



**THE STATES assembled on Tuesday
20th February 2018, at 09.30 a.m. under
the Presidency of the Deputy 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 – en défaut (défaut raised at 9.47 a.m.)
Deputy John Alexander Nicholas Le Fondré of St. Lawrence – excused attendance
Deputy Susan Jane Pinel of St. Clement – en défaut

Prayers

Second East Rainbows – welcome

The Deputy Bailiff, on behalf of all members, welcomed the Second East Rainbows, who were present in the public gallery.

Subordinate enactments tabled

The following enactments were tabled, namely –

Teachers Superannuation (Refund of Contributions, Deferred Pensions and Transfer Value Payments) (Miscellaneous Amendments) (Jersey) Order 2018. <i>Chief Minister.</i>	R&O.10/2018.
EU Legislation (Sanctions – Somalia) (Amendment) (Jersey) Order 2018. <i>Minister for External Relations.</i>	R&O.11/2018.

Documents presented

Social housing in Jersey: introduction of a regulatory framework (P.120/2017) – comments. Presented: 16th February 2018. <i>Environment, Housing and Infrastructure Scrutiny Panel.</i>	P.120/2017. Com.
Social housing in Jersey: introduction of a regulatory framework (P.120/2017) – amendments (P.120/2017 Amd.Amd., P.120/2017 Amd.(2), P.120/2017 Amd.(2).Amd. and P.120/2017 Amd.(3)) – consolidated comments. Presented: 19th February 2018. <i>Minister for Housing.</i>	P.120/2017. Amds.Com.

States Employment Board: living wage 2017 (P.122/2017) – comments. Presented: 12th February 2018. <i>Council of Ministers.</i>	P.122/2017. Com.
Draft Machinery of Government (Miscellaneous Amendments) (Jersey) Law 201-(P.1/2018): comments. Presented: 14th February 2018. <i>Privileges and Procedures Committee.</i>	P.1/2018. Com.
Draft Machinery of Government (Miscellaneous Amendments) (Jersey) Law 201-(P.1/2018): comments. Presented: 19th February 2018. <i>Chairmen’s Committee.</i>	P.1/2018. Com.(2)
States of Jersey Complaints Panel: report for 2017. Presented: 12th February 2018. <i>Privileges and Procedures Committee.</i>	R.12/2018.
States of Jersey Law 2005: delegation of functions – Minister for Education to Assistant Minister. Presented: 13th February 2018. <i>Chief Minister.</i>	R.13/2018.
Charity Tribunal: appointment of Chair and members. Presented: 13th February 2018. <i>Chief Minister.</i>	R.14/2018.
Acting Information Commissioner: appointment. Presented: 16th February 2018. <i>Chief Minister.</i>	R.15/2018.
Planning Committee Decisions 2017. Presented: 20th February 2018. <i>Minister for the Environment.</i>	R.16/2018.

Notification of lodged propositions

Social housing in Jersey: introduction of a regulatory framework (P.120/2017) – amendment (P.120/2017 Amd.) – amendment. Lodged: 6th February 2018. <i>Senator P.F.C. Ozouf.</i>	P.120/2017. Amd.Amd.
Social housing in Jersey: introduction of a regulatory framework (P.120/2017) – second amendment (P.120/2017 Amd.(2)) – amendment. Lodged: 13th February 2018. <i>Senator P.F.C. Ozouf.</i>	P.120/2017. Amd.(2). Amd.
Social housing in Jersey: introduction of a regulatory framework (P.120/2017) – third amendment. Lodged: 8th February 2018. <i>Environment, Housing and Infrastructure Scrutiny Panel.</i>	P.120/2017. Amd.(3)
Family Friendly Policy: implementation (P.129/2017) – amendment. Lodged: 13th February 2018. <i>Minister for Social Security.</i>	P.129/2017. Amd.

