



**THE STATES assembled on Tuesday  
20th October 2015, at 09.30 a.m. under  
the Presidency of the Bailiff,  
William James Bailhache, Esquire.**

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**His Excellency the Lieutenant Governor,  
General Sir John McColl, K.C.B., C.B.E., D.S.O.  
was present.**

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

Senator Philip Francis Cyril Ozouf – excused attendance (arrived in the Chamber at 11.53 a.m.)  
Senator Ian Joseph Gorst – absent on States business  
Senator Sir Philip Martin Bailhache – en défaut (arrived in the Chamber at 9.44 a.m.)  
Senator Zoe Ann Cameron – en défaut  
Connétable Juliette Gallichan of St. Mary – ill  
Connétable Michael John Paddock of St. Ouen – en défaut  
Deputy Carolyn Fiona Labey of Grouville – excused attendance  
Deputy John Alexander Nicholas Le Fondré of St. Lawrence – excused attendance (arrived in the Chamber at 12.35 p.m.)  
Deputy Kristina Louise Moore of St. Peter – ill  
Deputy Richard John Rondel of St. Helier – ill  
Deputy Louise Mary Catherine Doublet of St. Saviour – en défaut (arrived in the Chamber at 9.40 a.m.)

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Prayers read by the Greffier of the States

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### **Australian High Commissioner to the United Kingdom – welcome**

The Bailiff, on behalf of all members, welcomed His Excellency the Honourable Alexander Downer A.C., Australian High Commissioner to the United Kingdom.

### **Subordinate enactments tabled**

The following enactments were tabled, namely –

EU Legislation (Sanctions – Burundi) (Jersey) Order 2015. <i>Minister for External Relations.</i>	R&O.116/2015.
Tourism (General Provisions) (Amendment No. 19) (Jersey) Order 2015. <i>Minister for Economic Development.</i>	R&O.117/2015.
Shipping (Oil Pollution) (Liability and Compensation) (Jersey) Order 2015. <i>Minister for Economic Development.</i>	R&O.118/2015.
Income Support (General Provisions) (Amendment No. 18) (Jersey) Order 2015. <i>Minister for Social Security.</i>	R&O.121/2015.

Planning and Building (Public Inquiries) (Amendment) (Jersey) Order 2015. R&O.122/2015.  
*Minister for Planning and Environment.*

Air Navigation (Fees) (Jersey) Order 2015. R&O.123/2015.  
*Minister for External Relations.*

EU Legislation (Sanctions – Syria) (Amendment No. 3) (Jersey) Order 2015. R&O.124/2015.  
*Minister for External Relations.*

### **Documents presented or laid**

Defining the cost of ministerial government (P.111/2015): comments. P.111/2015.  
Presented: 19th October 2015. Com.  
*Council of Ministers.*

Land Transactions under Standing Order 168(3) – 10–12 Central Market, Halkett R.115/2015.  
Place, St. Helier – lease.  
Presented: 14th October 2015.  
*Minister for Treasury and Resources.*

Housing Strategy: Consultation Document – October 2015. R.116/2015.  
Presented: 14th October 2015  
*Minister for Housing.*

Jersey Gambling Commission: appointment of Commissioners. R.117/2015.  
Presented: 15th October 2015.  
*Minister for Economic Development.*

States of Jersey Law 2005: delegation of functions – Social Security – Assistant R.118/2015.  
Minister.  
Presented: 19th October 2015.  
*Minister for Social Security.*

### **Notification of lodged propositions**

Ratification of the Multilateral Competent Authority Agreement on Automatic P.117/2015.  
Exchange of Financial Account Information to improve international tax compliance  
based on the Common Reporting Standard for the Automatic Exchange of Financial  
Information approved by the Organisation for Economic Co-operation and  
Development.  
Lodged: 13th October 2015.  
*Minister for External Relations.*

Draft Taxation (Implementation) (International Tax Compliance) (Common Reporting P.118/2015.  
Standard) (Jersey) Regulations 201-.  
Lodged: 13th October 2015.  
*Minister for External Relations.*

Draft EU Legislation (Transmissible Spongiform Encephalopathies) (Jersey) P.119/2015.  
Regulations 201-.  
Lodged: 14th October 2015.  
*Minister for Planning and Environment.*

