



**THE STATES assembled on Tuesday
30th April 2019, at 09.30 a.m. under
the Presidency of the Bailiff,
Sir William James Bailhache.**

**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 9.36 a.m.)

Connétable Michael Keith Jackson of St. Brelade – excused attendance (arrived in the Chamber at 11.45 a.m.)

Deputy Montfort Tadier of St. Brelade – en défaut (défaut raised at 10.09 a.m.)

Prayers read by the Deputy Greffier of the States

Tribute to the late Mr. Terence Cubitt Sowden, Q.C., former member of the States

The Bailiff paid tribute to the late Mr. Terence Cubitt Sowden, Q.C., former Deputy of St. Helier and H.M. Solicitor General.

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

H.R.H. The Princess Royal – visit

The Bailiff advised the Assembly that Her Royal Highness The Princess Royal would visit the Island on 10th June 2019, in order to attend the annual general meeting of the Royal Agricultural Society of the Commonwealth and to launch the 7th Healthy Eating Week.

Acting Greffier of the States

The Bailiff informed the Assembly that in accordance with Article 41(15) of the States of Jersey Law 2005, he had appointed the Assistant Greffier of the States (Scrutiny), Mr. Tim Oldham, to discharge the functions of the Greffier of the States and the Deputy Greffier of the States in the event of their absence or incapacity, and had administered the appropriate oath to Mr. Oldham in accordance with the provisions of Article 41(17) of the Law.

Subordinate enactments tabled

The following enactments were tabled, namely –

Sea Fisheries (Bag Limits) (Amendment No. 4) (Jersey) Order 2019.
Minister for the Environment.

R&O.29/2019.

Control of Housing and Work (Exemptions) (Amendment No. 3) (Jersey) Order 2019. <i>Chief Minister.</i>	R&O.30/2019.
Terrorism (Proscribed Organizations) (Amendment No. 11) (Jersey) Order 2019. <i>Minister for Home Affairs.</i>	R&O.31/2019.
Motor Vehicle Registration (General Provisions) (Amendment No. 21) (Jersey) Order 2019. <i>Minister for Infrastructure.</i>	R&O.32/2019.
Emergency Powers and Planning (Designation of Competent Authorities) (Jersey) Act 2019. <i>Emergencies Council (signed by the Greffier of the States for and on behalf of the Emergencies Council).</i>	R&O.33/2019.

Documents presented

Draft Revenue Administration (Jersey) Law 201- (P.122/2018): addendum to report. Presented: 9th April 2019. <i>Minister for Treasury and Resources.</i>	P.122/2018. Add.
Draft Commissioner for Children and Young People (Jersey) Law 201- (P.18/2019): amendment (P.18/2019 Amd.) – amendment (P.18/2019 Amd.Amd.) – addendum. Presented: 30th April 2019. <i>Minister for Children and Housing.</i>	P.18/2019. Amd.Amd. Add.
Draft Explosives (Amendment) (Jersey) Law 201- (P.21/2019): comments. Presented: 29th April 2019. <i>Education and Home Affairs Scrutiny Panel.</i>	P.21/2019. Com.
Climate change emergency: actions to be taken by the Government of Jersey (P.27/2019) – comments. Presented: 30th April 2019. <i>Chief Minister.</i>	P.27/2019. Com.
Draft Public Finances (Jersey) Law 201- (P.28/2019): comments. Presented: 29th April 2019. <i>Corporate Services Scrutiny Panel.</i>	P.28/2019. Com.
Cats: additional protection when involved in road traffic accidents (P.30/2019) – comments. Presented: 18th April 2019. <i>Comité des Connétables.</i>	P.30/2019. Com.
Cats: additional protection when involved in road traffic accidents (P.30/2019) – comments of the Ministers for Infrastructure and the Environment. Presented: 26th April 2019. <i>Minister for Infrastructure.</i>	P.30/2019. Com.(2)
Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.31/2019) – comments. Presented: 10th April 2019. <i>Privileges and Procedures Committee.</i>	P.31/2019. Com.

Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.31/2019) – amendment (P.31/2019 Amd.) – comments. Presented: 29th April 2019. <i>Privileges and Procedures Committee.</i>	P.31/2019. Amd.Com.
Island Plan (revised) 2011: site to be rezoned for Category A housing – Field 632 and part of Field 559, La Route du Manoir, St. Peter (P.39/2019) – comments. Presented: 16th April 2019. <i>Minister for the Environment.</i>	P.39/2019. Com.
Island Plan (revised) 2011: site to be rezoned for Category A housing – Field 632 and part of Field 559, La Route du Manoir, St. Peter (P.39/2019) – amendment (P.39/2019 Amd.) – comments. Presented: 16th April 2019. <i>Minister for the Environment.</i>	P.39/2019. Amd.Com.
Proposed Government Plan 2020–23: increase in revenue expenditure on the arts, heritage and culture (P.40/2019) – comments. Presented: 29th April 2019. <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	P.40/2019. Com.
Role and Operation of the States Employment Board. Presented: 29th March 2019. <i>Comptroller and Auditor General.</i>	R.35/2019.
Jersey Multi-Agency Public Protection Arrangements (JMAPPA) Annual Report 2018. Presented: 1st April 2019. <i>Minister for Home Affairs.</i>	R.36/2019.
Planning Committee Decisions 2018. Presented: 2nd April 2019. <i>Minister for the Environment.</i>	R.37/2019.
Allocation to Contingency: revised policy – March 2019. Presented: 3rd April 2019. <i>Minister for Treasury and Resources.</i>	R.38/2019.
Children and Young People’s Plan 2019–23. Presented: 3rd April 2019. <i>Minister for Children and Housing.</i>	R.39/2019.
Jersey Independent Prison Monitoring Board (IPMB): Annual Report 2018. Presented: 3rd April 2019. <i>Minister for Home Affairs.</i>	R.40/2019.
Jersey Employment and Discrimination Tribunal: Annual Report 2018. Presented: 4th April 2019. <i>Minister for Social Security.</i>	R.41/2019.
Community and Social Services for Adults and Older Adults – Follow-up. Presented: 4th April 2019. <i>Comptroller and Auditor General.</i>	R.42/2019.

Jersey Advisory and Conciliation Service: Board Members' Report and Financial Statements for the year ended 31st December 2018. Presented: 8th April 2019. <i>Minister for Social Security.</i>	R.43/2019.
Transfers between Heads of Expenditure under the Public Finances (Jersey) Law 2005: Article 18(1)(c) and (1A) – 9th April 2019. Presented: 11th April 2019. <i>Minister for Treasury and Resources.</i>	R.44/2019.
Jersey Appointments Commission: appointment of Commissioners. Presented: 15th April 2019. <i>Chief Minister.</i>	R.45/2019.
Land Transactions under Standing Order 168(3) – Apartment No. 6, Block G, Les Quennevais Park, St. Brelade – transfer of the Public's flying-freehold ownership and cancellation of existing 99-year lease. Presented: 15th April 2019. <i>Minister for Infrastructure.</i>	R.46/2019.
Housing Repairs and Maintenance: Follow-up. Presented: 25th April 2019. <i>Comptroller and Auditor General.</i>	R.47/2019.
States of Jersey Annual Report and Accounts 2018. Presented: 25th April 2018. <i>Minister for Treasury and Resources.</i>	R.48/2019.
Referendum Commission Report: Referendums in Jersey. Presented: 30th April 2019. <i>Privileges and Procedures Committee.</i>	R.49/2019.
Post-16 Education. Presented: 26th April 2019. <i>Education and Home Affairs Scrutiny Panel.</i>	S.R.7/2019.
Legal Aid Review. Presented: 29th April 2019. <i>Chairmen's Committee.</i>	S.R.8/2019.
Draft Damages (Jersey) Law (S.R.1/2019): response of the Chief Minister. Presented: 3rd April 2019. <i>Chief Minister.</i>	S.R.1/2019. Res.
Future Hospital Report (S.R.2/2019): response of the Chief Minister and the Minister for the Environment. Presented: 15th April 2019. <i>Chief Minister.</i>	S.R.2/2019. Res.
Draft Revenue Administration (Jersey) Law (S.R.3/2019): response of the Minister for Treasury and Resources. Presented: 9th April 2019. <i>Minister for Treasury and Resources.</i>	S.R.3/2019. Res.

