



**THE STATES assembled on Thursday
8th October 2015, at 09.30 a.m. under
the Presidency of the Greffier,
Michael Nelson de la Haye, O.B.E.**

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

Senator Paul Francis Routier M.B.E. – excused attendance (arrived in the Chamber at 9.54 a.m.)
Senator Philip Francis Cyril Ozouf – absent on States business
Senator Ian Joseph Gorst – excused attendance (arrived in the Chamber at 9.54 a.m.)
Senator Lyndon John Farnham – en défaut (arrived in the Chamber at 9.54 a.m.)
Senator Zoe Ann Cameron – en défaut (arrived in the Chamber at 9.38 a.m.)
Connétable Alan Simon Crowcroft of St. Helier – ill
Connétable Deidre Wendy Mezbourian of St. Lawrence – excused attendance
Connétable John Edward Le Maistre of Grouville – excused attendance
Deputy Jeremy Martin Maçon of St. Saviour – en défaut (défaut raised at 9.40 a.m.)
Deputy Richard John Rondel of St. Helier – ill
Deputy Richard John Renouf of St. Ouen – excused attendance

Prayers read by the Deputy Greffier of the States

Documents presented or laid

Independent Jersey Care Inquiry: Memorandum of Understanding and Directions. R.114/2015.
Presented: 8th October 2015.
Minister for Treasury and Resources.

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the proposer of the following proposition lodged “au Greffe” had informed the Greffier of the States that it had been withdrawn –

Draft Social Security (Television Licence Benefit) (Amendment) (Jersey) Regulations P.104/2015.
201-
Lodged: 25th August 2015.
Minister for Social Security.

Medium Term Financial Plan 2016 – 2019 P.72/2015

THE STATES resumed consideration of the proposition of the Council of Ministers entitled ‘Medium Term Financial Plan 2016 – 2019’ (P.72/2015) and commenced consideration of an amendment of the Education and Home Affairs Scrutiny Panel (Amendment (11)).

Changes in Presidency

Mr. Michael Nelson de la Haye, O.B.E., Greffier of the States, retired from the Chamber during consideration of an amendment of the Education and Home Affairs Scrutiny Panel (Amendment (11)) and the meeting continued under the presidency of the Bailiff.

Medium Term Financial Plan 2016 – 2019 P.72/2015

THE STATES, adopting an amendment of the Education and Home Affairs Scrutiny Panel (Amendment (11)) agreed that, on page 2, paragraph (b), after the words “Summary Table C” in sub-paragraph (i) there should be inserted the words “except that the net revenue expenditure of the Education, Sport and Culture Department shall be increased by £263,200 in 2016”; and, after the words “Summary Table D” in sub-paragraph (ii) there should be inserted the words “except that the allocation to Contingency for 2016 shall be reduced by £263,200 to offset the increase in the net revenue expenditure of the Education, Sport and Culture Department”.

Members present voted as follows –

POUR: 21

Senator Z.A. Cameron
 Connétable of St. Mary
 Connétable of St. Saviour
 Connétable of St. John
 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 M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.Y. Mézec (H)
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Brée (C)
 Deputy M.J. Norton (B)
 Deputy T.A. McDonald (S)
 Deputy of St. Mary
 Deputy P.D. McLinton (S)

CONTRE: 20

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of Trinity
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy of St. John
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy G.J. Truscott (B)

ABSTAIN: 2

Deputy A.D. Lewis (H)
 Deputy S.M. Wickenden (H)

THE STATES commenced consideration of an amendment of Deputy Jeremy Martin Maçon of St. Saviour (Amendment (13)).

Changes in Presidency

The Bailiff retired from the Chamber during consideration of an amendment of Deputy Jeremy Martin Maçon of St. Saviour (Amendment (13)) and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, O.B.E., Greffier of the States.

Medium Term Financial Plan 2016 – 2019 P.72/2015

THE STATES rejected an amendment of Deputy Jeremy Martin Maçon of St. Saviour (Amendment (13)) that, on page 2, paragraph (b), after the words “Summary Table C” in sub-paragraph (i), there should be inserted the words “except that the net revenue expenditure of the Education, Sport and Culture Department shall be increased by £1,400,000 for 2016 to increase funding for the costs of higher education”; and after the words “Summary Table D” in sub-paragraph (ii) there should be inserted the words “except that the allocation to Contingency for 2016 in relation to ‘Economic and Productivity Growth’ shall be reduced by £1,400,000 to offset the increase in the net revenue expenditure of the Education, Sport and Culture Department”.