Draft Commissioner for Standards (Jersey) Law 201- Lodged: 15th October 2015. <i>Privileges and Procedures Committee.</i>	P.120/2015.
Public Lotteries Board: appointment of Chairman and members. Lodged: 19th October 2015. <i>Minister for Economic Development.</i>	P.121/2015.
Draft Employment (Minimum Wage) (Amendment No. 12) (Jersey) Regulations 201- Lodged: 20th October 2015. <i>Minister for Social Security.</i>	P.122/2015.
Draft Employment (Amendment No. 9) (Jersey) Law 201- Lodged: 20th October 2015. <i>Minister for Social Security.</i>	P.123/2015.
Draft Taxation (Implementation) (Disclosure Facility) (Repeal) (Jersey) Regulations 201- Lodged: 20th October 2015. <i>Minister for External Relations.</i>	P.124/2015.
Draft EU Legislation (Payment Services – SEPA) (Jersey) Regulations 201- Lodged: 20th October 2015. <i>Chief Minister.</i>	P.125/2015.
Jersey Financial Services Commission: appointment of Commissioner. Lodged: 20th October 2015. <i>Chief Minister.</i>	P.126/2015.
Draft Budget Statement 2016. Lodged: 20th October 2015. <i>Minister for Treasury and Resources.</i>	P.127/2015.
Draft Income Tax (Amendment No. 45) (Jersey) Law 201- Lodged: 20th October 2015. <i>Minister for Treasury and Resources.</i>	P.128/2015.
Draft Finance (2016 Budget) (Jersey) Law 201- Lodged: 20th October 2015. <i>Minister for Treasury and Resources.</i>	P.129/2015.
Jersey Bank Depositors Compensation Board: appointment of members. Lodged: 20th October 2015. <i>Chief Minister.</i>	P.130/2015.

### **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 –

Red Houses Car Park: lease. Lodged: 14th July 2015. <i>Deputy M. Tadier of St. Brelade.</i>	P.73/2015.
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**Written Questions**

*(see Official Report/Hansard)*

1. The Minister for Health and Social Services tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding disruption to residents following material changes to shops in adjoining properties.
2. The Chairman of the Privileges and Procedures Committee tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the dual role of the Bailiff.
3. The Minister for Treasury and Resources tabled an answer to a question asked by Deputy J.A. Hilton of St. Helier regarding the development of the Esplanade car-park site and contamination costs.
4. The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact of Income Support and benefit cuts.
5. The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding consultation conducted prior to the publication of benefit cuts proposals.
6. The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the low income threshold.
7. The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact of benefit cuts.
8. The Minister for Health and Social Services tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding closures of hospital beds.
9. The Minister for Treasury and Resources tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the rental cost of Andium Homes' office premises.
10. The Minister for Economic Development tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the reduction in Gross Value Added for agriculture in 2014.
11. The Chief Minister tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the resignation of Mr. Kevin Keen from his post as adviser with the States of Jersey.
12. The Chief Minister tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the impact of austerity measures on Jersey's Gross Value Added per head.

**Oral Questions**

*(see Official Report/Hansard)*

1. Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the impact of benefit cuts on income support households.
2. Deputy S.Y. Mézec of St. Helier asked a question of the Deputy Chief Minister regarding the development of a population policy.

3. Deputy J.A. Hilton of St. Helier asked a question of the Deputy Chief Minister regarding the average economic standard of living of Islanders and the rise in population.
4. Deputy M. Tadier of St. Brelade asked a question of the Minister for Planning and Environment regarding pollutants.
5. Deputy L.M.C. Doublet of St. Saviour asked a question of the Minister for Health and Social Services regarding support for charities working within 'The Bridge'.
6. Deputy S.Y. Mézec of St. Helier asked a question of the Deputy Chief Minister regarding negotiations with Jersey's trade unions following the adoption of the 'Medium Term Financial Plan 2016 – 2019'.
7. Deputy G.P. Southern of St. Helier asked a question of the Minister for Economic Development regarding the growth in zero-hours jobs.
8. Deputy M. Tadier of St. Brelade asked a question of the Minister for Education, Sport and Culture regarding the capacity required for the new Les Quennevais School.

### **Oral Questions without notice**

*(see Official Report/Hansard)*

The Minister for Planning and Environment answered questions without notice from members.

The Minister for External Relations answered questions without notice from members.

### **Changes in Presidency**

The Bailiff retired from the Chair prior to the consideration of the proposition of the Minister for External Relations entitled 'Draft International Criminal Court (Amendment) (Jersey) Law 201-' (P.86/2015 lodged "au Greffe" on 3rd August 2015), and the meeting continued under the Presidency of Mr. Michael Nelson de la Haye, O.B.E., Greffier of the States.

### **Draft International Criminal Court (Amendment) (Jersey) Law 201- P.86/2015**

THE STATES commenced consideration of the Draft International Criminal Court (Amendment) (Jersey) Law 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 Articles 1 to 3.