Reducing use of plastics in Jersey (S.R.5/2019): response of the Ministers for Infrastructure and the Environment. S.R.5/2019.
Presented: 26th April 2019. Res.
Minister for Infrastructure.

Review of Estate Management (P.A.C.1/2019): Executive Response. P.A.C.1/2019.
Presented: 11th April 2019. Res.
Public Accounts Committee.

Notification of lodged propositions

Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.17/2019): second amendment. P.17/2019.
Lodged: 10th April 2019. Amd.(2)
Connétable of St. Mary.

Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.17/2019): third amendment. P.17/2019.
Lodged: 15th April 2019. Amd.(3)
Minister for Social Security.

Draft Commissioner for Children and Young People (Jersey) Law 201- (P.18/2019): amendment. P.18/2019.
Lodged: 15th April 2019. Amd.
Chairmen's Committee.

Draft Commissioner for Children and Young People (Jersey) Law 201- (P.18/2019): amendment (P.18/2019 Amd.) – amendment. P.18/2019.
Lodged: 30th April 2019. Amd.Amd.
Minister for Children and Housing.

Draft Access to Justice (Jersey) Law 201- (P.23/2019): amendment. P.23/2019.
Lodged: 16th April 2019. Amd.
Chairmen's Committee.

Climate change emergency: actions to be taken by the Government of Jersey (P.27/2019) – amendment. P.27/2019.
Lodged: 16th April 2019. Amd.
Minister for the Environment.

Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.31/2019) – amendment. P.31/2019.
Lodged: 11th April 2019. Amd.
Connétable of Grouville.

Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment (P.31/2019) – second amendment. P.31/2019.
Lodged: 25th April 2019. Amd.(2)
Deputy J.H. Perchard of St. Saviour.

Le Port Car Park, St. Peter: rescindment of parking restrictions (P.33/2019): amendment. P.33/2019.
Lodged: 11th April 2019. Amd.
Deputy J.M. Maçon of St. Saviour.

Draft Public Employees (Contributory Retirement Scheme) (Compensatory Added Years) (Amendments) (Jersey) Regulations 201-. Lodged: 1st April 2019. <i>States Employment Board.</i>	P.37/2019.
Draft Public Employees (Pension Scheme) (Transitional Provisions, Savings and Consequential Amendments) (Amendment) (Jersey) Regulations 201-. Lodged: 1st April 2019. <i>States Employment Board.</i>	P.38/2019.
Island Plan (revised) 2011: site to be rezoned for Category A housing – Field 632 and part of Field 559, La Route du Manoir, St. Peter. Lodged: 3rd April 2019. <i>Senator K.L. Moore.</i>	P.39/2019.
Island Plan (revised) 2011: site to be rezoned for Category A housing – Field 632 and part of Field 559, La Route du Manoir, St. Peter (P.39/2019) – amendment. Lodged: 4th April 2019. <i>Deputy of St. Martin.</i>	P.39/2019. Amd.
Proposed Government Plan 2020–23: increase in revenue expenditure on the arts, heritage and culture. Lodged: 4th April 2019. <i>Deputy M. Tadier of St. Brelade.</i>	P.40/2019.
Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 7) (Jersey) Regulations 201-. Lodged: 4th April 2019. <i>Minister for the Environment.</i>	P.41/2019.
Commissioners of Appeal for Taxes: appointment. Lodged: 9th April 2019. <i>Minister for Treasury and Resources.</i>	P.42/2019.
Draft Motor Vehicles (Removal from Private Land) (Jersey) Regulations 201-. Lodged: 10th April 2019. <i>Minister for Home Affairs.</i>	P.43/2019.
Draft Taxation (Companies – Economic Substance) (Amendment) (Jersey) Law 201-. Lodged: 11th April 2019. <i>Minister for External Relations.</i>	P.44/2019.
Greville Bathe Fund: appointment of Jurats. Lodged: 16th April 2019. <i>Minister for Treasury and Resources.</i>	P.45/2019.
Reform of the composition and election of the States. Lodged: 23rd April 2019. <i>Privileges and Procedures Committee.</i>	P.46/2019. (re-issue)
Establishment of an elected Speaker. Lodged: 30th April 2019. <i>Senator J.A.N. Le Fondré.</i>	P.47/2019.