Members present voted as follows –

POUR: 18

Senator Z.A. Cameron
 Connétable of St. John
 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 M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.Y. Mézec (H)
 Deputy A.D. Lewis (H)
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Brée (C)
 Deputy T.A. McDonald (S)
 Deputy P.D. McLinton (S)

CONTRE: 21

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Connétable of St. Clement
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of Trinity
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy of St. John
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy M.J. Norton (B)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)

ABSTAIN: 2

Connétable of St. Mary
 Deputy S.M. Wickenden (H)

In accordance with the provisions of Standing Order 106(1)(b), Connétable Juliette Gallichan of St. Mary, Connétable Christopher Hugh Taylor of St. John and Deputy Murray Julian Norton of St. Brelade declared an interest in this matter but remained in the Chamber for the duration of the debate.

THE STATES commenced consideration of an amendment of Deputy Montfort Tadier of St. Brelade (Amendment (10)) that, on page 2, paragraph (b)(i), after the words “Summary Table C” there should be inserted the words “except that the net revenue expenditure of the Education, Sport and Culture Department shall be increased by £40,000 in 2016, in order to provide funding for the reinstatement of 24 hours a week French language assistant teaching in primary schools and the net revenue expenditure of the Chief Minister’s Department shall be reduced in 2016 by the same amount by reducing the funding for the Communications Unit”.

THE STATES acceded to a request by Deputy Montfort Tadier of St. Brelade, in accordance with Standing Order 69(4), that his amendment (Amendment (10)) be withdrawn.

THE STATES rejected an amendment of Deputy Jeremy Martin Maçon of St. Saviour (Amendment (14)) that, on page 2, paragraph (b), after the words “Summary Table D” in sub-paragraph (ii) there should be inserted the words –

“except that the allocation to Contingency for 2016 shall be reduced by £300,000 to offset the increase in the amount that may be appropriated in the Budget for capital heads of expenditure for 2016 to fund road improvements in St. Saviour.”;

and after the words “future hospital provision” in sub-paragraph (iii) there should be inserted the words –

“except that the total amount that may be appropriated in the Budget for capital heads of expenditure for 2016 shall be increased by £300,000 to fund road improvements in St. Saviour”.

Members present voted as follows –

POUR: 14

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

CONTRE: 24

Senator P.F. Routier
Senator A.J.H. Maclean
Senator I.J. Gorst
Senator L.J. Farnham
Senator A.K.F. Green
Senator Z.A. Cameron
Connétable of St. Clement
Connétable of St. Peter
Connétable of St. Mary
Connétable of St. Ouen
Connétable of St. Martin
Connétable of Trinity
Deputy of Trinity
Deputy E.J. Noel (L)
Deputy of St. John
Deputy S.J. Pinel (C)
Deputy of St. Martin
Deputy R.G. Bryans (H)
Deputy of St. Peter
Deputy A.D. Lewis (H)
Deputy S.M. Brée (C)
Deputy M.J. Norton (B)
Deputy of St. Mary
Deputy G.J. Truscott (B)

ABSTAIN: 1

Deputy S.M. Wickenden (H)

THE STATES rejected an amendment of Deputy Geoffrey Peter Southern of St. Helier (Amendment (15)) that, on page 2, paragraph (b)(i), after the words “Summary Table C” there should be inserted the words “except that the revenue expenditure of the Health and Social Services Department shall be increased by £500,000 in 2016 in order to provide additional funds for improvements in dental services with this additional expenditure being dependent, in accordance with the provisions of Article 16(4) of the Public Finances (Jersey) Law 2005, on the approval by the States of the transfer of the sum from the Health Insurance Fund to the income of the Health and Social Services Department in 2016 and to request the Minister for Social Security to bring forward for approval before 1st January 2016 the necessary legislation to give effect to this transfer”.

