



**THE STATES assembled on Tuesday  
20th May 2014, at 09.30 a.m. under  
the Presidency of the Bailiff,  
Sir Michael Birt.**

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

Senator Sarah Craig Ferguson – excused attendance  
Senator Alan John Henry Maclean – en défaut (défaut raised at 9.38 a.m.)  
Senator Lyndon John Farnham – en défaut (défaut raised at 9.47 a.m.)  
Connétable Deirdre Wendy Mezbourian of St. Lawrence – excused attendance  
Connétable Philip John Rondel of St. John – excused attendance  
Connétable Sadie Anthea Rennard of St. Saviour – en défaut (défaut raised at 10.05 a.m.)  
Deputy Geoffrey Peter Southern of St. Helier – en défaut (défaut raised at 9.40 a.m.)  
Deputy Carolyn Fiona Labey of Grouville – excused attendance  
Deputy Sean Seamus Patrick Augustine Power of St. Brelade – ill  
Deputy Tracey Anne Vallois of St. Saviour – en défaut (défaut raised at 9.51 a.m.)  
Deputy Michael Roderick Higgins of St. Helier – en défaut  
Deputy James Patrick Gorton Baker of St. Helier – absent on States business  
Deputy Kristina Louise Moore of St. Peter – ill

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Prayers read by the Greffier of the States

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**Documents presented or laid**

States of Jersey Financial Report and Accounts 2013. Presented: 19th May 2014. <i>Minister for Treasury and Resources.</i>	R.65/2014.
Jersey New Waterworks Company Ltd.: Annual Report and Financial Statements 2013. Presented: 19th May 2014. <i>Minister for Treasury and Resources.</i>	R.66/2014.
States of Jersey Complaints Board: findings – complaint against the Minister for Treasury and Resources regarding overcharging on a loan made to the complainant by the States of Jersey in 1999. Presented: 19th May 2014. <i>Privileges and Procedures Committee.</i>	R.67/2014.
Prison Board of Visitors: Annual Report 2013. Presented: 20th May 2014. <i>Minister for Home Affairs.</i>	R.68/2014.

**Notification of lodged propositions**

Island Plan 2011: revised draft revision – approval (P.37/2014) – eleventh amendment (P.37/2014 Amd.(11)) – amendment. Lodged: 20th May 2014. <i>Deputy J.H. Young of St. Brelade.</i>	P.37/2014. Amd.(11) Amd.
Draft Social Housing (Transfer) (Jersey) Regulations 201- (P.58/2014): amendment. Lodged: 20th May 2014. <i>Minister for Housing.</i>	P.58/2014. Amd.
Jersey Financial Services Commission: appointment of Chairman. Lodged: 19th May 2014. <i>Chief Minister.</i>	P.80/2014.
Draft Freedom of Information (Schedule 1 to Law) (Amendment) (Jersey) Regulations 201-. Lodged: 20th May 2014. <i>Chief Minister.</i>	P.81/2014.
Draft Social Security (Bonus) (Jersey) Law 201-. Lodged: 20th May 2014. <i>Minister for Social Security.</i>	P.82/2014.
Draft Sea Fisheries (Miscellaneous Provisions) (Amendment No. 6) (Jersey) Regulations 201-. Lodged: 20th May 2014. <i>Minister for Economic Development.</i>	P.83/2014.
Draft Sea Fisheries (Log Books, Transhipment and Landing Declarations) (Jersey) Regulations 201-. Lodged: 20th May 2014. <i>Minister for Economic Development.</i>	P.84/2014.
Draft Sea Fisheries (Vessel Monitoring Systems) (Jersey) Regulations 201-. Lodged: 20th May 2014. <i>Minister for Economic Development.</i>	P.85/2014.
Draft States of Jersey Police Force Law 2012 (Appointed Day) (No. 2) Act 201-. Lodged: 20th May 2014. <i>Minister for Home Affairs.</i>	P.86/2014.
Draft States of Jersey Police Force (Amendment) Law 201-. Lodged: 20th May 2014. <i>Minister for Home Affairs.</i>	P.87/2014.
Draft States of Jersey Police Force (Consequential Amendments) (Jersey) Regulations 201-. Lodged: 20th May 2014. <i>Minister for Home Affairs.</i>	P.88/2014.
Draft Sex Offenders (Amendment No. 2) (Jersey) Law 201-. Lodged: 20th May 2014. <i>Minister for Home Affairs.</i>	P.89/2014.

