



**THE STATES assembled on Thursday  
10th June 2021, at 9.30 a.m. under  
the Presidency of the Deputy Bailiff,  
Robert James MacRae, Esquire.**

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

Senator Ian Joseph Gorst – absent on States business

Senator John Alexander Nicholas Le Fondré – absent on States business

Connétable Sadie Anthea Le Sueur-Rennard of St. Saviour – excused attendance (joined at 10.50 a.m.)

Deputy Jessica Harriet Perchard of St. Saviour – excused attendance

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Prayers

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**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.

**States Members' Remuneration P.40/2021**

THE STATES resumed consideration of the proposition of the Privileges and Procedures Committee entitled 'States Members' Remuneration' (P.40/2021) and adopting paragraph (a) and sub-paragraphs (i) to (vi) of paragraph (b) –

- (a) referred to their Acts of 25th November 2003, 22nd June 2005 and 12th June 2012, in which the States had established the States Members' Remuneration Review Body and agreed its terms of reference, and agreed to rescind those Acts and disband that body;
- (b) agreed that a new independent system for the setting of States Members' remuneration should be established, based on the following principles –
  - (i) the States should set the overall framework for the setting of States Members' remuneration, but should have no role in decisions about the level of remuneration;
  - (ii) propositions to alter the level of remuneration of States Members should not be permitted;
  - (iii) members' pay should be linked to an index;
  - (iv) the Privileges and Procedures Committee should commission an independent person or body during each Assembly term to review the system, including whether the index being used was appropriate, whether the level at which pay was indexed remained appropriate, and other matters such as payments for Members leaving the Assembly and different levels of pay for different roles.

- (v) the independent reviewer should take into account the following principles in assessing States Members' remuneration –
1. The level of remuneration should reflect the central importance of elected and accountable people's representatives in the democratic system and the responsibilities and workload associated with the roles they performed;
  2. The level of remuneration should be sufficient to ensure that Members of the States could enjoy a reasonable standard of living as a result of their position; and
  3. Remuneration should be set at a level to attract people from all walks of life to serve the Island effectively as a States Member, mindful of the financial constraints under which the States operated;
- (vi) the independent reviewer should be under a duty to consult States Members in the course of their review; and should be under a duty to consult the Minister for Treasury and Resources on the economic and fiscal situation in Jersey and to take this into account in making decisions and recommendations on remuneration.

Members present voted as follows –

**POUR: 44**

**CONTRE: 0**

**ABSTAIN: 0**

Senator L.J. Farnham  
 Senator S.C. Ferguson  
 Senator T.A. Vallois  
 Senator K.L. Moore  
 Senator S.W. Pallett  
 Senator S.Y. Mézec  
 Connétable of St. Helier  
 Connétable of St. Lawrence  
 Connétable of St. Saviour  
 Connétable of St. Brelade  
 Connétable of Grouville  
 Connétable of Trinity  
 Connétable of St. Peter  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Martin  
 Connétable of St. John  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy of Grouville  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy of St. Ouen  
 Deputy L.M.C. Doublet (S)  
 Deputy R. Labey (H)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy J.H. Young (B)  
 Deputy L.B.E. Ash (C)

Deputy K.F. Morel (L)  
 Deputy G.C.U. Guida (L)  
 Deputy of St. Peter  
 Deputy of Trinity  
 Deputy of St. John  
 Deputy M.R. Le Hegarat (H)  
 Deputy S.M. Ahier (H)  
 Deputy R.J. Ward (H)  
 Deputy C.S. Alves (H)  
 Deputy K.G. Pamplin (S)  
 Deputy I. Gardiner (H)

THE STATES rejected sub-paragraph (vii) of paragraph (b) of the proposition of the Privileges and Procedures Committee that Article 44 of the States of Jersey Law 2005, which required all States Members to be paid the same amount, should be repealed, to permit the independent reviewer to consider the option of introducing different levels of pay for different roles in the States.

Members present voted as follows –

**POUR: 18**

Senator L.J. Farnham  
 Connétable of St. Helier  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of Trinity  
 Connétable of St. Peter  
 Connétable of St. Mary  
 Deputy J.A. Martin (H)  
 Deputy K.C. Lewis (S)  
 Deputy J.M. Maçon (S)  
 Deputy R. Labey (H)  
 Deputy J.H. Young (B)  
 Deputy L.B.E. Ash (C)  
 Deputy G.C.U. Guida (L)  
 Deputy of St. Peter  
 Deputy of Trinity  
 Deputy of St. John  
 Deputy I. Gardiner (H)

**CONTRE: 25**

Senator S.C. Ferguson  
 Senator T.A. Vallois  
 Senator K.L. Moore  
 Senator S.W. Pallett  
 Senator S.Y. Mézec  
 Connétable of St. Lawrence  
 Connétable of St. Brelade  
 Connétable of St. Ouen  
 Connétable of St. Martin  
 Connétable of St. John  
 Deputy of Grouville  
 Deputy M. Tadier (B)  
 Deputy M.R. Higgins (H)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy of St. Ouen  
 Deputy L.M.C. Doublet (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy K.F. Morel (L)  
 Deputy M.R. Le Hegarat (H)  
 Deputy S.M. Ahier (H)  
 Deputy R.J. Ward (H)  
 Deputy C.S. Alves (H)  
 Deputy K.G. Pamplin (S)