Members present voted as follows –

POUR: 13

Senator Z.A. Cameron
 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 M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.Y. Mézec (H)
 Deputy S.M. Brée (C)
 Deputy T.A. McDonald (S)

CONTRE: 20

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator A.K.F. Green
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy of St. John
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy L.M.C. Doublet (S)
 Deputy S.M. Wickenden (H)
 Deputy M.J. Norton (B)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy P.D. McLinton (S)

ABSTAIN: 0

Following the rejection of part 2 of Amendment (2), the Presiding Officer informed the Assembly that part 3 of the amendment of Deputy Geoffrey Peter Southern of St. Helier (Amendment (2)) was deemed to have been withdrawn.

Following the rejection of part 2 of Amendment (8), the Presiding Officer informed the Assembly that part 3 of the amendment of Deputy Samuel Yves Mézec of St. Helier (Amendment (8)) was deemed to have been withdrawn.

Following the rejection of part 2 of Amendment (9), the Presiding Officer informed the Assembly that part 3 of the amendment of Deputy Montfort Tadier of St. Brelade (Amendment (9)) was deemed to have been withdrawn.

THE STATES acceded to a request by the Chairman of the Corporate Services Scrutiny Panel, in accordance with Standing Order 69(4), that part 2 of the amendment of the Corporate Services Scrutiny Panel (Amendment (12)) be withdrawn.

THE STATES commenced consideration of part 2 of an amendment of the Council of Ministers (Amendment (7)) and an amendment of Deputy Montfort Tadier of St. Brelade (Amendment (7)) (Amendment).

THE STATES acceded to a request by Deputy Montfort Tadier of St. Brelade, in accordance with Standing Order 69(4), that his amendment (Amendment (7)) (Amendment) be withdrawn.

THE STATES resumed consideration of part 2 of an amendment of the Council of Ministers (Amendment (7)) and, adopting the amendment, agreed that, on page 2, paragraph (b)(i), after the words “Summary Table C” there should be inserted the words “except that the net revenue expenditure of the States Assembly shall be reduced by £100,000 in 2016 by deferring the additional funding proposed for States members’ pensions”.

THE STATES, adopting part 2 of an amendment of the Council of Ministers (Amendment), agreed that, on page 3, paragraph (f), after the words “Summary Table J”, there should be inserted the words “except that the funding requirement for a Redundancy Provision in 2016 shall be increased by £6,000,000 and the funding requirement of £10,000,000 for a Redundancy Provision in 2017 shall be removed”.

Members present voted as follows –

POUR: 34**CONTRE: 4****ABSTAIN: 0**

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator A.K.F. Green
 Senator Z.A. Cameron
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy of St. John
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy A.D. Lewis (H)
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy S.M. Brée (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)

Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy S.Y. Mézec (H)

THE STATES resumed consideration of the proposition of the Council of Ministers entitled ‘Medium Term Financial Plan 2015 – 2019’ (P.72/2015), as amended.

THE STATES, adopting paragraph (a) of the proposition of the Council of Ministers entitled ‘Medium Term Financial Plan 2015 – 2019’ (P.72/2015), as amended, received the draft Medium Term Financial Plan 2016 – 2019, and, in accordance with the provisions of Articles 8 and 8A of the Public Finances (Jersey) Law 2005, approved –

- (i) the intended total amount of States income for each of the financial years 2016 – 2019, as set out in Summary Table A and being the central forecast of the States income forecast range for 2016 – 2019 as shown in Figure 18,
- (ii) the total amount of States net expenditure for each of the financial years 2016 – 2019, being the total net revenue expenditure and the total net capital allocations, as set out in Summary Table B, except that the total amount of States net revenue expenditure should be increased by £6,000,000 in 2016 and reduced by £10,000,000 in 2017; except that the total amount of States net revenue expenditure in 2016 should be reduced by £100,000 by deferring the additional funding proposed for States members' pensions and reduced by £100,000 in 2017 and by £41,700 in 2018 as a result of the ongoing financial consequences of this deferment,

in order to deliver a balanced budget by 2019;

Members present voted as follows –

POUR: 27

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 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 Trinity
 Deputy J.A. Martin (H)
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy of St. John
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy A.D. Lewis (H)
 Deputy S.M. Wickenden (H)
 Deputy M.J. Norton (B)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy P.D. McLinton (S)