Draft Trusts (Amendment No. 7) (Jersey) Law 201-. Lodged: 5th February 2018. <i>Chief Minister.</i>	P.23/2018.
Draft Export Control (Jersey) Law 2009 (Appointed Day) Act 201-. Lodged: 6th February 2018. <i>Minister for Home Affairs.</i>	P.24/2018.
Draft Community Provisions (Exports of Dual-Use Items) (Revocation) (Jersey) Regulations 201-. Lodged: 6th February 2018. <i>Minister for Home Affairs.</i>	P.25/2018.
Draft Financial Services Ombudsman (Disclosure of Information – Amendment of Law) (Jersey) Regulations 201-. Lodged: 6th February 2018. <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	P.26/2018.
Draft Employment (Amendment of Law) (No. 2) (Jersey) Regulations 201-. Lodged: 6th February 2018. <i>Minister for Social Security.</i>	P.27/2018.
Draft Income Support (Amendment No. 17) (Jersey) Regulations 201-. Lodged: 6th February 2018. <i>Minister for Social Security.</i>	P.28/2018.
Channel Islands Lottery: allocation of proceeds from 2017. Lodged: 6th February 2018. <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	P.29/2018.
Draft Data Protection (Registration and Charges) (Jersey) Regulations 201-. Lodged: 8th February 2018. <i>Chief Minister.</i>	P.30/2018.
Housing: prevention of discrimination by landlords against tenants with children. Lodged: 9th February 2018. <i>Deputy M. Tadier of St. Brelade.</i>	P.31/2018.
Public Services Ombudsman: establishment of office. Lodged: 12th February 2018. <i>Senator P.F.C. Ozouf.</i>	P.32/2018.
Higher Education funding proposal. Lodged: 15th February 2018. <i>Council of Ministers.</i>	P.33/2018.
Jersey Overseas Aid Commission: appointment of non-States Commissioner. Lodged: 16th February 2018. <i>Deputy of Grouville.</i>	P.34/2018.
Banning the sale, importation and use of products containing glyphosate: petition. Lodged: 20th February 2018. <i>Deputy K.C. Lewis of St. Saviour.</i>	P.35/2018.

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 –

Independent Jersey Care Inquiry Report: implementation of recommendations. P.108/2017.
Lodged: 31st October 2017.
Chief Minister

Written Questions

(see Official Report/Hansard)

- WQ.28/2018** 1. The Minister for Treasury and Resources tabled an answer to a question asked by the Deputy of Grouville regarding the revenue that would be raised if Income Tax were calculated on an independent basis.
- WQ.29/2018** 2. The Minister for Social Security tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the apprenticeship minimum wage.
- WQ.30/2018** 3. The Minister for Social Security tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding rules surrounding workers’ tips.
- WQ.31/2018** 4. H.M. Attorney General tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the powers of the Commissioner for Standards in respect of Connétables undertaking Parish work.
- WQ.32/2018** 5. The Minister for Health and Social Services tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the decision to rule out a dual-site option for the new hospital.
- WQ.33/2018** 6. The Minister for Economic Development, Tourism, Sport and Culture tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding grants of public money which he had signed off.
- WQ.34/2018** 7. The Chairman of the Comité des Connétables tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the number of people on the electoral register.
- WQ.35/2018** 8. The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the work being undertaken to make Jersey a member of the World Trade Organisation.
- WQ.36/2018** 9. The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the financial impact of rent policies.
- WQ.37/2018** 10. The Minister for Treasury and Resources tabled an answer to a question asked by the Deputy of St. John regarding the loss of Income Tax arising from childcare allowances.
- WQ.38/2018** 11. The Minister for Education tabled an answer to a question asked by the Deputy of St. John regarding expenditure from the Nursery Education Fund.
- WQ.39/2018** 12. The Minister for Social Security tabled an answer to a question asked by the Deputy of St. John regarding the household component of Income Support.
- WQ.40/2018** 13. The Minister for Treasury and Resources tabled an answer to a question asked by the Deputy of St. John regarding his Department’s policy on borrowing and lending.

- WQ.41/2018** 14. The Minister for Social Security tabled an answer to a question asked by the Deputy of St. John regarding the overpayment and underpayment of Income Support.
- WQ.42/2018** 15. The Chairman of the Comité des Connétables tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding membership of the Parishes' Roads Committees.
- WQ.43/2018** 16. H.M. Attorney General tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding parish hall enquiries undertaken in 2017.
- WQ.44/2018** 17. The Minister for Education tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the number of students learning an instrument with the Jersey Music Service.
- WQ.45/2018** 18. The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding funding for an Income Distribution Survey to be held in 2018.
- WQ.46/2018** 19. The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact of making changes to Social Security contributions and the upper earnings limit.

