



**THE STATES assembled on Tuesday  
10th March 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 – ill  
Connétable Sadie Anthea Le Sueur-Rennard of St. Saviour – ill  
Deputy Judith Ann Martin of St. Helier – en défaut  
Deputy Michael Roderick Higgins of St. Helier – ill

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Prayers read by the Deputy Greffier of the States

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#### **H.M. Solicitor General – forthcoming appointment**

The Bailiff advised the Assembly that Government House had announced that Her Majesty The Queen had approved the appointment of Advocate Mark Temple as H.M. Solicitor General when the present Solicitor General, Mr. Howard Sharp, Q.C., left office later in 2015.

#### **Youth Assembly 2015**

The Bailiff advised the Assembly that the Youth Assembly 2015 would take place in the States Chamber on Tuesday 17th March 2015 and members were invited to attend.

#### **Subordinate enactments tabled**

The following enactments were tabled, namely –

Community Provisions (Maintaining a Freeze of Funds in Relation to Mr. Milosevic and Associated Persons) (Revocation) (Jersey) Order 2015. R&O.22/2015.  
*Minister for External Relations.*

EU Legislation (Sanctions – Iran) (Jersey) Order 2015. R&O.23/2015.  
*Minister for External Relations.*

Social Security, Health Insurance and Income Support (Miscellaneous Provisions) (Jersey) Order 2015. R&O.24/2015.  
*Minister for Social Security.*

Terrorism (Proscribed Organizations) (Amendment No. 9) (Jersey) Order 2015. R&O.25/2015.  
*Minister for Home Affairs.*

**Documents presented or laid**

Jersey Advisory and Conciliation Service: Annual Report 2014. Presented: 25th February 2015. <i>Minister for Social Security.</i>	R.19/2015.
Jersey Police Complaints Authority: report for 2014. Presented: 2nd March 2015. <i>Minister for Home Affairs.</i>	R.20/2015.
Land Transactions under Standing Order 168(3) – 24 St. Mark’s Road (former Adolescent Centre), St. Helier – proposed sale. Presented: 3rd March 2015. <i>Minister for Treasury and Resources.</i>	R.21/2015.
States of Jersey Law 2005: delegation of functions – Home Affairs – Assistant Minister. Presented: 9th March 2015. <i>Minister for Home Affairs.</i>	R.22/2015.
Criminal Injuries Compensation Board: Report and Accounts for 2014. Presented: 10th March 2014. <i>Minister for Home Affairs.</i>	R.23/2015.
States of Jersey Complaints Board: findings – complaint against the Minister for Economic Development regarding the enforcement of a contract to use facilities at Bouley Bay. Presented: 10th March 2015. <i>Privileges and Procedures Committee.</i>	R.24/2015.
Fiscal Policy Panel Pre-MTFP Report: January 2015 – response of the Minister for Treasury and Resources. Presented: 10th March 2015. <i>Minister for Treasury and Resources.</i>	R.25/2015.
Sunstone Holdings Ltd. and De Lec Ltd. – <i>ex gratia</i> payments to investors (P.90/2013) – further report of the Council of Ministers. Presented: 10th March 2015. <i>Council of Ministers.</i>	R.26/2015.
Land Transactions under Standing Order 168(3) – (a) A34 Albert Pier, St. Helier (St. Helier R.N.L.I. Lifeboat Station) – lease; (b) A17A and A17B Albert Pier, St. Helier – lease; (c) Warehouse Units and Yard known as Cargo Centre, Jersey Airport, St. Peter – lease. Presented: 10th March 2015. <i>Minister for Treasury and Resources.</i>	R.27/2015.
Members’ areas and facilities within the States Building: conditions of use. Presented: 10th March 2015. <i>Privileges and Procedures Committee.</i>	R.28/2015.

**Notification of lodged propositions**

Gas Tariffs: reduction (P.18/2015) – second amendment. Lodged: 26th February 2015. <i>Deputy S.Y. Mézec of St. Helier.</i>	P.18/2015. Amd.(2)
Committee of Inquiry: Historical Child Abuse – additional funding (P.20/2015) – amendment. Lodged: 10th March 2015. <i>Deputy M. Tadier of St. Brelade.</i>	P.20/2015. Amd.
Ratification of the Agreement between the Government of the United States of America and the Government of Jersey regarding the sharing of confiscated or forfeited assets or their equivalent funds. Lodged: 3rd March 2015. <i>Chief Minister.</i>	P.26/2015.
Draft Strategic Plan 2015 – 2018. Lodged: 6th March 2015. <i>Council of Ministers.</i>	P.27/2015.
Deregulation Bill: application of certain provisions to Jersey. Lodged: 9th March 2015. <i>Chief Minister.</i>	P.28/2015.