CONTRE: 15

Senator Z.A. Cameron
 Connétable of St. John
 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 M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.Y. Mézec (H)
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Brée (C)
 Deputy T.A. McDonald (S)

ABSTAIN: 0

THE STATES, adopting paragraph (b) of the proposition of the Council of Ministers entitled 'Medium Term Financial Plan 2015 – 2019' (P.72/2015), as amended, received the draft Medium Term Financial Plan 2016 – 2019, and, in accordance with the provisions of Articles 8 and 8A of the Public Finances (Jersey) Law 2005, approved the following amounts (not exceeding in the aggregate the total amount set out in paragraph (a)(ii) above) –

- (i) the appropriation of an amount to a revenue head of expenditure for each States funded body (other than the States trading operations) being the body's total revenue expenditure less its estimated income for the financial year 2016 as set out in Summary Table C, except that the net revenue expenditure of the Chief Minister's Department and the Treasury and Resources Department should be reduced in 2016 in the sum of £90,000 and £67,000 respectively and the net revenue expenditure of the Social Security Department be increased by £157,000 to fund the continued provision of means-tested free television licences for the over-75s; except that the net revenue expenditure of the Education, Sport and Culture Department should be increased by £263,200 in 2016; except that the net revenue expenditure of the States Assembly should be reduced by £100,000 in 2016 by deferring the additional funding proposed for States members' pensions.
- (ii) the amount to be allocated for Contingency for the financial year 2016 as set out in Summary Table D, except that the allocation to Contingency for 2016 should be reduced by £263,200 to offset the increase in the net revenue expenditure of the Education, Sport and Culture Department.
- (iii) the total amounts set out in Summary Table F that in a Budget for the financial years 2016 – 2019 may be appropriated to capital heads of expenditure, being an amount that was net of any proposed capital receipts, noting that the sum of up to £1 million of the 2016 allocation, up to £39 million of the 2017 allocation and up to £8,233,000 of the 2018 allocation would be subject to the States' approval of the intended transfer of funds from the Strategic Reserve Fund detailed in paragraph (f), and the use of funding from the Criminal Offences Confiscation Fund subject to the requirements of the Proceeds of Crime (Jersey) Law 1999, and noting that future amendments to the Medium Term Financial Plan and appropriate legislation, as necessary, would be brought forward for approval to facilitate the funding for the office consolidation project and a future hospital provision;

Members present voted as follows –

POUR: 32

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 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. John
 Connétable of Trinity
 Deputy of Grouville
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy of St. John

CONTRE: 9

Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy J.A. Hilton (H)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.Y. Mézec (H)
 Deputy S.M. Brée (C)

ABSTAIN: 0

Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy A.D. Lewis (H)
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 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, adopting paragraph (c) of the proposition of the Council of Ministers entitled ‘Medium Term Financial Plan 2015 – 2019’ (P.72/2015), received the draft Medium Term Financial Plan 2016 – 2019 and, in accordance with the provisions of Articles 8 and 8A of the Public Finances (Jersey) Law 2005, approved the total estimated non-cash net revenue expenditure for depreciation for States funded bodies (other than the States trading operations) for the financial year 2016 as set out in Summary Table C.

Members present voted as follows –

POUR: 33**CONTRE: 8****ABSTAIN: 0**

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 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. John
 Connétable of Trinity
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy of St. John
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy A.D. Lewis (H)
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)

Deputy J.A. Martin (H)
 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.Y. Mézec (H)
 Deputy S.M. Brée (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, adopting paragraphs (d) and (e) of the proposition of the Council of Ministers entitled ‘Medium Term Financial Plan 2015 – 2019’ (P.72/2015), as amended, received the draft Medium Term Financial Plan 2016 – 2019 and, in accordance with the provisions of Articles 8 and 8A of the Public Finances (Jersey) Law 2005, approved the following, as set out in Revised Summary Table G as set out on page 5 of the amendment of the Council of Ministers dated 18th September 2015, in respect of each States trading operation for the financial year 2016 –

