



**THE STATES assembled on Tuesday  
13th May 2014, at 09.30 a.m. under  
the Presidency of the Bailiff,  
Sir Michael Birt.**

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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 Alan John Henry Maclean – absent on States business  
Senator Ian Joseph Gorst – absent on States business  
Connétable Deirdre Wendy Mezbourian of St. Lawrence – en défaut  
Connétable Sadie Anthea Rennard of St. Saviour – en défaut (défaut raised at 9.40 a.m.)  
Deputy James Patrick Gorton Baker of St. Helier – en défaut (défaut raised at 10.22 a.m.)  
Deputy Kristina Louise Moore of St. Peter – ill

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Prayers

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#### **Liberation Day – thanks**

The Bailiff, on behalf of all members, thanked those involved in the organisation of the recent Liberation Day celebrations.

#### **Deputy Greffier of the States – oath of office**

The Bailiff administered the oath of office to the newly appointed Deputy Greffier of the States, Mrs. Lisa-Marie Hart, née Duhamel.

#### **Subordinate enactments tabled**

The following enactments were tabled, namely –

Community Provisions (Restrictive Measures – Ukraine) (Amendment No. 4) (Jersey) Order 2014. R&O.42/2014.  
*Minister for External Relations.*

Long-Term Care (Benefits) (Jersey) Order 2014. R&O.43/2014.  
*Minister for Social Security.*

Income Support (General Provisions) (Amendment No. 14) (Jersey) Order 2014. R&O.44/2014.  
*Minister for Social Security.*

Immigration (Fees) (Amendment No. 4) (Jersey) Order 2014. R&O.45/2014.  
*Minister for Home Affairs.*

**Documents presented or laid**

Waste Water Strategy (P.39/2014): comments. Presented: 12th May 2014. <i>Environment Scrutiny Panel.</i>	P.39/2014. Com.
Goods and Services Tax: exemption or zero-rating for health foods (P.81/2011) – response of the Minister for Health and Social Services. Presented: 7th May 2014. <i>Minister for Health and Social Services.</i>	R.60/2014.
Skills for Success: A Skills Strategy for Jersey. Presented: 7th May 2014. <i>Minister for Education, Sport and Culture.</i>	R.61/2014.
Channel Islands Competition and Regulatory Authorities: Annual Report 2013. Presented: 7th May 2014. <i>Minister for Economic Development.</i>	R.62/2014.
Land Transactions under Standing Order 168(3) – (a) West Park Bunker and Store and adjacent Ground site, Promenade, St. Helier – lease; (b) Le Port, La Grande Route des Mielles, St. Peter – lease of White Hut; (c) Brunel House, Old Street, St. Helier – proposed 9 year lease. Presented: 7th May 2014. <i>Minister for Treasury and Resources.</i>	R.63/2014.
Land Transactions under Standing Order 168(3) – Les Landes Bunkers and Model Airfield, St. Ouen – lease. Presented: 13th May 2014. <i>Minister for Treasury and Resources.</i>	R.64/2014.
Public Sector Pension Reform. Presented: 12th May 2014. <i>Corporate Services Scrutiny Panel.</i>	S.R.4/2014.

**Notification of lodged propositions**

Island Plan 2011: revised draft revision – approval (P.37/2014) – fifth amendment. Lodged: 6th May 2014. <i>Senator F. du H. Le Gresley.</i>	P.37/2014. Amd.(5)
Island Plan 2011: revised draft revision – approval (P.37/2014) – sixth amendment. Lodged: 6th May 2014. <i>Deputy J.H. Young of St. Brelade.</i>	P.37/2014. Amd.(6)
Island Plan 2011: revised draft revision – approval (P.37/2014) – seventh amendment. Lodged: 6th May 2014. <i>Deputy J.H. Young of St. Brelade.</i>	P.37/2014. Amd.(7)