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 Access to Justice (Jersey) Law 201- (P.23/2019): amendment.
Lodged: 16th April 2019.
Chairmen’s Committee.

P.23/2019.
Amd.

Economic and International Affairs Scrutiny Panel – appointment of member

In accordance with Standing Order 125(7), the Chairman of the Economic and International Affairs Scrutiny Panel indicated that he wished to increase the membership of the Panel to 5 members, including the Chairman, and nominated Deputy Jessica Harriet Perchard of St. Saviour. There being no other nominations, the Bailiff declared that Deputy Jessica Harriet Perchard of St. Saviour had been duly appointed as a member of the Economic and International Affairs Scrutiny Panel.

Written Questions

(see Official Report/Hansard)

- WQ.175/2019** 1. The Minister for the Environment tabled an updated answer to a question asked by Deputy M.R. Higgins of St. Helier on 26th March 2019, regarding the instances of pollutants in Jersey’s reservoirs and watercourses.
- WQ.178/2019** 2. The Minister for Home Affairs tabled an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the breakdown of costs of the Norfolk Police investigation into the Planning Department.
- WQ.179/2019** 3. H.M. Attorney General tabled an answer to a question asked by Senator S.C. Ferguson regarding the legal provisions which defined the organisational structures of States departments.
- WQ.181/2019** 4. The Minister for Infrastructure tabled an answer to a question asked by the Deputy of St. John regarding the withdrawal of the Number 7A bus service.
- WQ.182/2019** 5. The Minister for Infrastructure tabled an answer to a question asked by the Deputy of St. John regarding the requirement that commercial vehicles be inspected by Driver and Vehicle Standards.
- WQ.183/2019** 6. The Minister for Education tabled an answer to a question asked by Deputy J.H. Perchard of St. Saviour regarding the policies used to assess requests from teachers returning from parental leave to reduce their hours from full-time to part-time.
- WQ.184/2019** 7. The Minister for the Environment tabled an answer to a question asked by Senator K.L. Moore regarding the water quality of boreholes used for residential water consumption.
- WQ.186/2019** 8. The Minister for Infrastructure tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the costs of the bus service for children and students.
- WQ.187/2019** 9. The Minister for Infrastructure tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the condition of States school buildings.
- WQ.188/2019** 10. The Minister for the Environment tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding testing for glyphosate poisoning.

- WQ.189/2019** 11. The Minister for Economic Development, Tourism, Sport and Culture tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the progress made in the development of a productivity plan.
- WQ.190/2019** 12. The Minister for Economic Development, Tourism, Sport and Culture tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding measures to reduce the level of inflation in Jersey.
- WQ.191/2019** 13. The Chairman of the States Employment Board tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding measures to address any social and economic disruption arising from the public sector pay dispute.
- WQ.192/2019** 14. The Minister for Infrastructure tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding incentives to use electric vehicles.
- WQ.193/2019** 15. The Minister for Infrastructure tabled an answer to a question asked by Deputy L.B.E. Ash of St. Clement regarding the temporary closure of Rue de Maupertuis.
- WQ.194/2019** 16. The Minister for the Environment tabled an answer to a question asked by the Connétable of St. Helier regarding Tree Preservation Orders.
- WQ.195/2019** 17. H.M. Attorney General tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding offences committed against children.
- WQ.196/2019** 18. The Minister for Home Affairs tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding prisoners convicted of sexual offences.
- WQ.197/2019** 19. The Minister for Home Affairs tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding investigations into individuals accused of abuse by witnesses during the Independent Jersey Care Inquiry.
- WQ.198/2019** 20. The Minister for Treasury and Resources tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding tax revenue from the rental activity of corporate landlords.
- WQ.199/2019** 21. The Minister for Education tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the amount of printing and photocopying undertaken in the Island's schools.
- WQ.200/2019** 22. The Minister for Treasury and Resources tabled an answer to a question asked by Senator K.L. Moore regarding the transfer of departmental underspends to contingency funding.
- WQ.201/2019** 23. The Chief Minister tabled an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the current status of the Future Hospital project.
- WQ.202/2019** 24. The Minister for External Relations tabled an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding Article 20 of the Dormant Bank Accounts (Jersey) Law 2017.
- WQ.203/2019** 25. The Minister for Health and Social Services tabled an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding Jersey Talking Therapies.
- WQ.204/2019** 26. The Minister for Social Security tabled an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding the consultation undertaken in respect of the Draft Employment (Amendment No. 11) (Jersey) Law 201- (P.17/2019).