Oral Questions

(see Official Report/Hansard)

- OQ.27/2018** 1. Deputy J.M. Maçon of St. Saviour asked a question of the Assistant Minister for Social Security regarding consultation with the business community in respect of family friendly employment rights.
- OQ.35/2018** 2. Deputy S.Y. Mézec of St. Helier asked a question of the Minister for Treasury and Resources regarding the funding requirements for revised higher education grants.
- OQ.33/2018** 3. Deputy G.P. Southern of St. Helier asked a question of the Chairman of the Comité des Connétables regarding the levels of voter registration.
- OQ.28/2018** 4. Deputy J.A. Martin of St. Helier asked a question of the Chief Minister regarding the appointment of Assistant Ministers.
- OQ.34/2018** 5. Deputy M. Tadier of St. Brelade asked a question of the Minister for Health and Social Services regarding the prescription of medicinal cannabis products.
- OQ.29/2018** 6. Senator S.C. Ferguson asked a question of the Minister for Treasury and Resources regarding the long-term strategy for funding higher education grants.
- OQ.36/2018** 7. Deputy S.Y. Mézec of St. Helier asked a question of the Assistant Minister for Education regarding the work of the Department to enable students to engage with the democratic process.
- OQ.32/2018** 8. Senator P.F.C. Ozouf asked a question of the Assistant Chief Minister regarding the resource implications of the recent case pursued by the Jersey Competition Regulatory Authority involved the oil sector.
- OQ.30/2018** 9. Deputy G.P. Southern of St. Helier asked a question of the Assistant Minister for Social Security regarding contribution rates for employers and high-earning employees.
- OQ.37/2018** 10. Deputy M. Tadier of St. Brelade asked a question of the Assistant Chief Minister regarding negotiations with the BBC regarding free television licences for all over-75s in Jersey.

Oral Questions without notice*(see Official Report/Hansard)*

The Minister for Housing answered questions without notice from members.

The Chief Minister answered questions without notice from members.

Arrangement of public business for the present meeting

THE STATES, adopting the request of the Chairman of the Environment, Housing and Infrastructure Scrutiny Panel, agreed in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of the amendment of the Environment, Housing and Infrastructure Scrutiny Panel (P.120/2017 Amd.(3)) to the proposition of the Minister for Housing entitled ‘Social housing in Jersey: introduction of a regulatory framework’ (P.120/2017) in order that it might be debated at the present meeting.

Social housing in Jersey: introduction of a regulatory framework P.120/2017

THE STATES commenced consideration of a proposition of the Minister for Housing entitled ‘Social housing in Jersey: introduction of a regulatory framework’ (P.120/2017).

THE STATES commenced consideration of an amendment of Deputy Montfort Tadier of St. Brelade (P.120/2017 Amd.(2)) and rejected an amendment of Senator Philip Francis Cyril Ozouf to that amendment (P.120/2017 Amd.(2)Amd.) that after part 2 of the amendment, there should be inserted the following new part –

“3 PAGE 2, PARAGRAPH (c) –

After the word “necessary” insert the word “primary” and after the words “within 2 years” insert the words “, with the Minister for Housing retaining the ability to introduce the regulation of different categories of housing providers in stages rather than simultaneously”.”.

Members present voted as follows –

POUR: 22

Senator P.F.C. Ozouf
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Mary
 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 K.C. Lewis (S)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)

CONTRE: 23

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Senator S.C. Ferguson
 Connétable of St. Peter
 Connétable of St. Ouen
 Connétable of St. Saviour
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy of Trinity
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy of St. John

ABSTAIN: 0

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

THE STATES, resuming consideration of the amendment of Deputy Montfort Tadier of St. Brelade (P.120/2017 Amd.(2)), rejected the proposition that –

After the words “in relation to” the word “social” should be deleted, and after the word “housing” the words “, as set out in the report accompanying the proposition” should be deleted; and

In sub-paragraphs (i) and (ii) for the word “social” there should be substituted the word “all” in each place where it occurred and, in sub-paragraph (iii), the word “social” should be deleted.

Members present voted as follows –

POUR: 16

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

CONTRE: 31

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

ABSTAIN: 0

THE STATES, resuming consideration of the proposition of the Minister for Housing, adopted an amendment of the Environment, Housing and Infrastructure Scrutiny Panel (P.120/2017 Amd.(3)) that in sub-paragraph (b)(ii), after the words “performance against those standards” there should be inserted the words “, with particular regard to the interaction with both Income Support and the States’ 90% rent policy”.

