housing.</i>	P.79/2017.
States of Jersey Budget 2017: allocation to the Parishes of funds set aside for the payment of rates on States' properties. Lodged: 19th September 2017. <i>Connétable of St. Helier.</i>	P.81/2017.
Brexit Information Report: July 2017 update. Presented: 18th July 2017. <i>Minister for External Relations.</i> <i>(consideration 'in Committee')</i>	R.87/2017.
<b><u>14th November 2017</u></b>	
Health and Social Care System: a new governance model. Lodged: 23rd June 2017. <i>Council of Ministers.</i>	P.60/2017.
Draft Asian Infrastructure Investment Bank (Immunities and Privileges) (Jersey) Regulations 201-. Lodged: 21st July 2017. <i>Minister for External Relations.</i>	P.68/2017. (re-issue)
Ratification of the Multilateral Convention to Implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting. Lodged: 20th September 2017. <i>Minister for External Relations.</i>	P.83/2017.
Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment. Lodged: 26th September 2017. <i>Chief Minister.</i>	P.84/2017.
Draft Road Works and Events (Jersey) Law 2016 (Appointed Day) (No. 2) Act 201-. Lodged: 26th September 2017. <i>Minister for Infrastructure.</i>	P.85/2017.
Draft Road Works (Embargo Periods and Protected Roads) (Jersey) Regulations 201-. Lodged: 26th September 2017. <i>Minister for Infrastructure.</i>	P.86/2017.
Draft Road Works and Events (Consequential Provisions) (Jersey) Regulations 201-. Lodged: 26th September 2017. <i>Minister for Infrastructure.</i>	P.87/2017.
Draft Maintenance Orders (Amendment No. 3) (Jersey) Law 201-. Lodged: 26th September 2017. <i>Chief Minister.</i>	P.89/2017.

Draft Marriage and Civil Status (Amendment No. 4) (Jersey) Law 201-. P.91/2017.  
Lodged: 3rd October 2017.  
*Chief Minister.*

Jersey Appointments Commission: re-appointment of Commissioner. P.92/2017.  
Lodged: 5th October 2017.  
*States Employment Board.*

### **28th November 2017**

Draft Liquor Licensing (Jersey) Law 201-. P.54/2017.  
Lodged: 7th June 2017.  
*Minister for Economic Development, Tourism, Sport and Culture.*

Draft Liquor Licensing (Jersey) Law 201- (P.54/2017): amendment. P.54/2017.  
Lodged: 4th July 2017. Amd.  
*Senator Sir P.M. Bailhache.*

Draft Road Traffic (No. 63) (Jersey) Regulations 201-. P.67/2017.  
Lodged: 17th July 2017.  
*Minister for Infrastructure.*

Draft Budget Statement 2018. P.90/2017.  
Lodged: 3rd October 2017.  
*Minister for Treasury and Resources.*

Draft Public Employees (Pensions) (Deferred Pensions, Transfer Payments and P.93/2017.  
Refund of Contributions) (Miscellaneous Amendments) (Jersey) Regulations 201-.  
Lodged: 10th October 2017.  
*Chief Minister.*

### **12th December 2017**

States Employment Board: living wage 2017. P.72/2017.  
Lodged: 31st July 2017.  
*Deputy G.P. Southern of St. Helier.*

### **30th January 2018**

Jersey Electricity plc.: referral of stand-by charges to the Channel Islands Competition P.88/2017.  
and Regulatory Authorities.  
Lodged: 26th September 2017.  
*Deputy of Grouville.*

THE STATES rose at 1.16 p.m.

**DR. M. EGAN**

*Greffier of the States*