- WQ.205/2019** 27. The Minister for Children and Housing tabled an answer to a question asked by Deputy K.G. Pamplin of St. Saviour regarding children currently in the care or protection of the States of Jersey.

Oral Questions

(see Official Report/Hansard)

- OQ.110/2019** 1. Deputy G.J. Truscott of St. Brelade asked a question of the Minister for Infrastructure regarding the construction of the new Les Quennevais School.
- OQ.95/2019** 2. Deputy J.M. Maçon of St. Saviour asked a question of the Chairman of the Comité des Connétables regarding the identification of potential development sites in each Parish.
- OQ.94/2019** 3. Senator K.L. Moore asked a question of the Minister for the Environment regarding his response to the report, 'Jersey's Future Housing Needs'.
- OQ.105/2019** 4. Deputy G.P. Southern of St. Helier asked a question of the Minister for Economic Development, Tourism, Sport and Culture regarding how the productivity plan would assist low-paid sectors of the economy to deal with increases in the minimum wage.
- OQ.112/2019** 5. Deputy K.G. Pamplin of St. Saviour asked a question of the Minister for Health and Social Services regarding the measures being taken to ensure sufficient recruitment to his Department.
- OQ.115/2019** 6. The Connétable of St. Helier asked a question of the Minister for the Environment regarding the recent felling of a tree in Pomona Road, St. Helier.
- OQ.117/2019** 7. Deputy M.R. Higgins of St. Helier asked a question of H.M. Attorney General regarding the proposed protocol relating to the provision of information to the Children's Commissioner which was subject to legal professional privilege.
- OQ.119/2019** 8. The Connétable of St. Martin asked a question of the Assistant Minister for Treasury and Resources regarding appointments to States-owned, or majority-owned, Boards.
- OQ.108/2019** 9. Deputy R.J. Ward of St. Helier asked a question of the Chairman of the States Employment Board regarding the Board's assessment of the present circumstances in respect of recruitment and retention.
- OQ.98/2019** 10. The Deputy of St. Peter asked a question of the Minister for Infrastructure regarding the reported referral to the States of Jersey Police of comments made in relation to the Hospital catering project at St. Peter's Technical Park.
- OQ.102/2019** 11. Deputy K.F. Morel of St. Lawrence asked a question of the Minister for Education regarding the measures taken to address lost school days due to industrial action.
- OQ.97/2019** 12. The Connétable of Grouville asked a question of the Assistant Chief Minister regarding the number of permissions for residency granted each year to High-Value Residents.
- OQ.103/2019** 13. Senator S.C. Ferguson asked a question of the Minister for Infrastructure regarding the provision of a safe location where damaged electric vehicles could be stored temporarily.
- OQ.99/2019** 14. The Deputy of St. John asked a question of the Assistant Minister for Health and Social Services regarding respite care for children with severe special needs.

- OQ.100/2019** 15. The Deputy of St. John asked a question of the Minister for Infrastructure regarding the steps taken to remove polluting traffic from the Island's roads.
- OQ.118/2019** 16. Deputy M.R. Higgins of St. Helier asked a question of the Vice-Chairman of the States Employment Board regarding the policy underpinning the payments made under compromise agreements.
- OQ.113/2019** 17. Deputy K.G. Pamplin of St. Saviour asked a question of the Minister for Infrastructure regarding the measures taken to protect people from attempting to take their own life in possible danger spots.
- OQ.106/2019** 18. Deputy G.P. Southern of St. Helier asked a question of the Minister for Economic Development, Tourism, Sport and Culture regarding the actions taken to control and reduce inflation in the Island.
- OQ.109/2019** 19. Deputy R.J. Ward of St. Helier asked a question of the Chief Minister regarding the partnership agreement signed with the National Association of Schoolmasters Union of Women Teachers (N.A.S.U.W.T.).

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Infrastructure answered questions without notice from members.

The Minister for Health and Social Services answered questions without notice from members.