- (i) its estimated income;
- (ii) its estimated expenditure;
- (iii) its estimated minimum contribution to be made to the Consolidated Fund, if any;

in respect of each States trading operation, the total cost of the capital projects that each was scheduled to start during the financial years 2016 – 2019 as set out in Revised Summary Table H as set out on page 5 of the amendment of the Council of Ministers dated 18th September 2015;

Members present voted as follows –

POUR: 37

CONTRE: 5

ABSTAIN: 0

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Senator Z.A. Cameron
 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. John
 Connétable of Trinity
 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 J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy M. Tadier (B)
 Deputy S.Y. Mézec (H)
 Deputy S.M. Brée (C)

Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy A.D. Lewis (H)
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 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, adopting paragraph (f) of the proposition of the Council of Ministers entitled 'Medium Term Financial Plan 2015 – 2019' (P.72/2015), as amended, received the draft Medium Term Financial Plan 2016 – 2019 and, in accordance with the provisions of Articles 8 and 8A of the Public Finances (Jersey) Law 2005 agreed, in principle, that the use of the Strategic Reserve Fund income, over and above that required to maintain the real value of the Fund (namely, in accordance with their Act dated 23rd September 2014, its value at 31st December, 2012 uprated in line with increases in Jersey RPI(Y)), should be available to transfer to the Consolidated Fund and to be allocated for the measures identified in Summary Table J, except that the funding requirement for a Redundancy Provision in 2016 should be increased by £6,000,000 and the funding requirement of £10,000,000 for a Redundancy Provision in 2017 should be removed and that withdrawals should be made from the Consolidated Fund in 2017 and 2019 to replenish the Strategic Reserve Fund and to request the Minister for Treasury and Resources to bring forward for approval the necessary report and proposition to enable the use of the aforesaid additional income of the Strategic Reserve Fund and the intended funds transfers.

Members present voted as follows –

POUR: 33

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 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. John
 Connétable of Trinity
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 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. Martin
 Deputy R.G. Bryans (H)

CONTRE: 8

Senator Z.A. Cameron
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.Y. Mézec (H)
 Deputy S.M. Brée (C)

ABSTAIN: 1

Deputy J.A.N. Le Fondré (L)

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

Adjournment proposed

THE STATES rejected a proposition of Deputy G.P. Southern of St. Helier that the States adjourn and reconvene on Friday 9th October 2015 to consider the outstanding items of public business.

Strategic Reserve Fund: funding for Independent Jersey Care Inquiry and transfers from and to the Consolidated Fund P.76/2015

THE STATES commenced consideration of a proposition of the Minister for Treasury and Resources concerning funding for the Independent Jersey Care Inquiry and transfers from and to the Consolidated Fund and, adopting an amendment of the Minister for Treasury and Resources, agreed that on page 3, paragraph (b)(i), for the words “Table 2 of the attached Report” there should be substituted the words “the Table in the Appendix to the amendment of the Minister for Treasury and Resources dated 7th September 2015” and on page 3, paragraph (b)(ii) for the table at the end of the sub-paragraph there should be substituted the following table –

	<u>£'000</u>
2015	4,000
2016	56,691
2017	70,273

THE STATES, having resumed consideration of the proposition of the Minister for Treasury and Resources, as amended, adopted the proposition and agreed –

- (a) to refer to their Act dated 23rd September 2014 in which they agreed to note the future operation of the Strategic Reserve Fund (“The Fund”), as set out in Appendix D of the Budget Statement 2015 and agreed that the Fund balance of £651,216,000 as at 31st December 2012 should be defined as the capital value of the Fund and that, for future years, the capital value be maintained in real terms by increasing the capital value in line with increases in Jersey RPI(Y); and to their Act dated 25th March 2015 in which they agreed that up to a further £14,000,000 should be made available in order to provide additional funding in relation to the Committee of Inquiry into Historical Child Abuse (now known as ‘the Independent Jersey Care Inquiry’) and requested the Minister for Treasury and Resources, if there were insufficient funds from existing sources that could be re-allocated by the Minister for this purpose, to bring forward for approval a proposition asking the States to agree to use of the Fund and to make available up to a total £14,000,000 (in 2015 and 2016) from the Fund to meet the costs of the inquiry; and