Island Plan 2011: revised draft revision – approval (P.37/2014) – eighth amendment. Lodged: 6th May 2014. <i>Deputy J.H. Young of St. Brelade.</i>	P.37/2014. Amd.(8)
Island Plan 2011: revised draft revision – approval (P.37/2014) – ninth amendment. Lodged: 6th May 2014. <i>Deputy J.H. Young of St. Brelade.</i>	P.37/2014. Amd.(9)
Island Plan 2011: revised draft revision – approval (P.37/2014) – tenth amendment. Lodged: 6th May 2014. <i>Deputy J.H. Young of St. Brelade.</i>	P.37/2014. Amd.(10)
Island Plan 2011: revised draft revision – approval (P.37/2014) – eleventh amendment. Lodged: 6th May 2014. <i>Minister for Economic Development.</i>	P.37/2014. Amd.(11)
Ratification of the Agreement between the Government of the United Kingdom and Northern Ireland and the Government of Jersey to improve international tax compliance. Lodged: 6th May 2014. <i>Chief Minister.</i>	P.66/2014.
Draft Taxation (Implementation) (International Tax Compliance) (United Kingdom) (Jersey) Regulations 201-. Lodged: 6th May 2014. <i>Chief Minister.</i>	P.67/2014.
Ratification of the Agreement between the Government of the United States of America and the Government of Jersey to improve international tax compliance and to implement FATCA. Lodged: 6th May 2014. <i>Chief Minister.</i>	P.68/2014.
Draft Taxation (Implementation) (International Tax Compliance) (United States of America) (Jersey) Regulations 201-. Lodged: 6th May 2014. <i>Chief Minister.</i>	P.69/2014.
Draft Income Support (Special Payments) (Long-Term Care) (Jersey) Regulations 201-. Lodged: 6th May 2014. <i>Minister for Social Security.</i>	P.70/2014.
Draft Income Support (Amendment No. 11) (Jersey) Regulations 201-. Lodged: 6th May 2014. <i>Minister for Social Security.</i>	P.71/2014.
Draft Social Housing (Transfer) (Jersey) Law 2013 (Appointed Day) Act 201-. Lodged: 7th May 2014. <i>Minister for Housing.</i>	P.72/2014.

Draft Social Security (Amendment of Law No. 7) (Jersey) Regulations 201-. P.73/2014.  
Lodged: 8th May 2014.  
*Minister for Social Security.*

Draft Community Provisions (Food Supplements) (Jersey) Regulations 201-. P.74/2014.  
Lodged: 8th May 2014.  
*Minister for Health and Social Services.*

Draft Community Provisions (Nutrition and Health Claims on Foods) (Jersey) P.75/2014.  
Regulations 201-.  
Lodged: 8th May 2014.  
*Minister for Health and Social Services.*

Draft Shops (Regulation of Opening) (Amendment) (Jersey) Regulations 201-. P.76/2014.  
Lodged: 12th May 2014.  
*Minister for Economic Development.*

### **Written Questions**

*(see Official Report/Hansard)*

The Minister for Treasury and Resources tabled an answer to a question asked by the Connétable of St. John regarding taxation received for 2012 and 2013.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding support for local fishermen.

H.M. Attorney General tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding legislation regarding entry to restaurants and pubs for a person accompanied by a guide dog.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding statistics of those failing to actively seek work.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding results of ONS data on zero-hours contracts in the United Kingdom.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the monitoring of trawling.

### **Oral Questions**

*(see Official Report/Hansard)*

Deputy G.C.L. Baudains of St. Clement asked a question of the Chief Minister regarding the number of parking spaces provided at Cyril Le Marquand House.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Health and Social Services regarding Le Geyt Centre Day Services.

Deputy S.S.P.A. Power of St. Brelade asked a question of the Assistant Minister for Treasury and Resources regarding the serving of disconnection notices by Jersey Water following non-payment of utility bills.

The Connétable of St. John asked a question of the Minister for Treasury and Resources regarding the impact of the recent Royal Court decision in the action between the Minister, the States of Jersey Development Company and Harcourt and others on the development of the Esplanade Quarter.

Deputy J.A.N. Le Fondré of St. Lawrence asked a question of the Chief Minister regarding the publication of the Dame Heather Steel report.

Deputy M.R. Higgins of St. Helier asked a question of the Chief Minister regarding the introduction of the Freedom of Information (Jersey) Law 2011 in the Island from January 2015.