**Planning Applications Committee – appointment of Chairman**

In accordance with the provisions of Standing Order 120AA(1), the following nomination was made –

Connétable Juliette Gallichan of St. Mary was nominated by Connétable Leonard Norman of St. Clement.

There being no other nominations, the Bailiff announced that Connétable Juliette Gallichan of St. Mary had been duly appointed as the Chairman of the Planning Applications Committee in accordance with Standing Order 120AA(2) of the Standing Orders of the States of Jersey.

**Written Questions**

*(see Official Report/Hansard)*

The Minister for Home Affairs tabled an answer to a question asked by the Deputy of Grouville regarding harassment.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding e-Government.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding tax evasion.

The Chief Minister tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding funding of the Independent Jersey Care Inquiry.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy L.M.C. Doublet of St. Saviour regarding the recruitment and retention of teachers.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the department's suspension policy.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding traffic improvements on Longueville Road.

The Minister for Social Security tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding deductions from Income Support.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding 'Locate Jersey'.

The Chief Minister tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding expenditure in relation to the Independent Jersey Care Inquiry.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding parking fines on private land.

The Chairman of the Privileges and Procedures Committee tabled an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the election process.

The Chief Minister tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding data protection legislation.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding a grant to the Jersey Maritime Trust.

The Chief Minister tabled an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding funding to Jersey Finance.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding energy efficiency ratings.

The Minister for Social Security tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the transfer of seriously-ill residents to their jurisdictions of birth.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding Long-Term Incapacity Allowance.

The Chief Minister tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding economic growth.

The Minister for Social Security tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the Discrimination Law.

H.M. Attorney General tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding enforcement actions.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the delivery of primary health care.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding unauthorised absences from school, the answer having been deferred from the meeting of 24th February 2015 at the Minister's request.

### **Oral Questions**

*(see Official Report/Hansard)*

Deputy M. Tadier of St. Brelade asked a question of the Minister for Planning and Environment regarding energy efficiency rating systems.

Deputy S.Y. Mézec of St. Helier asked a question of the Minister for Education, Sport and Culture regarding student loans.

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding corruption cases investigated by the Metropolitan Police.

Deputy A.D. Lewis of St. Helier asked a question of the Minister for Social Security regarding drug prescriptions.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Social Security regarding Income Support rental reductions.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding training for 'Back to Work' officers.

Deputy S.Y. Mézec of St. Helier asked a question of the Chief Minister regarding the implementation of e-Government.

### **Oral Questions without notice**

*(see Official Report/Hansard)*

The Minister for Transport and Technical Services answered questions without notice from members.

The Minister for Home Affairs answered questions without notice from members.

### **Statements on a matter of official responsibility**

*(see Official Report/Hansard)*

The Chief Minister made a statement concerning P.90/2013 'Sunstone Holdings Ltd. and De Lec Ltd. – *ex gratia* payments to investors'.

### **Draft Loi (1914) sur la Voirie (Amendment) (Jersey) Regulations 201- P.4/2015**

THE STATES commenced consideration of the Draft Loi (1914) sur la Voirie (Amendment) (Jersey) Regulations 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 Regulations 1 and 2.

THE STATES, in pursuance of the Order in Council of 26th December 1851 and Article 47 of the Loi (1914) sur la Voirie, made Regulations entitled the Loi (1914) sur la Voirie (Amendment) (Jersey) Regulations 2015.

**Public Holidays: designation of Friday 8th May 2015 P.11/2015**

THE STATES rejected a proposition of Deputy Samuel Yves Mézec of St. Helier that Friday 8th May 2015 be designated as a public holiday.

Members present voted as follows –

**POUR: 9**

Deputy G.P. Southern (H)  
Deputy of Grouville  
Deputy M. Tadier (B)  
Deputy J.M. Maçon (S)  
Deputy S.Y. Mézec (H)  
Deputy A.D. Lewis (H)  
Deputy L.M.C. Doublet (S)  
Deputy R. Labey (H)  
Deputy P.D. McLinton (S)

**CONTRE: 33**

Senator A.J.H. Maclean  
Senator I.J. Gorst  
Senator P.M. Bailhache  
Senator A.K.F. Green  
Senator Z.A. Cameron  
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. Martin  
Connétable of Grouville  
Connétable of St. John  
Connétable of Trinity  
Deputy J.A. Hilton (H)  
Deputy J.A.N. Le Fondré (L)  
Deputy of Trinity  
Deputy K.C. Lewis (S)  
Deputy E.J. Noel (L)  
Deputy of St. John  
Deputy S.J. Pinel (C)  
Deputy of St. Martin  
Deputy R.G. Bryans (H)  
Deputy of St. Peter  
Deputy R.J. Rondel (H)  
Deputy of St. Ouen  
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)