**ABSTAIN: 0**

THE STATES, adopting sub-paragraphs (viii) to (x) of paragraph (b), and paragraph (c), of the proposition of the Privileges and Procedures Committee –

(b) agreed that a new independent system for the setting of States Members' remuneration should be established, based on the following principles –

(viii) the independent reviewer's determinations should take effect automatically, without debate in the States; the independent reviewer could also make recommendations for the

States to consider in respect of matters which required a States decision, such as a change to the law;

- (ix) these new arrangements for setting States Members' remuneration should be statutory; and
  - (x) the first such review should take place in 2022 and should include establishing the index to which Members' pay should be linked; and
- (c) requested the Privileges and Procedures Committee to bring forward the necessary legislative and Standing Order changes to give effect to this proposition.

Members present voted as follows –

**POUR: 41**

Senator S.C. Ferguson  
 Senator T.A. Vallois  
 Senator K.L. Moore  
 Senator S.W. Pallett  
 Senator S.Y. Mézec  
 Connétable of St. Helier  
 Connétable of St. Lawrence  
 Connétable of St. Brelade  
 Connétable of Grouville  
 Connétable of Trinity  
 Connétable of St. Peter  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Martin  
 Connétable of St. John  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy of Grouville  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy of St. Ouen  
 Deputy R. Labey (H)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy J.H. Young (B)  
 Deputy L.B.E. Ash (C)  
 Deputy K.F. Morel (L)  
 Deputy G.C.U. Guida (L)  
 Deputy of St. Peter  
 Deputy of Trinity  
 Deputy of St. John  
 Deputy M.R. Le Hegarat (H)  
 Deputy S.M. Ahier (H)  
 Deputy R.J. Ward (H)  
 Deputy C.S. Alves (H)  
 Deputy K.G. Pamplin (S)

**CONTRE: 2**

Senator L.J. Farnham  
 Connétable of St. Saviour

**ABSTAIN: 1**

Deputy L.M.C. Doublet (S)

Deputy I. Gardiner (H)

### **Arrangement of public business for future meetings**

THE STATES, adopting a proposition of Deputy Gregory Charles Umberto Guida of St. Lawrence, agreed that the proposition of the Minister for Home Affairs entitled 'Jersey Police Complaints Authority: Appointment of Member' (P.55/2021) should be listed for debate at the meeting on 29th June 2021.

THE STATES, adopting a proposition of the Minister for the Environment, resolved to sit in Committee at the meeting on 20th July 2021 in order to consider the report entitled 'Jersey's Citizens' Assembly on Climate Change' (R.95/2021).

THE STATES, adopting a proposition of the Connétable of St. Ouen, agreed that the Draft Taxation (Partnerships – Economic Substance) (Jersey) Law 202- (P.47/2021) would be considered as the first item of public business at the meeting on 29th June 2021.

THE STATES agreed the following arrangement of public business for future meetings proposed, as amended, by the Chair of the Privileges and Procedures Committee in accordance with the provisions of Standing Order 88(3) –

### **29th June 2021**

Draft Taxation (Partnerships – Economic Substance) (Jersey) Law 202-. P.47/2021.  
Lodged: 18th May 2021, *Minister for External Relations and Financial Services*.

Draft Amendment (No. 52) of the Standing Orders of the States of Jersey. P.41/2021.  
Lodged: 10th May 2021, *Privileges and Procedures Committee*.

Youth Service Provision. P.42/2021.  
Lodged: 10th May 2021, *Senator T.A. Vallois*.

Allocation of the Former States of Jersey Police Headquarters site to Rouge Bouillon School. P.43/2021.  
Lodged: 12th May 2021, *Deputy I. Gardiner of St. Helier*.

Immigration acts consolidation and extension to Jersey by Order in Council. P.44/2021.  
Lodged: 12th May 2021, *Chief Minister*.

Draft Proceeds of Crime (Amendment of Law) (No. 2) (Jersey) Regulations 202-. P.45/2021.  
Lodged: 17th May 2021, *Minister for External Relations and Financial Services*.

Draft Income Support (Amendment No. 21) (Jersey) Regulations 202-. P.46/2021.  
Lodged: 18th May 2021, *Minister for Social Security*.

Draft Proceeds of Crime (Amendment No. 4) (Jersey) Law 202-. P.48/2021.  
Lodged: 18th May 2021, *Minister for External Relations and Financial Services*.

Draft Proceeds of Crime (Supervisory Bodies) (Amendment) (Jersey) Law 202-. P.49/2021.  
Lodged: 18th May 2021, *Minister for External Relations and Financial Services*.