- (i) agreed the use of income, over and above that required to maintain the capital value of the Strategic Reserve Fund in real terms (based on the Fund's balance at 31st December 2012 uprated in line with Jersey RPI(Y) increases), to be used for the purposes of funding the Independent Jersey Care Inquiry; and
 - (ii) approved, in accordance with the provisions of Article 4(3) of the Public Finances (Jersey) Law 2005, the transfer of £10 million from the Strategic Reserve Fund to the Consolidated Fund in 2015 so as to provide for this purpose;
- (b) to refer to the debate on the Medium Term Financial Plan 2016 – 2019 in which the Minister for Treasury and Resources was requested to bring forward proposals for the use of income earned on the Strategic Reserve Fund, over and above that required to maintain the capital value of the Fund and that withdrawals should be made from the Consolidated Fund to replenish the Strategic Reserve Fund; and
- (i) agreed the use of income, over and above that required to maintain the capital value of the Strategic Reserve Fund in real terms (based on the Fund's balance at 31st December 2012 uprated in line with Jersey RPI(Y) increases), to meet the measures identified in the Table in the Appendix to the amendment of the Minister for Treasury and Resources dated 7th September 2015; and
 - (ii) approved, in accordance with the provisions of Article 4(3) of the Public Finances (Jersey) Law 2005 the transfer of up to the following amounts in the year indicated from the Strategic Reserve Fund to the Consolidated Fund for the measures identified in paragraph (b)(i) above –

£'000

2015	4,000
2016	56,691
2017	70,273

- (iii) approved, in accordance with the provisions of Article 4(2) of the Public Finances (Jersey) Law 2005 the following transfers from the Consolidated Fund to the Strategic Reserve Fund in the years indicated –

£'000

2017	20,000
2019	50,000

**Independent Jersey Care Inquiry: amendment to Medium Term Financial Plan 2013 – 2015
P.75/2015**

THE STATES commenced consideration of a proposition of the Council of Ministers concerning the Independent Jersey Care Inquiry and, adopting an amendment of the Council of Ministers, agreed that –

1. On page 2, before the words “to agree, in accordance with the provisions of Articles 9(1)(c) and 9(2)(ca) of the Public Finances (Jersey) Law 2005 –” there should be inserted the words “in order to provide additional funding for the Independent Jersey Care Inquiry and additional funds for the Redundancy Provision”.

2. On page 2, paragraph (a), for the amount “£730,629,500” there should be substituted the amount “£734,629,500”, and after the words “Appendix 1” there should be inserted the words “to the amendment of the Council of Ministers dated 7th September 2015.”
3. On page 2, paragraph (b), for the amount “£43,482,900” there should be substituted the amount “£47,482,900”, and after the words “Appendix 2” there should be inserted the words “to the amendment of the Council of Ministers dated 7th September 2015).”

THE STATES, having resumed consideration of the proposition of the Council of Ministers as amended, adopted the proposition and agreed –

to refer to their Act dated 8th November 2012 in which they approved the Medium Term Financial Plan 2013 – 2015, to their Act dated 4th June 2014 in which they had agreed to amend the Medium Term Financial Plan 2013 – 2015, and to their Act dated 25th March 2015 in which they had agreed to request the Council of Ministers, if necessary, to bring forward for approval a proposition to amend the Medium Term Financial Plan 2013 – 2015 in order to provide additional funding in relation to the Independent Jersey Care Inquiry; and

in order to provide additional funding for the Independent Jersey Care Inquiry and additional funds for the Redundancy Provision agreed, in accordance with the provisions of Articles 9(1)(c) and 9(2)(ca) of the Public Finances (Jersey) Law 2005 –

- (a) that the total amount of States’ net expenditure in 2015 should be amended from £734,629,500 as approved on 4th June 2014 to £734,629,500 (as set out in the extract from Summary Table A attached at Appendix 1 to the amendment of the Council of Ministers dated 7th September 2015.);
- (b) that the amount appropriated to contingency expenditure should be amended from £33,482,900 in 2015 to £47,482,900 in 2015 (as set out in Summary Table C in Appendix 2 to the amendment of the Council of Ministers dated 7th September 2015).