Deputy J.H. Young of St. Brelade asked a question of the Minister for Treasury and Resources regarding the consequences of the loss of the proposed anchor tenant of the Jersey International Finance Centre.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the potential adoption of the United Kingdom's approach to zero-hours contracts for those job-seekers on universal credit.

Deputy M.R. Higgins of St. Helier asked a question of the Minister for Treasury and Resources regarding the amount of tax paid by non-finance and utility companies.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Housing regarding the transfer of £1 billion housing stock from the States to Andium Homes.

Deputy M. Tadier of St. Brelade asked a question of the Chairman of the Comité des Connétables regarding revised procedures for Senatorial hustings meetings.

Deputy J.H. Young of St. Brelade asked a question of the Minister for Treasury and Resources regarding the introduction of a charge on properties connected to the main drainage system as a means of financing the cost of replacing and updating the public sewer network.

### **Oral Questions without notice**

*(see Official Report/Hansard)*

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

The Minister for Treasury and Resources answered questions without notice from members.

### **Draft European Union Legislation (Implementation) (Jersey) Law 201- P.164/2013**

THE STATES resumed consideration of the Draft European Union Legislation (Implementation) (Jersey) Law 201-, having commenced consideration at their meeting of 4th February 2014, 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 8 and the Schedules.

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

Members present voted as follows –

**POUR: 37****CONTRE: 0****ABSTAIN: 0**

Senator P.F. Routier  
Senator P.F.C. Ozouf  
Senator A. Breckon  
Senator S.C. Ferguson  
Senator B.I. Le Marquand  
Senator F. du H. Le Gresley  
Senator L.J. Farnham  
Senator P.M. Bailhache  
Connétable of St. Helier  
Connétable of St. Peter  
Connétable of St. Mary  
Connétable of St. Ouen  
Connétable of St. Martin  
Connétable of St. Saviour  
Connétable of Grouville  
Deputy R.C. Duhamel (S)  
Deputy R.G. Le Hérissier (S)  
Deputy J.A. Martin (H)  
Deputy of St. Ouen  
Deputy J.A. Hilton (H)  
Deputy J.A.N. Le Fondré (L)  
Deputy of Trinity  
Deputy S.S.P.A. Power (B)  
Deputy E.J. Noel (L)  
Deputy A.K.F. Green (H)  
Deputy J.M. Maçon (S)  
Deputy G.C.L. Baudains (C)  
Deputy of St. John  
Deputy J.P.G. Baker (H)  
Deputy J.H. Young (B)  
Deputy S.J. Pinel (C)  
Deputy of St. Mary  
Deputy of St. Martin  
Deputy R.G. Bryans (H)  
Deputy R.J. Rondel (H)  
Deputy N.B. Le Cornu (H)  
Deputy S.Y. Mézec (H)

**Health and Safety Appeal Tribunal: re-appointment of Chairman P.25/2014**

THE STATES, adopting a proposition of the Minister for Social Security, agreed to re-appoint Mr. Philip William Syvret, LL.B. Hons. (Lond.), Solicitor, as Chairman of the Health and Safety Appeal Tribunal, in pursuance of Article 17 of the Health and Safety at Work (Jersey) Law 1989 and the Health and Safety at Work (Appeal Tribunal) (Jersey) Regulations 1989, for a period of 3 years commencing 1st May 2014.

**Draft Passports (False Statements and Forgery) (Jersey) Law 201- P.14/2014**

THE STATES commenced consideration of the Draft Passports (False Statements and Forgery) (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, commenced consideration of Article 1, and, adopting an amendment of the Minister for Home Affairs, agreed that in Article 1 the definition of “police officer” should be omitted.

THE STATES adopted Article 1 as amended.

THE STATES commenced consideration of Article 2, and, adopting an amendment of the Minister for Home Affairs, agreed that in Article 2 –

- (a) for the heading to Article 2, there should be substituted –

**“Offences of dishonesty in relation to applications for passports”;**

- (b) for paragraph (1), there should be substituted –

“(1) This Article applies where an application is made, or is purported to be made, for the purpose of obtaining or renewing a United Kingdom passport.”;

- (c) in paragraph (2), for the words “if the person” there should be substituted the words “if any person”;

- (d) in sub-paragraphs (2)(a) and (2)(c), the words “or recklessly” should be omitted.