Members present voted as follows –

**POUR: 25**

**CONTRE: 0**

**ABSTAIN: 0**

Senator L.J. Farnham  
 Senator P.M. Bailhache  
 Connétable of St. Peter  
 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 J.A. Hilton (H)  
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 S.Y. Mézec (H)  
Deputy of St. Ouen  
Deputy S.M. Brée (C)  
Deputy T.A. McDonald (S)  
Deputy of St. Mary  
Deputy G.J. Truscott (B)

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

#### **Draft Criminal Justice (Miscellaneous Provisions) (Jersey) Law 201- P.87/2015**

THE STATES commenced consideration of the Draft Criminal Justice (Miscellaneous Provisions) (Jersey) Law 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 Articles 1 to 5 and Schedules 1 and 2.

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

#### **Draft Shipping (Oil Pollution) (Liability and Compensation) (Jersey) Law 2015 (Appointed Day Act 201- P.107/2015**

THE STATES, in pursuance of Article 37(2) of the Shipping (Oil Pollution) (Liability and Compensation) (Jersey) Law 2015, made an Act entitled the Shipping (Oil Pollution) (Liability and Compensation) (Jersey) Law 2015 (Appointed Day) Act 2015.

#### **Defining the cost of ministerial government P.111/2015**

THE STATES, adopting a proposition of Deputy Judith Ann Martin of St. Helier, agreed to request the Council of Ministers to provide, in the Addition to the Medium Term Financial Plan covering the years 2017 to 2019 (that was to be proposed no later than 30th June 2016), breakdowns and estimates of the financial costs and manpower figures (headcount) relating to the dedicated support for Ministers and Assistant Ministers by individual Department and also as a total.

**Jersey Heritage Trust: appointment of Chairman P.112/2015**

THE STATES, adopting a proposition of the Minister for Education, Sport and Culture, agreed to appoint Professor E. Sallis, O.B.E. as Chairman of the Jersey Heritage Trust, with effect from 23rd November 2015.

Members present voted as follows –

**POUR: 31**

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

**CONTRE: 5**

Deputy of St. John  
 Deputy S.Y. Mézec (H)  
 Deputy L.M.C. Doublet (S)  
 Deputy R. Labey (H)  
 Deputy S.M. Wickenden (H)

**ABSTAIN: 2**

Connétable of St. Saviour  
 Deputy M. Tadier (B)

**Changes in Presidency**

Mr. Michael Nelson de la Haye, O.B.E., Greffier of the States, retired from the Chair during consideration of the proposition of the Minister for Education, Sport and Culture entitled ‘Jersey Heritage Trust: appointment of Chairman’ (P.112/2015 lodged “au Greffe” on 22nd September 2015) and the meeting continued under the Presidency of the Bailiff.

**Draft Aircraft Registration (Jersey) Law 2014 (Appointed Day) Act 201- P.113/2015**

THE STATES, in pursuance of Article 67 of the Aircraft Registration (Jersey) Law 2014, made an Act entitled the Aircraft Registration (Jersey) Law 2014 (Appointed Day) Act 2015.

**Draft States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 201- P.46/2015 (re-issue)**

THE STATES commenced consideration of the Draft States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 201- and adopted the principles.

Members present voted as follows –

**POUR: 27**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator A.J.H. Maclean  
 Senator L.J. Farnham  
 Senator P.M. Bailhache  
 Senator A.K.F. Green  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Trinity  
 Deputy J.A. Hilton (H)  
 Deputy of Trinity  
 Deputy E.J. Noel (L)  
 Deputy of St. John  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy of St. Martin  
 Deputy R.G. Bryans (H)  
 Deputy of St. Ouen  
 Deputy R. Labey (H)  
 Deputy S.M. Wickenden (H)  
 Deputy M.J. Norton (B)  
 Deputy T.A. McDonald (S)  
 Deputy G.J. Truscott (B)  
 Deputy P.D. McLinton (S)

**CONTRE: 7**

Connétable of St. John  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy M. Tadier (B)  
 Deputy S.Y. Mézec (H)  
 Deputy A.D. Lewis (H)  
 Deputy S.M. Brée (C)

**ABSTAIN: 3**

Connétable of Grouville  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of St. Mary

THE STATES, having been informed that the Corporate Services and Economic Affairs Scrutiny Panels had indicated that they wished to scrutinise the draft legislation, agreed that the continuation of the second reading of the Draft States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 201- should be deferred to their meeting of 15th December 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) –