Arrangement of public business for the present meeting

THE STATES, adopting a proposition of the Minister for Children and Housing, agreed, in accordance with Standing Order 80, to suspend Standing Order 32 in order for the Minister's amendment (P.18/2019 Amd.Amd.) to the amendment of the Chairmen's Committee (P.18.2019 Amd.) to the Draft Commissioner for Children and Young People (Jersey) Law 201- to be listed at the present meeting; and further agreed, in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of the Minister's amendment in order that it might be debated at the present meeting.

Draft Commissioner for Children and Young People (Jersey) Law 201- P.18/2019

THE STATES resumed consideration of the Draft Commissioner for Children and Young People (Jersey) Law 201- (P.18/2019), the principles having been adopted on 27th March 2019, and adopted Articles 1 to 7.

THE STATES, commencing consideration of Article 8, commenced consideration of an amendment of the Chairmen's Committee (P.18/2019 Amd.) and, adopting an amendment of the Minister for Children and Housing (P.18/2019 Amd.Amd.), agreed that in the text of Article 8, as substituted by the amendment of the Chairmen's Committee –

- (a) in paragraph (1), for "A relevant authority" there should be substituted "Subject to the following provisions of this Article, a relevant authority";
- (b) for paragraphs (3) to (5) there should be substituted –

- “(3) A relevant authority that is not a public authority need not supply to the Commissioner, under paragraph (1), any information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- (4) Subject to paragraph (5), a relevant authority need not supply to the Commissioner under paragraph (1), any information that is, or relates to, advice by the Attorney General or the Solicitor General where the Attorney General has determined that in all the circumstances of the case, the public interest in supplying the information is outweighed by the public interest in not doing so.
- (5) Despite determining that the public interest in supplying the information referred to in paragraph (4) is outweighed by the public interest in not doing so, the Attorney General may supply the information requested to the Commissioner, after first consulting the relevant authority concerned.
- (6) A relevant authority may, despite not receiving any request from the Commissioner to supply information for the purposes of the discharge of his or her functions under any of Articles 4 and 5, supply any such information it holds to the Commissioner provided that –
- (a) it is lawfully able to do so; or
 - (b) in the case of information referred to in paragraph (4), the Attorney General has determined that it is in the public interest to supply it.
- (7) Nothing in this Article is intended to limit the operation of the Freedom of Information Law or to prevent the Commissioner from making a request for information under that Law.
- (8) Information supplied by a relevant authority under paragraph (1) must be supplied in such manner and within such period as the Commissioner may reasonably specify.
- (9) The States may, by Regulations, amend this Article for the purpose of making further provision about the supply of information to the Commissioner.”.

THE STATES, adopting the amendment of the Chairmen’s Committee, as amended, agreed that for the text of Article 8, there should be substituted the following text –

- “(1) Subject to the following provisions of this Article, a relevant authority must supply the Commissioner with such information in that authority’s possession as the Commissioner may reasonably request for the purposes of the discharge of the Commissioner’s functions under Articles 4 (primary function of the Commissioner) and 5 (general functions of the Commissioner).
- (2) The information supplied must be information which that relevant authority would, apart from paragraph (1), lawfully be able to disclose to the Commissioner.
- (3) A relevant authority that is not a public authority need not supply to the Commissioner, under paragraph (1), any information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- (4) Subject to paragraph (5), a relevant authority need not supply to the Commissioner under paragraph (1), any information that is, or relates to, advice by the Attorney General or the Solicitor General where the Attorney General has determined that in all the circumstances of the case, the public interest in supplying the information is outweighed by the public interest in not doing so.
- (5) Despite determining that the public interest in supplying the information referred to in paragraph (4) is outweighed by the public interest in not doing so, the Attorney General may

- supply the information requested to the Commissioner, after first consulting the relevant authority concerned.
- (6) A relevant authority may, despite not receiving any request from the Commissioner to supply information for the purposes of the discharge of his or her functions under any of Articles 4 and 5, supply any such information it holds to the Commissioner provided that –
- (a) it is lawfully able to do so; or
 - (b) in the case of information referred to in paragraph (4), the Attorney General has determined that it is in the public interest to supply it.
- (7) Nothing in this Article is intended to limit the operation of the Freedom of Information Law or to prevent the Commissioner from making a request for information under that Law.
- (8) Information supplied by a relevant authority under paragraph (1) must be supplied in such manner and within such period as the Commissioner may reasonably specify.
- (9) The States may, by Regulations, amend this Article for the purpose of making further provision about the supply of information to the Commissioner.”.

