



**THE STATES assembled on Tuesday
22nd September 2020, at 9.30 a.m. under
the Presidency of the Bailiff,
Timothy John Le Cocq, Esquire.**

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

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

Senator Sarah Craig Ferguson – ill
Connétable Philip Bond Le Sueur of Trinity – excused attendance (joined at 9.55 a.m.)
Deputy Carina Soares Alves of St. Helier – excused attendance (joined at 9.50 a.m.)

Prayers

Standing Order 55A – meeting held remotely

THE STATES assembled remotely, in accordance with Standing Order 55A, as the Bailiff considered that it was not possible to convene or maintain a quorate meeting in view of a substantial risk to the health of both States Members and the public.

Tribute to the late Mr. Malcolm Pollard, former member of the States

The Bailiff paid tribute to the late Mr. Malcolm Pollard, former Connétable of St. Peter.

The States observed one minute's silence as a mark of respect.

Subordinate enactments tabled

The following enactments were tabled, namely –

Planning and Building (General Development) (Amendment No. 6 – Covid-19) R&O.111/2020.
(Jersey) Order 2020.

Minister for the Environment.

Covid-19 (Workplace –Ninth Extension) (Jersey) Order 2020. R&O.116/2020.

Minister for Health and Social Services.

Documents presented

Senators and Deputies: removal of citizenship requirement (P.75/2020) – comments. P.75/2020.
Presented: 21st September 2020. Com.
Privileges and Procedures Committee.

Mobile Speed Cameras (P.91/2020): amendment (P.91/2020 Amd.) – comments. Presented: 17th September 2020. <i>Minister for Infrastructure.</i>	P.91/2020. Amd.Com.
Ministerial Government: Review (P.98/2020) – comments Presented: 17th September 2020. <i>Privileges and Procedures Committee.</i>	P.98/2020. Com.
Drinks Promotions (P.105/2020) – comments. Presented: 21st September 2020. <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	P.105/2020. Com.
Jersey Bank Depositors Compensation Board: appointment of members. Presented: 11th September 2020. <i>Minister for External Relations.</i>	R.95/2020.
COVID-19: Financial Policy of the Minister for Treasury and Resources. Presented: 15th September 2020. <i>Minister for Treasury and Resources.</i>	R.96/2020.
States of Jersey Complaints Panel: appointment of members. Presented: 16th September 2020. <i>Privileges and Procedures Committee.</i>	R.97/2020.
Management Information in Education: follow-up. Presented: 17th September 2020. <i>Comptroller and Auditor General.</i>	R.98/2020.
Safer Travel Guidelines Review: Interim Report (S.R.2/2020) – response of the Minister for Health and Social Services. Presented: 16th September 2020. <i>Minister for Health and Social Services</i>	S.R.2/2020. Res.

Notification of lodged propositions

Senators and Deputies: removal of citizenship requirement (P.75/2020): third amendment. Lodged: 14th September 2020. <i>Senator I.J. Gorst.</i>	P.75/2020. Amd.(3).
Mobile Speed Cameras (P.91/2020): amendment. Lodged: 15th September 2020. <i>Connétable of St. John.</i>	P.91/2020. Amd.
Foreshore: policy for alleged encroachment payments (P.101/2020): amendment. Lodged: 15th September 2020. <i>Minister for Infrastructure.</i>	P.101/2020. Amd.
States meetings in 2021: move to a three-week cycle (P.106/2020): second amendment. Lodged: 15th September 2020. <i>Deputy J.M. Maçon of St. Saviour.</i>	P.106/2020. Amd.(2).