Draft Christmas Bonus (Repeal) (Jersey) Law 201- P.102/2015

THE STATES commenced consideration of the Draft Christmas Bonus (Repeal) (Jersey) Law 201- and adopted the principles.

Members present voted as follows –

POUR: 22

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Senator Z.A. Cameron
 Connétable of St. Clement
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy of Trinity
 Deputy E.J. Noel (L)

CONTRE: 11

Connétable of St. John
 Deputy J.A. Martin (H)
 Deputy J.A. Hilton (H)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy J.M. Maçon (S)
 Deputy S.Y. Mézec (H)
 Deputy A.D. Lewis (H)
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy T.A. McDonald (S)

ABSTAIN: 1

Connétable of Trinity

Deputy of St. John
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy M.J. Norton (B)
 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 Articles 1 to 3.

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

Members present voted as follows –

POUR: 23

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Connétable of St. Clement
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy of St. John
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy R. Labey (H)
 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: 11

Senator Z.A. Cameron
 Connétable of St. John
 Deputy J.A. Martin (H)
 Deputy J.A. Hilton (H)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.Y. Mézec (H)
 Deputy A.D. Lewis (H)
 Deputy L.M.C. Doublet (S)

ABSTAIN: 3

Connétable of St. Peter
 Connétable of Trinity
 Deputy S.M. Brée (C)

Draft Income Support (Miscellaneous Provisions No. 2) (Jersey) Regulations 201- P.103/2015

THE STATES commenced consideration of the Draft Income Support (Miscellaneous Provisions No. 2) (Jersey) Regulations 201- and adopted the principles.

Members present voted as follows –

POUR: 29

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. John
 Connétable of Trinity
 Deputy of Grouville
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy of St. John
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy A.D. Lewis (H)
 Deputy R. Labey (H)
 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: 9

Senator Z.A. Cameron
 Deputy J.A. Martin (H)
 Deputy J.A. Hilton (H)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy S.Y. Mézec (H)
 Deputy L.M.C. Doublet (S)
 Deputy S.M. Brée (C)

ABSTAIN: 0

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 4.

THE STATES, in pursuance of Articles 5 and 18 of the Income Support (Jersey) Law 2007, made Regulations entitled the Income Support (Miscellaneous Provisions No. 2) (Jersey) Regulations 2015.

Members present voted as follows –

POUR: 30

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Senator Z.A. Cameron
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen

CONTRE: 8

Deputy J.A. Martin (H)
 Deputy J.A. Hilton (H)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy S.Y. Mézec (H)
 Deputy L.M.C. Doublet (S)
 Deputy S.M. Brée (C)

ABSTAIN: 0

Connétable of St. Martin
 Connétable of Trinity
 Deputy of Grouville
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy of St. John
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy A.D. Lewis (H)
 Deputy R. Labey (H)
 Deputy M.J. Norton (B)
 Deputy T.A. McDonald (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy P.D. McLinton (S)

Draft Social Security (Amendment of Law No. 9) (Jersey) Regulations 201- P.105/2015

THE STATES commenced consideration of the Draft Social Security (Amendment of Law No. 9) (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 and 2.

THE STATES, in pursuance of Article 50 of the Social Security (Jersey) Law 1974, made Regulations entitled the Social Security (Amendment of Law No. 9) (Jersey) Regulations 2015.

Members present voted as follows –

POUR: 34

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. John
 Connétable of Trinity
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity

CONTRE: 3

Deputy K.C. Lewis (S)
 Deputy M.R. Higgins (H)
 Deputy L.M.C. Doublet (S)

ABSTAIN: 0

Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy of St. John
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy S.Y. Mézec (H)
 Deputy A.D. Lewis (H)
 Deputy R. Labey (H)
 Deputy S.M. Brée (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)

Arrangement of public business for the present meeting

THE STATES noted that Deputy Montfort Tadier of St. Brelade had informed the Greffier, in accordance with Standing Order 30(2), that his proposition relating to Red Houses Car Park (P.73/2015 lodged “au Greffe” on 14th July 2015) would be deferred from the present meeting to 20th October 2015.