THE STATES adopted Article 2, as amended.

THE STATES adopted Articles 3 to 10.

Members present voted as follows –

**POUR: 34**

**CONTRE: 0**

**ABSTAIN: 0**

Senator P.F. Routier  
 Senator A. Breckon  
 Senator S.C. Ferguson  
 Senator B.I. Le Marquand  
 Senator F. du H. Le Gresley  
 Senator L.J. Farnham  
 Senator P.M. Bailhache  
 Connétable of Trinity  
 Connétable of St. Mary  
 Connétable of St. John  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Deputy R.G. Le Hérisssier (S)  
 Deputy of St. Ouen  
 Deputy J.A. Hilton (H)

Deputy J.A.N. Le Fondré (L)  
Deputy of Trinity  
Deputy S.S.P.A. Power (B)  
Deputy K.C. Lewis (S)  
Deputy M. Tadier (B)  
Deputy A.K.F. Green (H)  
Deputy J.M. Maçon (S)  
Deputy G.C.L. Baudains (C)  
Deputy of St. John  
Deputy J.H. Young (B)  
Deputy S.J. Pinel (C)  
Deputy of St. Mary  
Deputy of St. Martin  
Deputy R.G. Bryans (H)  
Deputy R.J. Rondel (H)  
Deputy N.B. Le Cornu (H)  
Deputy S.Y. Mézec (H)

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Passports (False Statements and Forgery) (Jersey) Law 201-.

**Draft Jersey Mutual Insurance Society, Incorporated (Alteration of Rules) (No. 7) (Jersey) Law 201 P.27/2014**

THE STATES commenced consideration of the Draft Jersey Mutual Insurance Society, Incorporated (Alteration of Rules) (No. 7) (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 and 2.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Jersey Mutual Insurance Society, Incorporated (Alteration of Rules) (No. 7) (Jersey) Law 201-.

**Draft Financial Services Commission (Amendment of Law No. 2) (Jersey) Regulations 201-P.29/2014**

THE STATES commenced consideration of the Draft Financial Services Commission (Amendment of Law No. 2) (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 4(3) of the Financial Services Commission (Jersey) Law 1998, made Regulations entitled the Financial Services Commission (Amendment of Law No. 2) (Jersey) Regulations 2014.



**Chief Minister election: Island-wide vote P.45/2014**

THE STATES rejected a proposition of Deputy Samuel Yves Mézec of St. Helier to agree, in principle, that the Chief Minister should no longer be elected by members of the States, but should instead be selected through an Island-wide vote of registered electors from candidates proposed by members of the States after each general election; provided that this new system was not instituted until the States had agreed appropriate amendments to the rôle and powers of the Chief Minister to enable a system of government including the selection of the Chief Minister in this manner to be workable; and to request the Privileges and Procedures Committee, in consultation with all members, to bring forward to the States for approval, proposals on the necessary framework to allow the Chief Minister to be elected by the public.

Members present voted as follows –

**POUR: 14**

Senator A. Breckon  
 Senator F. du H. Le Gresley  
 Connétable of St. Helier  
 Deputy R.C. Duhamel (S)  
 Deputy R.G. Le Hérissier (S)  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy of Grouville  
 Deputy M. Tadier (B)  
 Deputy T.A. Vallois (S)  
 Deputy M.R. Higgins (H)  
 Deputy J.H. Young (B)  
 Deputy N.B. Le Cornu (H)  
 Deputy S.Y. Mezec (H)

**CONTRE: 32**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator S.C. Ferguson  
 Senator B.I. Le Marquand  
 Senator P.M. Bailhache  
 Connétable of Trinity  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Mary  
 Connétable of St. John  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Deputy of St. Ouen  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy S.S.P.A. Power (B)  
 Deputy K.C. Lewis (S)  
 Deputy E.J. Noel (L)  
 Deputy A.K.F. Green (H)  
 Deputy J.M. Maçon (S)  
 Deputy G.C.L. Baudains (C)  
 Deputy of St. John  
 Deputy J.P.G. Baker (H)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Mary  
 Deputy of St. Martin  
 Deputy R.G. Bryans (H)  
 Deputy R.J. Rondel (H)

**ABSTAIN: 0**

**Chief Minister and Ministers for External Relations and Treasury and Resources: Island wide mandate P.44/2014**

THE STATES commenced consideration of a proposition of the Deputy of Grouville and, adopting her amendment, agreed that in paragraph (a) after the words “Minister for Treasury and Resources” there should be inserted the words “(or any Ministers under a revised ministerial structure fulfilling the functions currently undertaken by these Ministers)”.