Draft Income Support (Special Payments) (Child Personal Care) (Jersey) Regulations 201- Lodged: 20th May 2014. <i>Minister for Social Security.</i>	P.90/2014.
Draft Income Support (Amendment No. 12) (Jersey) Regulations 201- Lodged: 20th May 2014. <i>Minister for Social Security.</i>	P.91/2014.
Draft Income Support (Special Payments) (Cold Weather Payments) (Amendment No. 2) (Jersey) Regulations 201- Lodged: 20th May 2014. <i>Minister for Social Security.</i>	P.92/2014.
Draft Criminal Justice (Young Offenders) (Jersey) Law 201- Lodged: 20th May 2014. <i>Minister for Home Affairs.</i>	P.93/2014.
Draft Planning and Building (Amendment No. 6) (Jersey) Law 201- Lodged: 20th May 2014. <i>Minister for Planning and Environment.</i>	P.94/2014.
Draft Regulation of Care (Jersey) Law 201- Lodged: 20th May 2014. <i>Minister for Health and Social Services.</i>	P.95/2014. (re-issue)
Draft Explosives (Jersey) Law 201- Lodged: 20th May 2014. <i>Minister for Home Affairs.</i>	P.96/2014.

**Draft States of Jersey (Amendment No. 8) Law 201- P.33/2014**

THE STATES resumed consideration of the Draft States of Jersey (Amendment No. 8) Law 201- (P.33/2014) and rejected paragraph (2) of an amendment of Deputy John Hilary Young of St. Brelade that after Article 8 there should be inserted the following Article and the remaining Articles renumbered accordingly –

**‘26A Regulations: advisory panels**

- (1) The States shall, by Regulations, provide for the establishment of panels to advise Ministers (‘advisory panels’).
- (2) Regulations under paragraph (1) shall, in particular, provide for –
  - (a) the constitution of advisory panels;
  - (b) the appointment and dismissal of members of advisory panels;
  - (c) the functions of advisory panels;
  - (d) the provision of resources to advisory panels; and

- (e) the duties of a Minister in relation to any material produced by an advisory panel in the discharge of its functions.
- (3) Regulations under paragraph (1) may also provide for the establishment of advisory panels to advise Assistant Ministers and, in particular, provide for the duties of an Assistant Minister in relation to any material produced by an advisory panel in the discharge of its functions.’.’.

Members present voted as follows –

**POUR: 16**

Senator A. Breckon  
Deputy R.C. Duhamel (S)  
Deputy R.G. Le Hérissier (S)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy of St. Ouen  
Deputy J.A. Hilton (H)  
Deputy J.A.N. Le Fondré (L)  
Deputy M. Tadier (B)  
Deputy J.M. Maçon (S)  
Deputy G.C.L. Baudains (C)  
Deputy J.H. Young (B)  
Deputy of St. Mary  
Deputy R.G. Bryans (H)  
Deputy N.B. Le Cornu (H)  
Deputy S.Y. Mézec (H)

**CONTRE: 26**

Senator P.F. Routier  
Senator P.F.C. Ozouf  
Senator A.J.H. Maclean  
Senator B.I. Le Marquand  
Senator F. du H. Le Gresley  
Senator I.J. Gorst  
Senator L.J. Farnham  
Senator P.M. Bailhache  
Connétable of St. Helier  
Connétable of Trinity  
Connétable of St. Clement  
Connétable of St. Peter  
Connétable of St. Mary  
Connétable of St. Ouen  
Connétable of St. Brelade  
Connétable of St. Martin  
Connétable of St. Saviour  
Connétable of Grouville  
Deputy of Trinity  
Deputy K.C. Lewis (S)  
Deputy E.J. Noel (L)  
Deputy T.A. Vallois (S)  
Deputy A.K.F. Green (H)  
Deputy S.J. Pinel (C)  
Deputy of St. Martin  
Deputy R.J. Rondel (H)

**ABSTAIN: 0**

THE STATES adopted Article10.

THE STATES, adopting a proposition of Senator Philip Francis Cyril Ozouf, agreed that Standing Order 106 should be suspended in order that Members could consider his amendment to the Draft States of Jersey (Amendment No. 8) Law 201- (P.33/2014) without having to declare a direct financial interest and withdrawing from the Chamber for the duration of the debate and any vote on the said proposition.