**ABSTAIN: 0**

**Jersey Overseas Aid Commission: re-appointment of Commissioner P.12/2015**

THE STATES, adopting a proposition of the Jersey Overseas Aid Commission, approved, in accordance with Clause 7.4 of the Constitution of the Jersey Overseas Aid Commission as set out in Schedule 1 to the Jersey Overseas Aid Commission (Jersey) Law 2005, the re-appointment of Mrs. Toni Roberts as a non-States Commissioner for a further period of 3 years.

**Draft Act annulling the Road Traffic (Public Parking Places – Charges) (Amendment No. 6) (Jersey) Order 2015 P.14/2015**

THE STATES rejected a proposition of Deputy Geoffrey Peter Southern of St. Helier requesting the States to adopt an Act annulling the Road Traffic (Public Parking Places – Charges) (Amendment No. 6) (Jersey) Order 2015.

Members present voted as follows –

**POUR: 9**

Connétable of St. John  
Deputy G.P. Southern (H)  
Deputy of Grouville  
Deputy M. Tadier (B)  
Deputy S.Y. Mézec (H)  
Deputy L.M.C. Doublet (S)  
Deputy R. Labey (H)  
Deputy S.M. Brée (C)  
Deputy of St. Mary

**CONTRE: 30**

Senator A.J.H. Maclean  
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. Lawrence  
Connétable of St. Mary  
Connétable of St. Ouen  
Connétable of St. Martin  
Connétable of Grouville  
Connétable of Trinity  
Deputy J.A. Hilton (H)  
Deputy of Trinity  
Deputy E.J. Noel (L)  
Deputy of St. John  
Deputy J.M. Maçon (S)  
Deputy S.J. Pinel (C)  
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 M.J. Norton (B)  
Deputy T.A. McDonald (S)  
Deputy G.J. Truscott (B)  
Deputy P.D. McLinton (S)

**ABSTAIN: 0**

**Jersey Police Complaints Authority: appointment of new members P.15/2015**

THE STATES, adopting a proposition of the Minister for Home Affairs, approved, in accordance with Article 2 of, and the Schedule to, the Police (Complaints and Discipline) (Jersey) Law 1999, the appointment of the following persons as members of the Jersey Police Complaints Authority for a period of 3 years –

Mr. Duncan Baxter  
Miss Allana Binnie  
Mrs. Gail McCourt  
Ms. Debbie Sebire

**Draft Financial Services Ombudsman (Jersey) Law 2014 (Appointed Day) (No. 2) Act 201-  
P.17/2015**

THE STATES, in pursuance of Article 27 of the Financial Services Ombudsman (Jersey) Law 2014, made an Act entitled the Financial Services Ombudsman (Jersey) Law 2014 (Appointed Day) (No. 2) Act 2015.

**Draft Proceeds of Crime (Financial Intelligence) (Jersey) Regulations 201- P.6/2015**

THE STATES commenced consideration of the Draft Proceeds of Crime (Financial Intelligence) (Jersey) Regulations 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 Regulations 1 to 6.

THE STATES, adopting the following amendments of the Chief Minister, agreed that –

In Regulation 7, for the words “immediately following the commencement of the Proceeds of Crime (Amendment) (Financial Intelligence) (Jersey) Law 201-”, there should be substituted the words “on the day after the day on which they are adopted”.

THE STATES adopted Regulation 7, as amended.

THE STATES, in pursuance of Articles 41B and 42A of the Proceeds of Crime (Jersey) Law 1999, made Regulations entitled the Proceeds of Crime (Financial Intelligence) (Jersey) Regulations 2015.

**Changes in Presidency**

The Bailiff retired from the Chamber prior to the consideration of the Draft Foundations (Amendment of Law) (Jersey) Regulations 201- (P.21/2015) and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, O.B.E., Greffier of the States.

**Draft Foundations (Amendment of Law) (Jersey) Regulations 201- P.21/2015**

THE STATES commenced consideration of the Draft Foundations (Amendment of Law) (Jersey) Regulations 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 Regulations 1 to 4.

THE STATES, in pursuance of Article 52 of the Foundations (Jersey) Law 2009, made Regulations entitled the Foundations (Amendment of Law) (Jersey) Regulations 2015.