THE STATES rejected a proposition of Deputy Geoffrey Peter Southern of St. Helier to adjourn the meeting.

Members present voted as follows –

**POUR: 17**

Connétable of Trinity  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of Grouville  
 Deputy R.C. Duhamel (S)  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy of St. Ouen  
 Deputy J.A.N. Le Fondré (L)  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy M.R. Higgins (H)  
 Deputy A.K.F. Green (H)  
 Deputy G.C.L. Baudains (C)  
 Deputy S.J. Pinel (C)  
 Deputy N.B. Le Cornu (H)

**CONTRE: 23**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator A. Breckon  
 Senator S.C. Ferguson  
 Senator B.I. Le Marquand  
 Senator F. du H. Le Gresley  
 Senator P.M. Bailhache  
 Connétable of St. John  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Deputy R.G. Le Hérisssier (S)  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy of Trinity  
 Deputy S.S.P.A. Power (B)  
 Deputy E.J. Noel (L)  
 Deputy T.A. Vallois (S)  
 Deputy J.M. Maçon (S)  
 Deputy of St. John  
 Deputy J.H. Young (B)  
 Deputy of St. Mary  
 Deputy of St. Martin  
 Deputy R.G. Bryans (H)

**ABSTAIN: 1**

Deputy S.Y. Mézec (H)

THE STATES, having resumed consideration of the proposition of the Deputy of Grouville, as amended, rejected her proposal that candidates for the offices of Chief Minister, Minister for External Relations and Minister for Treasury and Resources (or any Ministers under a revised ministerial structure fulfilling the functions currently undertaken by these Ministers) should be required to hold the office of Senator, having therefore been elected with an Island-wide mandate; and to request the Privileges and Procedures Committee to bring forward for approval the necessary amendments to legislation to give effect to the proposals with effect from the appointment of Ministers after the 2014 elections.

Members present voted as follows –

**POUR: 18**

Senator P.F. Routier  
 Senator S.C. Ferguson  
 Senator B.I. Le Marquand

**CONTRE: 21**

Senator A. Breckon  
 Senator P.M. Bailhache  
 Connétable of St. Clement

**ABSTAIN: 0**

Senator F. du H. Le Gresley	Connétable of St. Mary
Connétable of St. Helier	Connétable of St. Ouen
Connétable of St. John	Connétable of St. Brelade
Connétable of St. Martin	Deputy R.G. Le Hérisier (S)
Connétable of St. Saviour	Deputy G.P. Southern (H)
Connétable of Grouville	Deputy J.A.N. Le Fondré (L)
Deputy J.A. Martin (H)	Deputy S.S.P.A. Power (B)
Deputy of St. Ouen	Deputy K.C. Lewis (S)
Deputy of Trinity	Deputy M. Tadier (B)
Deputy T.A. Vallois (S)	Deputy E.J. Noel (L)
Deputy G.C.L. Baudains (C)	Deputy M.R. Higgins (H)
Deputy of St. John	Deputy A.K.F. Green (H)
Deputy J.P.G. Baker (H)	Deputy J.M. Maçon (S)
Deputy J.H. Young (B)	Deputy S.J. Pinel (C)
Deputy of St. Mary	Deputy of St. Martin
	Deputy R.G. Bryans (H)
	Deputy N.B. Le Cornu (H)
	Deputy S.Y. Mézec (H)

### **Adjournment**

THE STATES adjourned, having agreed to reconvene on Wednesday 14th May 2014 to consider the outstanding items of public business.

THE STATES rose at 6.00 p.m.

**M.N. DE LA HAYE**

*Greffier of the States*