Members present voted as follows –

**POUR: 25**

Senator P.F. Routier  
Senator P.F.C. Ozouf  
Senator A.J.H. Maclean  
Senator B.I. Le Marquand

**CONTRE: 15**

Senator A. Breckon  
Deputy R.C. Duhamel (S)  
Deputy R.G. Le Hérissier (S)  
Deputy J.A. Martin (H)

**ABSTAIN: 0**

Senator F. du H. Le Gresley	Deputy G.P. Southern (H)
Senator I.J. Gorst	Deputy of St. Ouen
Senator L.J. Farnham	Deputy J.A.N. Le Fondré (L)
Senator P.M. Bailhache	Deputy M. Tadier (B)
Connétable of Trinity	Deputy T.A. Vallois (S)
Connétable of St. Peter	Deputy J.M. Maçon (S)
Connétable of St. Mary	Deputy G.C.L. Baudains (C)
Connétable of St. Ouen	Deputy J.H. Young (B)
Connétable of St. Brelade	Deputy R.J. Rondel (H)
Connétable of St. Martin	Deputy N.B. Le Cornu (H)
Connétable of St. Saviour	Deputy S.Y. Mézec (H)
Connétable of Grouville	
Deputy J.A. Hilton (H)	
Deputy of Trinity	
Deputy K.C. Lewis (S)	
Deputy E.J. Noel (L)	
Deputy A.K.F. Green (H)	
Deputy S.J. Pinel (C)	
Deputy of St. Mary	
Deputy of St. Martin	
Deputy R.G. Bryans (H)	

THE STATES commenced consideration of an amendment of Senator Philip Francis Cyril Ozouf to the Draft States of Jersey (Amendment No. 8) Law 201- (P.33/2014) that after Article 11 there should be an additional Article, and rejected a proposition of Deputy Roy George Le Hérissier of St. Saviour that, in accordance with Standing Order 85, the Assembly move to the consideration of the next item on the Order Paper.

Members present voted as follows –

**POUR: 13**

Senator F. du H. Le Gresley  
 Deputy R.C. Duhamel (S)  
 Deputy R.G. Le Hérissier (S)  
 Deputy J.A. Martin (H)  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy M. Tadier (B)  
 Deputy T.A. Vallois (S)  
 Deputy A.K.F. Green (H)  
 Deputy J.M. Maçon (S)  
 Deputy J.H. Young (B)  
 Deputy R.J. Rondel (H)  
 Deputy S.Y. Mézec (H)

**CONTRE: 26**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator A.J.H. Maclean  
 Senator B.I. Le Marquand  
 Senator I.J. Gorst  
 Senator L.J. Farnham  
 Senator P.M. Bailhache  
 Connétable of Trinity  
 Connétable of St. Clement  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Deputy G.P. Southern (H)  
 Deputy of St. Ouen  
 Deputy of Trinity  
 Deputy K.C. Lewis (S)  
 Deputy E.J. Noel (L)  
 Deputy G.C.L. Baudains (C)

**ABSTAIN: 0**

Deputy of St. John  
 Deputy S.J. Pinel (C)  
 Deputy of St. Mary  
 Deputy R.G. Bryans (H)  
 Deputy N.B. Le Cornu (H)

THE STATES, having resumed consideration of an amendment of Senator Philip Francis Cyril Ozouf, rejected the proposal that after Article 11 there should be inserted the following Article and the remaining Articles renumbered accordingly –

**“12 Article 44 repealed**

Article 44 is repealed.”.

Members present voted as follows –

**POUR: 20**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator A.J.H. Maclean  
 Senator F. du H. Le Gresley  
 Senator I.J. Gorst  
 Senator L.J. Farnham  
 Senator P.M. Bailhache  
 Connétable of St. Helier  
 Connétable of Trinity  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Deputy of Trinity  
 Deputy K.C. Lewis (S)  
 Deputy E.J. Noel (L)  
 Deputy of St. John  
 Deputy S.J. Pinel (C)  
 Deputy of St. Mary  
 Deputy of St. Martin

**CONTRE: 23**

Senator A. Breckon  
 Senator B.I. Le Marquand  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Deputy R.C. Duhamel (S)  
 Deputy R.G. Le Hérisssier (S)  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy of St. Ouen  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy M. Tadier (B)  
 Deputy T.A. Vallois (S)  
 Deputy A.K.F. Green (H)  
 Deputy J.M. Maçon (S)  
 Deputy G.C.L. Baudains (C)  
 Deputy J.H. Young (B)  
 Deputy R.G. Bryans (H)  
 Deputy R.J. Rondel (H)  
 Deputy N.B. Le Cornu (H)  
 Deputy S.Y. Mézec (H)