Draft Wildlife (Jersey) Law 202- Lodged: 11th September 2020. <i>Minister for the Environment.</i>	P.110/2020.
Encroachments on the Foreshore: revised policy. Lodged: 18th September 2020. <i>Minister for Infrastructure.</i>	P.111/2020.
Draft Shops (Regulation of Opening) (Amendment – General Practitioner Surgeries and Pharmacies) (Jersey) Regulations 202- (re-issue). Lodged: 21st September 2020. <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	P.112/2020. (re-issue)
Draft Social Security (Amendment of Law No. 13) (Jersey) Regulations 202-. Lodged: 21st September 2020. <i>Minister for Social Security.</i>	P.113/2020.
Jersey Care Model. Lodged: 22nd September 2020. <i>Minister for Health and Social Services.</i>	P.114/2020
Draft Statistics and Census (Amendment of Law) (Jersey) Regulations 202-. Lodged: 22nd September 2020. <i>Chief Minister.</i>	P.115/2020.
Draft Census (Appointed Day) Act 202-. Lodged: 22nd September 2020. <i>Chief Minister.</i>	P.116/2020.
Our Hospital: alternative site selection proposals. Lodged: 22nd September 2020. <i>Deputy T. Pointon of St. John.</i>	P.117/2020.
Draft Income Tax (Amendment No. 46) (Jersey) Law 202-. Lodged: 22nd September 2020. <i>Minister for Treasury and Resources.</i>	P.118/2020.
Immigration Acts: extension to Jersey by Order in Council. Lodged: 22nd September 2020. <i>Chief Minister.</i>	P.119/2020.

Economic and International Affairs Scrutiny Panel – appointment of members

In accordance with Standing Order 125(7) the Chair of the Economic and International Affairs Scrutiny Panel indicated that he wished to increase the size of the Panel to 6 members, including the chair, and nominated the following as members of the Panel –

The Deputy of St. Martin
Deputy Inna Gardiner of St. Helier

There being no other nominations, the Presiding Officer declared that the Deputy of St. Martin and Deputy Inna Gardiner of St. Helier had been duly appointed as members of the Economic and International Affairs Scrutiny Panel.

Written Questions*(see Official Report/Hansard)*

- WQ.322/2020 1. The Minister for Infrastructure tabled an answer to a question asked by the Connétable of St. Brelade regarding the demolition of the old Les Quennevais School.
- WQ.324/2020 2. The Chair of the States Employment Board tabled an answer to a question asked by Senator K.L. Moore regarding H.R. Case Management.
- WQ.325/2020 3. The Chief Minister tabled an answer to a question asked by Deputy L.M.C. Doublet of St. Saviour regarding the data collected from testing for Covid-19.
- WQ.326/2020 4. The Minister for Health and Social Services tabled an answer to a question asked by Deputy L.M.C. Doublet of St. Saviour regarding medical advice in respect of singing during the Covid-19 pandemic.
- WQ.327/2020 5. The Minister for Education tabled an answer to a question asked by Deputy J.H. Perchard of St. Saviour regarding the contract for the provision of school meals.
- WQ.328/2020 6. The Minister for Health and Social Services tabled an answer to a question asked by Deputy J.H. Perchard of St. Saviour regarding the rate of Covid-19 amongst incoming travellers to the Island.
- WQ.329/2020 7. The Chair of the States Employment Board tabled an answer to a question asked by Deputy M.R. Le Hegarat of St. Helier regarding vacancy rates in senior levels of the public sector.
- WQ.330/2020 8. The Minister for Treasury and Resources tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the Income Tax paid by High Value Residents.
- WQ.331/2020 9. H.M. Attorney General tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding prosecutions under the Public Health and Safety (Rented Dwellings) (Jersey) Law 2018.
- WQ.332/2020 10. The Minister for External Relations tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the impact of Brexit legislation enacted in the United Kingdom on Jersey's international reputation.
- WQ.333/2020 11. The Minister for Infrastructure tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the Sustainable Transport Policy.
- WQ.334/2020 12. The Minister for Home Affairs tabled an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the data collected by the Customs and Immigration Service on arrivals in the Island.
- WQ.335/2020 13. The Minister for Home Affairs tabled an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the Jersey E.U. Settlement Scheme.
- WQ.336/2020 14. The Minister for Children and Housing tabled an answer to a question asked by Deputy C.S. Alves of St. Helier regarding Subject Access Requests made to the Children's Service.
- WQ.337/2020 15. H.M. Attorney General tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the legal relationship between the States Assembly and Jersey's Courts.
- WQ.338/2020 16. H.M. Attorney General tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the status of propositions adopted by the States Assembly.