Members present voted as follows –

POUR: 42

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Senator S.C. Ferguson
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Connétable of St. John
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy of St. John
 Deputy J.M. Maçon (S)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)
 Deputy S.Y. Mézec (H)
 Deputy A.D. Lewis (H)
 Deputy of St. Ouen
 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)

CONTRE: 2

Deputy J.A. Martin (H)
 Deputy M.R. Higgins (H)

ABSTAIN: 0

THE STATES, resuming consideration of the proposition of the Minister for Housing, commenced consideration of an amendment of Senator Philip Francis Cyril Ozouf (P.120/2017 Amd.) and adopted an amendment of Senator Philip Francis Cyril Ozouf to that amendment (P.120/2017 Amd.Amd.) that after the words “supply and the type of housing needed”, the words “; and after original paragraph (b)(iv) insert the following new paragraph –

“(vi) the establishment of a Housing Supply Commissioner;”

should be deleted.

THE STATES resumed consideration of the amendment of Senator Philip Francis Cyril Ozouf (P.120/2017 Amd.), as amended, and, adopting the amendment, agreed that –

After paragraph (b)(iii) there should be inserted the following new paragraph –

“(iv) the inclusion of an appropriate power of Direction to the Regulator by the Minister for Housing;”;

with paragraph (b)(iv) re-designated as (b)(v); and

For the word “need” there should be substituted the words “supply and the type of housing needed”.

Members present voted as follows –

POUR: 28

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Connétable of St. Helier
 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
 Connétable of St. John
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)
 Deputy A.D. Lewis (H)
 Deputy of St. Ouen
 Deputy S.M. Wickenden (H)
 Deputy S.M. Brée (C)
 Deputy M.J. Norton (B)
 Deputy G.J. Truscott (B)
 Deputy P.D. McLinton (S)

CONTRE: 14

Senator S.C. Ferguson
 Connétable of St. Saviour
 Connétable of Trinity
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy M. Tadier (B)
 Deputy of St. John
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.Y. Mézec (H)
 Deputy R. Labey (H)
 Deputy T.A. McDonald (S)
 Deputy of St. Mary

ABSTAIN: 0

THE STATES resumed consideration of the proposition of the Minister for Housing, as amended.

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(b), the following members declared an interest, but remained in the Chamber for the duration of the debate on the proposition of the Minister for Housing –

Senator Alan John Henry Maclean
Senator Ian Joseph Gorst
Senator Lyndon John Farnham
Senator Sarah Craig Ferguson
The Connétable of St. Peter
The Connétable of St. Ouen
The Connétable of St. Saviour
The Connétable of Grouville
The Connétable of St. John
Deputy Edward James Noel of St. Lawrence
The Deputy of St. Martin
The Deputy of St. Peter
Deputy Richard John Rondel of St. Helier
Deputy Andrew David Lewis of St. Helier
The Deputy of St. Ouen.

Changes of Presidency

The Deputy Bailiff retired from the Chamber during consideration of the proposition of the Minister for Housing entitled ‘Social housing in Jersey: introduction of a regulatory framework’ (P.120/2017) and the meeting continued under the Presidency of Mrs. Lisa-Marie Hart, Deputy Greffier of the States. The Deputy Bailiff returned to the Chamber during consideration of the same proposition and the meeting continued under his Presidency.

Banning the sale, importation and use of products containing glyphosate: petition P.35/2018

Deputy Kevin Charles Lewis of St. Saviour presented to the States a petition to request the States to bring forward, as a matter of urgency, legislation to ban the sale, importation and use of products containing glyphosate as an active ingredient or adjuvant.

THE STATES referred the petition to the Minister for the Environment and Deputy Kevin Charles Lewis of St. Saviour lodged “au Greffe” a proposition to the effect that the prayer of the petition be granted.

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 21st February 2018 to continue consideration of the proposition of the Minister for Housing entitled ‘Social housing in Jersey: introduction of a regulatory framework’ (P.120/2017), as amended, and other outstanding items of public business.

THE STATES rose at 5.31 p.m.

L.-M. HART

Deputy Greffier of the States