**ABSTAIN: 0**

THE STATES commenced consideration of Article 12 and adopting an amendment of the Chairmen’s Committee, agreed that in paragraph (1), in the substituted paragraph (4), for the words “the conduct of scrutiny.”, there should be substituted the words “scrutiny, which shall include provision for the agreement of a code of practice for engagement, for the purposes of scrutiny, between elected members conducting scrutiny and Ministers and Assistant Ministers.”.

THE STATES adopted Article 12, as amended.

Members present voted as follows –

**POUR: 31**

**CONTRE: 0**

**ABSTAIN: 0**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator A. Breckon  
 Senator A.J.H. Maclean  
 Senator B.I. Le Marquand  
 Senator F. du H. Le Gresley  
 Senator I.J. Gorst  
 Senator L.J. Farnham  
 Connétable of St. Helier  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of Grouville  
 Deputy R.C. Duhamel (S)  
 Deputy R.G. Le Hérissier (S)  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy K.C. Lewis (S)  
 Deputy T.A. Vallois (S)  
 Deputy J.M. Maçon (S)  
 Deputy G.C.L. Baudains (C)  
 Deputy J.H. Young (B)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Mary  
 Deputy R.G. Bryans (H)  
 Deputy R.J. Rondel (H)  
 Deputy S.Y. Mézec (H)

THE STATES adopted Article 14.

THE STATES adopted Article 16.

### **Arrangement of public business**

THE STATES rejected a proposition of Deputy John Hilary Young of St. Brelade that the meeting should adjourn.

Members present voted as follows –

**POUR: 19**

**CONTRE: 22**

**ABSTAIN: 0**

Senator A. Breckon	Senator P.F. Routier
Senator L.J. Farnham	Senator P.F.C. Ozouf
Connétable of St. Helier	Senator A.J.H. Maclean
Connétable of Grouville	Senator B.I. Le Marquand

Deputy R.C. Duhamel (S)	Senator F. du H. Le Gresley
Deputy J.A. Martin (H)	Senator I.J. Gorst
Deputy of St. Ouen	Senator P.M. Bailhache
Deputy J.A.N. Le Fondré (L)	Connétable of Trinity
Deputy M. Tadier (B)	Connétable of St. Clement
Deputy T.A. Vallois (S)	Connétable of St. Peter
Deputy J.M. Maçon (S)	Connétable of St. Mary
Deputy G.C.L. Baudains (C)	Connétable of St. Ouen
Deputy of St. John	Connétable of St. Brelade
Deputy J.H. Young (B)	Connétable of St. Martin
Deputy S.J. Pinel (C)	Deputy R.G. Le Hérisssier (S)
Deputy of St. Martin	Deputy J.A. Hilton (H)
Deputy R.J. Rondel (H)	Deputy of Trinity
Deputy N.B. Le Cornu (H)	Deputy K.C. Lewis (S)
Deputy S.Y. Mézec (H)	Deputy E.J. Noel (L)
	Deputy A.K.F. Green (H)
	Deputy of St. Mary
	Deputy R.G. Bryans (H)

### **Draft States of Jersey (Amendment No. 8) Law 201- P.33/2014**

THE STATES resumed consideration of the Draft States of Jersey (Amendment No. 8) Law 201- (P.33/2014) and, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the States of Jersey (Amendment No. 8) Law 201-.

Members present voted as follows –

#### **POUR: 28**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator A.J.H. Maclean  
 Senator B.I. Le Marquand  
 Senator I.J. Gorst  
 Senator L.J. Farnham  
 Senator P.M. Bailhache  
 Connétable of St. Helier  
 Connétable of Trinity  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy of Trinity  
 Deputy K.C. Lewis (S)  
 Deputy E.J. Noel (L)  
 Deputy T.A. Vallois (S)  
 Deputy A.K.F. Green (H)  
 Deputy of St. John