- WQ.339/2020 17. The Minister for Health and Social Services tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the impact of Coronavirus on care homes in Jersey.
- WQ.340/2020 18. The Minister for Home Affairs tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the use of restraining devices by the States of Jersey Police.
- WQ.341/2020 19. The Minister for Home Affairs tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the psychological testing of States of Jersey Police officers.

Oral Questions

(see Official Report/Hansard)

- OQ.238/2020 1. Deputy K.G. Pamplin of St. Saviour asked a question of the Minister for External Relations regarding discussions with the U.K. Government in respect of access to Jersey's fishing waters.
- OQ.240/2020 2. Deputy R.J. Ward of St. Helier asked a question of the Vice-Chair of the States Employment Board regarding cases of racial abuse in the workplace across the States of Jersey.
- OQ.244/2020 3. The Deputy of St. Mary asked a question of the Minister for Health and Social Services regarding a review of the restrictions applicable to choirs and singers.
- OQ.251/2020 4. Deputy I. Gardiner of St. Helier asked a question of the Chief Minister regarding the undertaking of a census in 2021.
- OQ.234/2020 5. Deputy J.H. Perchard of St. Saviour asked a question of the Minister for Infrastructure regarding the provision of designated parking spaces for pregnant women.
- OQ.233/2020 6. Deputy K.F. Morel of St. Lawrence asked a question of the Minister for Economic Development, Tourism, Sport and Culture regarding the contract for the cyber-security national risk assessment survey.
- OQ.236/2020 7. The Connétable of St. Helier asked a question of the Minister for Treasury and Resources regarding the States decision that 1% of overall States revenue expenditure be allocated to the arts, heritage and culture by 2022.
- OQ.243/2020 8. Deputy M.R. Le Hegarat of St. Helier asked a question of the Minister for Health and Social Services regarding work undertaken on risk and governance in the Department of Health and Community Services.
- OQ.249/2020 9. Deputy C.S. Alves of St. Helier asked a question of the Minister for Health and Social Services regarding the G.P. out-of-hours service.
- OQ.245/2020 10. Deputy M.R. Higgins of St. Helier asked a question of the Minister for Health and Social Services regarding his department's principal preparations for a potential spike in Coronavirus cases during the winter.
- OQ.242/2020 11. Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the impact of the Covid-19 pandemic on income levels.

- OQ.247/2020 12. M. le Député M. Tadier de St. Brelade a interrogé le Premier Ministre en ce qui concerne les expressions d'intérêt de la part de particuliers ou d'entreprises européens non-britanniques pour les travaux de conseil.
- (Deputy M. Tadier of St. Brelade asked a question of the Chief Minister regarding expressions of interest from non-British European individuals or companies for consultancy work.)
- OQ.241/2020 13. Deputy R.J. Ward of St. Helier asked a question of the Minister for Infrastructure regarding the pilot bus service for Highlands College from Liberation Station.
- OQ.246/2020 14. Deputy M.R. Higgins of St. Helier asked a question of the Minister for Children and Housing regarding the capacity for social workers to confiscate mobile telephones from clients.
- OQ.250/2020 15. Deputy C.S. Alves of St. Helier asked a question of the Minister for Home Affairs regarding unconscious bias training for police and customs officers.
- OQ.235/2020 16. Deputy K.F. Morel of St. Lawrence asked a question of the Assistant Chief Minister regarding non-resident business licences issued in the years 2018, 2019 and 2020.
- OQ.237/2020 17. The Connétable of St. Helier asked a question of the Minister for Economic Development, Tourism, Sport and Culture regarding swab testing for passengers arriving at Jersey's ports.
- OQ.239/2020 18. Deputy K.G. Pamplin of St. Saviour asked a question of the Minister for Children and Housing regarding the homelessness review.