Draft Proceeds of Crime (Miscellaneous Amendments No. 2) (Jersey) Regulations 202-. P.50/2021.  
Lodged: 18th May 2021, *Minister for External Relations and Financial Services*.

Draft Taxation (Income Tax, Goods and Services Tax and Revenue Administration) (Amendment) (Jersey) Law 202-. P.51/2021.  
Lodged: 18th May 2021, *Minister for Treasury and Resources*.

Draft Restriction on Smoking (Standardised Packaging and Labelling) (Jersey) Regulations 202-. P.52/2021.  
Lodged: 18th May 2021, *Minister for Health and Social Services*.

Les Quennevais Park Flats Loan Scheme (P.19/2021) – Rescindment. P.54/2021.  
Lodged: 20th May 2021, *Deputy M. Tadier of St. Brelade*.

Jersey Police Complaints Authority: Appointment of Member. P.55/2021.  
Lodged: 3rd June 2021, *Minister for Home Affairs*.

*Note: Because of the requirement for a six-week lodging period, the minimum lodging period of the proposition of the Minister for Home Affairs would expire on Thursday 15th July 2021. The Assistant Minister had therefore given notice of his intention to propose, in accordance with Standing Order 26(7), that the minimum lodging period for the proposition be reduced in order that it can be debated at the meeting.*

### **20th July 2021**

Draft Public Health and Safety (Rented Dwellings) (Licensing) (Jersey) Regulations 202-. P.33/2021.  
Lodged: 16th April 2021, *Minister for the Environment*.

Draft Public Health and Safety (Rented Dwellings) (Licensing) (Jersey) Regulations 202- (P.33/2021): Comments. P.33/2021.  
Presented: 2nd June 2021, *Environment, Housing and Infrastructure Scrutiny Panel*. Com.

Island Plan 2022-25: Approval P.36/2021.  
Lodged: 19th April 2021, *Minister for the Environment*.

*Note: As all propositions, when lodged, must be listed for debate at a specified meeting, the proposition of the Minister for the Environment had been listed for the first meeting after which the minimum lodging period of 12 weeks would have elapsed. However, in line with the process for the Bridging Island Plan laid out in Planning legislation, the debate on the proposition would not take place until 2022. However, as the Assembly's meeting dates for 2022 have yet to be confirmed, the proposition could not be listed against a date in 2022.*

Island Plan 2022-25: Approval - Addendum. P.36/2021.  
Presented: 19th April 2021, *Minister for the Environment*. Add.

Channel Islands Lottery: Allocation of Proceeds from 2020. P.53/2021.  
Lodged: 19th May 2021, *Minister for Economic Development, Tourism, Sport and Culture*.

Draft Elections (Miscellaneous Amendments) (Jersey) Law 202-. P.56/2021.  
Lodged: 8th June 2021, *Privileges and Procedures Committee*.

Draft Criminal Procedure (Juries – Tirage) (Jersey) Regulations 202-. P.57/2021.  
Lodged: 8th June 2021, *Minister for Home Affairs*.

Draft Discrimination (Amendment of Law) (Jersey) Regulations 202-. P.58/2021.  
Lodged: 8th June 2021, *Minister for Home Affairs*.

- Draft Criminal Procedure (Consequential and Supplementary Amendments) (Jersey) Regulations 202-. P.59/2021.  
Lodged: 8th June 2021, *Minister for Home Affairs.*
- Draft Covid-19 (Election of Jurats) (Jersey) Regulations 202-. P.60/2021.  
Lodged: 8th June 2021, *Minister for Health and Social Services.*
- Draft Single-Use Plastics etc. (Restrictions) (Jersey) Law 202-. P.61/2021.  
Lodged: 8th June 2021, *Minister for Infrastructure.*
- Draft Amendment (No. 52) of the Standing Orders of the States Of Jersey P.62/2021.  
Lodged: 8th June 2021, Privileges and Procedures Committee.
- Draft Access to Justice (Jersey) Law 2019 (Appointed Day) Act 202-. P.63/2021.  
Lodged: 8th June 2021, *Chief Minister*
- Jersey's Citizens' Assembly on Climate Change. R.95/2021.  
Presented: 1st June 2021, *Minister for the Environment.*  
(*Consideration 'in Committee'*)

### **14th September 2021**

- Draft Civil Aviation (Amendment) (Jersey) Law 202-. P.64/2021.  
Lodged: 9th June 2021, *Minister for External Relations and Financial Services.*

### **5th October 2021**

- Draft Road Traffic (No.68) (Jersey) Regulations 202-. P.39/2021.  
Lodged: 19th April 2021, *Minister for Infrastructure.*

*Note: The 2nd reading of the Draft Law would resume, following adoption of the principles on 9th June 2021 and the subsequent referral to the Environment, Housing and Infrastructure Scrutiny Panel under Standing Order 72(1).*

THE STATES rose at 11.12 a.m.

**W.J.C. MILLOW**

*Acting Greffier of the States*