#### **CONTRE: 12**

Senator A. Breckon  
 Senator F. du H. Le Gresley  
 Deputy R.C. Duhamel (S)  
 Deputy R.G. Le Hérisssier (S)  
 Deputy J.A. Martin (H)  
 Deputy of St. Ouen  
 Deputy J.A.N. Le Fondré (L)  
 Deputy M. Tadier (B)  
 Deputy J.M. Maçon (S)  
 Deputy G.C.L. Baudains (C)  
 Deputy J.H. Young (B)  
 Deputy S.Y. Mézec (H)

#### **ABSTAIN: 0**



Deputy S.J. Pinel (C)  
 Deputy of St. Mary  
 Deputy of St. Martin  
 Deputy R.G. Bryans (H)  
 Deputy R.J. Rondel (H)

### Changes in Presidency

The Bailiff retired briefly from the Chamber during consideration of the amendment of Senator Philip Francis Cyril Ozouf to the Draft States of Jersey (Amendment No. 8) Law 201- (P.33/2014 Amd.(8)), and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States, until his return during consideration of Article 12, as amended, of the Draft States of Jersey (Amendment No. 8) Law 201- (P.33/2014).

### Arrangement of public business for the present meeting

THE STATES, adopting a proposition of the Chairman of the Privileges and Procedures Committee, agreed that the following matters would be taken as the next items of business at the present meeting –

Draft Public Elections (Expenditure and Donations) (Jersey) Law 201-. Lodged: 19th March 2014. <i>Privileges and Procedures Committee.</i>	P.36/2014.
Draft Public Employees (Pensions) (Jersey) Law 201-. Lodged: 11th March 2014. <i>States Employment Board.</i>	P.28/2014.
Draft Public Employees (Pensions) (Jersey) Law 201- (P.28/2014): amendment. Lodged: 15th April 2014. <i>States Employment Board.</i>	P.28/2014. Amd. (re-issue)
Draft Public Employees (Pensions) (Jersey) Law 201- (P.28/2014): amendment (P.28/2014 Amd.) – amendment. Lodged: 24th April 2014. <i>Deputy E.J. Noel of St. Lawrence.</i>	P.28/2014. Amd.Amd.
Draft Freedom of Information and Data Protection (Amendments) (Jersey) Law 201-. Lodged: 31st March 2014. <i>Chief Minister.</i>	P.40/2014.
Draft Companies (Amendment No. 11) (Jersey) Law 201-. Lodged: 1st April 2014. <i>Chief Minister.</i>	P.41/2014.
Draft Public Elections (Amendment No. 5) (Jersey) Law 201-. Lodged: 3rd April 2014. <i>Privileges and Procedures Committee.</i>	P.46/2014.
Draft Public Elections (Amendment No. 5) (Jersey) Law 201- (P.46/2014): amendment. Lodged: 22nd April 2014. <i>Comité des Connétables.</i>	P.46/2014. Amd.

Draft Public Elections (Amendment No. 5) (Jersey) Law 201- (P.46/2014): second amendment.

P.46/2014.  
Amd.(2)

Lodged: 24th April 2014.

*Privileges and Procedures Committee.*

Members present voted as follows –

**POUR: 27**

**CONTRE: 7**

**ABSTAIN: 0**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator A. Breckon  
 Senator B.I. Le Marquand  
 Senator F. du H. Le Gresley  
 Senator I.J. Gorst  
 Senator L.J. Farnham  
 Senator P.M. Bailhache  
 Connétable of St. Clement  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of Grouville  
 Deputy J.A. Martin (H)  
 Deputy of St. Ouen  
 Deputy J.A. Hilton (H)  
 Deputy K.C. Lewis (S)  
 Deputy E.J. Noel (L)  
 Deputy T.A. Vallois (S)  
 Deputy J.M. Maçon (S)  
 Deputy G.C.L. Baudains (C)  
 Deputy of St. John  
 Deputy S.J. Pinel (C)  
 Deputy of St. Mary  
 Deputy of St. Martin  
 Deputy R.G. Bryans (H)

Senator A.J.H. Maclean  
 Connétable of St. Peter  
 Deputy R.C. Duhamel (S)  
 Deputy R.G. Le Hérisssier (S)  
 Deputy M. Tadier (B)  
 Deputy J.H. Young (B)  
 Deputy S.Y. Mézec (H)

**Adjournment**

THE STATES adjourned, having agreed to reconvene on Wednesday 21st May 2014 to consider the outstanding items of public business.

THE STATES rose at 5.48 p.m.

**M.N. DE LA HAYE**

*Greffier of the States*