#### **Draft Proceeds of Crime (Amendment of Law) (Jersey) Regulations 201- P.22/2015**

THE STATES commenced consideration of the Proceeds of Crime (Amendment of Law) (Jersey) Regulations 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 Regulations 1 and 2.

THE STATES, in pursuance of Article 1(9) of the Proceeds of Crime (Jersey) Law 1999, made Regulations entitled the Proceeds of Crime (Amendment of Law) (Jersey) Regulations 2015.

#### **Draft Terrorism (Amendment No. 4) (Jersey) Law 201- P.23/2015**

THE STATES commenced consideration of the Draft Terrorism (Amendment No. 4) (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.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Terrorism (Amendment No. 4) (Jersey) Law 201-.

#### **Changes in Presidency**

Mr. Michael Nelson de la Haye, O.B.E., Greffier of the States, retired from the Chair during consideration of the Draft Terrorism (Amendment No. 4) (Jersey) Law 201- (P.23/2015) and the meeting continued under the Presidency of the Bailiff.

#### **Draft Terrorist Asset-Freezing (Amendment of Law) (Jersey) Regulations 201- P.16/2015**

THE STATES commenced consideration of the Draft Terrorist Asset-Freezing (Amendment of Law) (Jersey) Regulations 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 Regulations 1 to 3.

THE STATES, in pursuance of Article 40 of the Terrorist Asset-Freezing (Jersey) Law 2011, made Regulations entitled the Terrorist Asset-Freezing (Amendment of Law) (Jersey) Regulations 2015.

**External Relations: Report for the period September 2013 to January 2015**

THE STATES, adopting the proposition of the Minister for External Relations, then resolved to sit in committee, in order to discuss the Report entitled 'External Relations: Report for the period September 2013 to January 2015' (R.15/2015).

**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) –

**24th March 2015**

Draft Video Recordings (Amendment) (Jersey) Law 201-. P.10/2015.  
Lodged: 28th January 2015.  
*Minister for Economic Development.*

Gas Tariffs: reduction. P.18/2015.  
Lodged: 17th February 2015.  
*Deputy G.P. Southern of St. Helier.*

Gas Tariffs: reduction (P.18/2015) – amendment. P.18/2015.  
Lodged: 24th February 2015. Amd.  
*Deputy G.P. Southern of St. Helier.*

Gas Tariffs: reduction (P.18/2015) – second amendment. P.18/2015.  
Lodged: 26th February 2015. Amd.(2)  
*Deputy S.Y. Mézec of St. Helier.*

Committee of Inquiry: Historical Child Abuse – additional funding. P.20/2015.  
Lodged: 24th February 2015.  
*Chief Minister.*

Committee of Inquiry: Historical Child Abuse – additional funding (P.20/2015) – amendment. P.20/2015.  
Lodged: 10th March 2015. Amd.  
*Deputy M. Tadier of St. Brelade.*

Draft Amendment (No. 28) of the Standing Orders of the States of Jersey. P.24/2015.  
Lodged: 24th February 2015.  
*Chief Minister.*

**14th April 2015**

Criminal Injuries Compensation Scheme: revised Scheme. P.13/2015.  
Lodged: 5th February 2015.  
*Minister for Home Affairs.*

Draft Shipping (Fishing Vessels Safety Codes of Practice) (Jersey) Regulations 201-. P.19/2015.  
Lodged: 17th February 2015.  
*Minister for Economic Development.*

Draft Crown Advocates (Amendment) (Jersey) Law 201-. P.25/2015.  
Lodged: 24th February 2015.  
*Chief Minister.*

Ratification of the Agreement between the Government of the United States of P.26/2015.  
America and the Government of Jersey regarding the sharing of confiscated or  
forfeited assets or their equivalent funds.  
Lodged: 3rd March 2015.  
*Chief Minister.*

**28th April 2015**

Draft Air and Sea Ports (Incorporation) (Jersey) Law 201-. P.5/2015.  
Lodged: 15th January 2015.  
*Council of Ministers.*

Draft Strategic Plan 2015 – 2018. P.27/2015.  
Lodged: 6th March 2015.  
*Council of Ministers.*

Deregulation Bill: application of certain provisions to Jersey. P.28/2015.  
Lodged: 9th March 2015.  
*Chief Minister.*

THE STATES rose at 4.17 p.m.

**L.-M. HART**

*Deputy Greffier of the States*

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**Re-issue Note**

These States Minutes are re-issued due to an error made in several places relating to Regulations and the Appointed Day Act that were adopted, where in each case the Minutes as originally produced cited the adopted legislation with the year “2014” instead of “2015”.