Oral Questions without notice

(see Official Report/Hansard)

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

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

A period of questions without notice was held, during which questions were permitted to any Minister on any subject within the official responsibility of the Government of Jersey.

Changes in Presidency

The Bailiff retired from the Chamber during the period of questions without notice to any Minister on any subject within the official responsibility of the Government of Jersey and the meeting continued under the Presidency of Dr. Mark Egan, Greffier of the States. The Bailiff returned to the Chamber during the same period of questions without notice and the meeting continued under his Presidency.

Arrangement of public business for the present meeting

THE STATES noted that the Minister for Economic Development, Tourism, Sport and Culture had informed the Greffier, in accordance with Standing Order 30(2), that the Draft Shops (Regulation of Opening) (Amendment – General Practitioner Surgeries and Pharmacies) (Jersey) Regulations 202- would be deferred from the present meeting to the meeting of 6th October 2020.

Senators and Deputies: removal of citizenship requirement P.75/2020

THE STATES commenced consideration of a proposition of Deputy Montfort Tadier of St. Brelade entitled ‘Senators and Deputies: removal of citizenship requirement’ (P.75/2020) and, adopting an amendment of Deputy Montfort Tadier of St. Brelade (P.75/2020 Amd.), agreed that –

in paragraph (a), for the words “Senators and Deputies” there should be substituted the words “Senators, Connétables and Deputies”;

after paragraph (a), there should be inserted the following new paragraph and the subsequent paragraph re-designated accordingly –

“(b) that a person should have a continuous period of residence of 5 years, and be “entitled for work” under Regulation 4(2)(a) of the Control of Housing and Work (Residential and Employment Status) (Jersey) Regulations 2013, to be eligible to stand for election as a Senator, Connétable or Deputy;” and

in paragraph (b), after the words “States of Jersey Law 2005” there should be inserted the words “and the Connétables (Jersey) Law 2008; and”.

THE STATES, resuming consideration of the proposition of Deputy Montfort Tadier of St. Brelade, as amended, commenced consideration of an amendment of Senator Ian Joseph Gorst (P.75/2020 Amd.(3)) and, adopting part 1 of the amendment, agreed that for paragraph (a), there should be substituted the following paragraph –

“(a) that the requirement that Senators, Connétables and Deputies must be British citizens should be replaced by a requirement that they must be British or Irish citizens, or qualifying citizens of a Commonwealth or European Union country;”.

THE STATES noted that, following the adoption of the amendment of Deputy Montfort Tadier of St. Brelade (P.75/2020 Amd.), part 2 of the amendment of Senator Ian Joseph Gorst (P.75/2020 Amd.(3)) was deemed to have been withdrawn.

THE STATES resumed consideration of the proposition of Deputy Montfort Tadier of St. Brelade, as amended, and, adopting an amendment of Deputy Michael Roderick Higgins of St. Helier (P.75/2020 Amd.(2)), agreed that, before paragraph (b), re-designated as paragraph (c), there should be inserted the following new paragraph and the subsequent paragraph re-designated accordingly –

“(c) that, for a person who is Jersey-born, there should be no requirement to have been ordinarily resident in Jersey for a set period of time prior to election day to be eligible for election to the States;”.

THE STATES resumed consideration of the proposition of Deputy Montfort Tadier of St. Brelade, as amended.

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 23rd September 2020 to continue consideration of the proposition of Deputy Montfort Tadier of St. Brelade entitled ‘Senators and Deputies: removal of citizenship requirement’ (P.75/2020), as amended, and the other outstanding items of public business listed for the meeting.

THE STATES rose at 5.27 p.m.

DR. M. EGAN

Greffier of the States