**3rd November 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 Employees (Pension Scheme) (Administration) (Jersey) Regulations 201-. P.96/2015.  
Lodged: 17th August 2015.  
*States Employment Board.*

Draft Public Employees (Pension Scheme) (Funding and Valuation) (Jersey) Regulations 201-. P.97/2015.  
Lodged: 18th August 2015.  
*States Employment Board.*

Draft Public Employees (Pension Scheme) (Membership and Benefits) (Jersey) Regulations 201-. P.98/2015.  
Lodged: 18th August 2015.  
*States Employment Board.*

Draft Public Employees (Pension Scheme) (Transitional Provisions, Savings and Consequential Amendments) (Jersey) Regulations 201-. P.99/2015.  
Lodged: 18th August 2015.  
*States Employment Board.*

Draft Public Employees (Pensions) (Jersey) Law 2014 (Appointed Day) Act 201-. Lodged: 18th August 2015. <i>States Employment Board.</i>	P.100/2015.
Draft Public Finances (Amendment of Law No. 3) (Jersey) Regulations 201-. Lodged: 24th September 2015. <i>Minister for Treasury and Resources.</i>	P.114/2015.
Draft Road Traffic (No. 62) (Jersey) Regulations 201-. Lodged: 1st October 2015. <i>Minister for Transport and Technical Services.</i>	P.115/2015.
Draft Rates (Amendment) (Jersey) Law 201-. Lodged: 6th October 2015. <i>Comité des Connétables.</i>	P.116/2015.
Public Lotteries Board: appointment of Chairman and members. Lodged: 19th October 2015. <i>Minister for Economic Development.</i>	P.121/2015.
Jersey Financial Services Commission: appointment of Commissioner. Lodged: 20th October 2015. <i>Chief Minister. (Consideration 'in camera')</i>	P.126/2015.
Jersey Bank Depositors Compensation Board: appointment of members. Lodged: 20th October 2015. <i>Chief Minister.</i>	P.130/2015.
<b><u>1st December 2015</u></b>	
<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 Boschat (P.82/2015): addendum. Presented: 30th July 2015. <i>Deputy T.A. McDonald of St. Saviour.</i>	P.82/2015. Add.
Ratification of the Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information to improve international tax compliance based on the Common Reporting Standard for the Automatic Exchange of Financial Information approved by the Organisation for Economic Co-operation and Development. Lodged: 13th October 2015. <i>Minister for External Relations.</i>	P.117/2015.
Draft Taxation (Implementation) (International Tax Compliance) (Common Reporting Standard) (Jersey) Regulations 201-. Lodged: 13th October 2015. <i>Minister for External Relations.</i>	P.118/2015.

Draft EU Legislation (Transmissible Spongiform Encephalopathies) (Jersey) Regulations 201-. P.119/2015.  
Lodged: 14th October 2015.  
*Minister for Planning and Environment.*

Draft Commissioner for Standards (Jersey) Law 201-. P.120/2015.  
Lodged: 15th October 2015.  
*Privileges and Procedures Committee*

Draft Employment (Minimum Wage) (Amendment No. 12) (Jersey) Regulations 201-. P.122/2015.  
Lodged: 20th October 2015.  
*Minister for Social Security.*

Draft Employment (Amendment No. 9) (Jersey) Law 201-. P.123/2015.  
Lodged: 20th October 2015.  
*Minister for Social Security.*

Draft Taxation (Implementation) (Disclosure Facility) (Repeal) (Jersey) Regulations 201-. P.124/2015.  
Lodged: 20th October 2015.  
*Minister for External Relations.*

Draft EU Legislation (Payment Services – SEPA) (Jersey) Regulations 201-. P.125/2015.  
Lodged: 20th October 2015.  
*Chief Minister.*

**15th December 2015** (*Meeting to commence at 2.30 p.m. on 14th December 2015*)

Draft Budget Statement 2016. P.127/2015.  
Lodged: 20th October 2015.  
*Minister for Treasury and Resources.*

Draft Finance (2016 Budget) (Jersey) Law 201-. P.129/2015.  
Lodged: 20th October 2015.  
*Minister for Treasury and Resources.*

Draft Income Tax (Amendment No. 45) (Jersey) Law 201-. P.128/2015.  
Lodged: 20th October 2015.  
*Minister for Treasury and Resources.*

Draft States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 201-. P.46/2015.  
Lodged: 6th May 2015. (re-issue)  
*Chief Minister.*

THE STATES rose at 1.00 p.m.

**M.N. DE LA HAYE, O.B.E.**

*Greffier of the States*