THE STATES adopted Article 8, as amended.

Members present voted as follows –

POUR: 47

CONTRE: 1

ABSTAIN: 0

Senator I.J. Gorst
 Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator T.A. Vallois
 Senator K.L. Moore
 Senator S.W. Pallett
 Senator S.Y. Mézec
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 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 M. Tadier (B)

Deputy S.M. Wickenden (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 J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

THE STATES commenced consideration of Articles 9 to 32 and the Schedule and, adopting an amendment of the Minister for Children and Housing (P.18/2019 Amd.Amd.) to Article 12, agreed that in Article 12(7), for “Article 8(3) or (6)” there should be substituted “Article 8(2), (3) or (4)”.

THE STATES, adopted Articles 9 to 32, as amended, and the Schedule.

Members present voted as follows –

POUR: 49

CONTRE: 0

ABSTAIN: 0

Senator I.J. Gorst
 Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator T.A. Vallois
 Senator K.L. Moore
 Senator S.W. Pallett
 Senator S.Y. Mézec
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 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 S.M. Wickenden (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 J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Commissioner for Children and Young People (Jersey) Law 201-.

Members present voted as follows –

POUR: 47

CONTRE: 0

ABSTAIN: 1

Senator I.J. Gorst
 Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator T.A. Vallois
 Senator K.L. Moore
 Senator S.W. Pallett
 Senator S.Y. Mézec
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)

Deputy M. Tadier (B)

Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (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 J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

Draft Public Finances (Jersey) Law 201- P.28/2019

THE STATES commenced consideration of the Draft Public Finances (Jersey) Law 201- and adopted the principles.

POUR: 36

Senator I.J. Gorst
 Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator T.A. Vallois
 Senator K.L. Moore
 Senator S.W. Pallett
 Senator S.Y. Mézec
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy of St. Mary
 Deputy G.J. Truscott (B)

CONTRE: 13

Connétable of St. Helier
 Connétable of St. Saviour
 Deputy G.P. Southern (H)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy K.F. Morel (L)
 Deputy of St. John
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy I. Gardiner (H)

ABSTAIN: 0

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 M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)
 Deputy K.G. Pamplin (S)

THE STATES, having been informed by the Chairman of the Corporate Services Scrutiny Panel that, in accordance with the provisions of Standing Order 72(1), she wished to have the Draft Public Finances (Jersey) Law 201- referred to that Scrutiny Panel, agreed that, in accordance with the provisions of Standing Order 72(6), the 2nd reading of the draft Law should be listed to continue on 4th June 2019.

Draft Explosives (Amendment) (Jersey) Law 201- P.21/2019

THE STATES commenced consideration of the Draft Explosives (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 18.

Members present voted as follows –

POUR: 43

CONTRE: 0

ABSTAIN: 0

Senator I.J. Gorst
 Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 Senator T.A. Vallois
 Senator K.L. Moore
 Senator S.W. Pallett
 Senator S.Y. Mézec
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy K.C. Lewis (S)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy L.M.C. Doublet (S)
 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 J.H. Perchard (S)
Deputy R.J. Ward (H)
Deputy C.S. Alves (H)
Deputy K.G. Pamplin (S)
Deputy I. Gardiner (H)

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

Draft Access to Justice (Jersey) Law 201- P.23/2019

THE STATES commenced consideration of the Draft Access to Justice (Jersey) Law 201-.

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(a), Senator Kristina Louise Moore declared an interest and withdrew from the Chamber for the duration of the debate.

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(c), the Deputy of St. Mary declared an interest, but remained in the Chamber for the duration of the debate.

Changes in Presidency

The Bailiff retired from the Chamber prior to consideration of the Draft Access to Justice (Jersey) Law 201- and the meeting continued under the presidency of Dr. Mark Egan, Greffier of the States.

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 1st May 2019 to continue consideration of the Draft Access to Justice (Jersey) Law 201- and other outstanding items of public business.

THE STATES rose at 5.29 p.m.

L.-M. HART

Deputy Greffier of the States