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) –

20th October 2015

Draft States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 201-. Lodged: 6th May 2015. <i>Chief Minister.</i>	P.46/2015. (re-issue)
Red Houses Car Park: lease. Lodged: 14th July 2015. <i>Deputy M. Tadier of St. Brelade.</i>	P.73/2015.
Red Houses Car Park: lease (P.73/2015) – comments. Presented: 18th September 2015. <i>Council of Ministers.</i>	P.73/2015. Com.
<i>Ex Gratia</i> payment to Mr. Roy Boschat. Lodged: 24th July 2015. <i>Deputy T.A. McDonald of St. Saviour.</i>	P.82/2015.

<i>Ex Gratia</i> payment to Mr. Roy Boschhat (P.82/2015): addendum. Presented: 30th July 2015. <i>Deputy T.A. McDonald of St. Saviour.</i>	P.82/2015. Add.
Draft International Criminal Court (Amendment) (Jersey) Law 201-. Lodged: 3rd August 2015. <i>Chief Minister.</i>	P.86/2015.
Draft Criminal Justice (Miscellaneous Provisions) (Jersey) Law 201-. Lodged: 4th August 2015. <i>Chief Minister.</i>	P.87/2015.
Draft Shipping (Oil Pollution) (Liability and Compensation) (Jersey) Law 2015 (Appointed Day) Act 201-. Lodged: 15th September 2015. <i>Minister for Economic Development.</i>	P.107/2015.
Defining the cost of ministerial government. Lodged: 21st September 2015. <i>Deputy J.A. Martin of St. Helier.</i>	P.111/2015.
Jersey Heritage Trust: appointment of Chairman. Lodged: 22nd September 2015. <i>Minister for Education, Sport and Culture.</i>	P.112/2015.
Draft Aircraft Registration (Jersey) Law 2014 (Appointed Day) Act 201-. Lodged: 22nd September 2015. <i>Minister for Economic Development.</i>	P.113/2015.
<u>3rd November 2015</u>	
Draft Public Employees (Pension Scheme) (Administration) (Jersey) Regulations 201. Lodged: 17th August 2015. <i>States Employment Board.</i>	P.96/2015.
Draft Public Employees (Pension Scheme) (Funding and Valuation) (Jersey) Regulations 201-. Lodged: 18th August 2015. <i>States Employment Board.</i>	P.97/2015.
Draft Public Employees (Pension Scheme) (Membership and Benefits) (Jersey) Regulations 201-. Lodged: 18th August 2015. <i>States Employment Board.</i>	P.98/2015.
Draft Public Employees (Pension Scheme) (Transitional Provisions, Savings and Consequential Amendments) (Jersey) Regulations 201-. Lodged: 18th August 2015. <i>States Employment Board.</i>	P.99/2015.
Draft Public Employees (Pensions) (Jersey) Law 2014 (Appointed Day) Act 201-. Lodged: 18th August 2015. <i>States Employment Board.</i>	P.100/2015.

Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Korea on the exchange of information relating to tax matters. P.93/2015.
Lodged: 11th August 2015.
Minister for External Relations.

Draft Taxation (Exchange of Information with Third Countries) (Amendment No. 13) (Jersey) Regulations 201-. P.108/2015.
Lodged: 17th September 2015.
Minister for External Relations.

Ratification of the Agreement between the Government of Jersey and the Government of the Republic of Seychelles for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income. P.95/2015.
Lodged: 12th August 2015.
Minister for External Relations.

Draft Taxation (Double Taxation) (Amendment No. 4) (Jersey) Regulations 201-. P.109/2015.
Lodged: 17th September 2015.
Minister for External Relations.

Draft Honorary Police (Amendment No. 3) (Jersey) Regulations 201-. P.110/2015.
Lodged: 18th September 2015.
Comité des Connétables.

17th November 2015

Draft Public Finances (Amendment of Law No. 3) (Jersey) Regulations 201-. P.114/2015.
Lodged: 24th September 2015.
Minister for Treasury and Resources.

Draft Road Traffic (No. 62) (Jersey) Regulations 201-. P.115/2015.
Lodged: 1st October 2015.
Minister for Transport and Technical Services.

THE STATES rose at 7:56 p.m.

L.-M. HART

Deputy Greffier of the States