



**THE STATES assembled on Tuesday
23rd February 2016, at 09.30 a.m. under
the Presidency of the Bailiff,
William James Bailhache, Esquire.**

**His Excellency the Lieutenant Governor,
General Sir John McColl, K.C.B., C.B.E., D.S.O.
was present.**

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

Senator Paul Francis Ozouf – en défaut (défaut raised at 9.37 a.m.)
Senator Andrew Kenneth Francis Green – en défaut (défaut raised at 9.37 a.m.)
Senator Zoe Ann Cameron – en défaut
Deputy Montfort Tadier of St. Brelade – en défaut (défaut raised at 9.38 a.m.)

Prayers read by the Greffier of the States

Deputy Richard John Rondel of St. Helier – welcome back

The Bailiff, on behalf of members, welcomed Deputy Richard John Rondel of St. Helier back to the Assembly after a period of absence through ill-health.

Subordinate enactments tabled

The following enactments were tabled, namely –

EU Legislation (Sanctions – Libya) (Amendment No. 4) (Jersey) Order 2016. R&O.14/2016.
Minister for External Relations.

Taxation (Implementation) (International Tax Compliance) (Common Reporting Standard) (Amendment of Regulations) (Jersey) Order 2016. R&O.15/2016.
Minister for External Relations.

Animal Welfare (Temporary Licensing Exemptions) (Revocation) (Jersey) Order 2016. R&O.16/2016.
Minister for the Environment.

Diseases of Animals (Miscellaneous Provisions) (Jersey) Order 2016. R&O.17/2016.
Minister for the Environment.

Road Traffic (St. Peter) (Amendment No. 8) (Jersey) Order 2016. R&O.18/2016.
Minister for Infrastructure.

Road Traffic (Prohibition of Waiting) (Clearways) (Amendment No. 10) (Jersey) Order 2016. R&O.19/2016.
Minister for Infrastructure.

Misuse of Drugs (Miscellaneous Amendments) (No. 6) (Jersey) Order 2016. R&O.20/2016.
Minister for Health and Social Services.

Planning and Building (Fees) (Amendment) (Jersey) Order 2016. R&O.21/2016.
Minister for the Environment.

Documents presented or laid

People's Park: removal from list of sites under consideration for future new hospital P.3/2016.
(P.3/2016) – comments. Com.
Presented: 16th February 2016.
Council of Ministers.

States of Jersey Law 2005: delegation of functions – Environment – Scheme of R.13/2016.
delegations – January 2016.
Presented: 5th February 2016.
Minister for Environment.

Ministerial responsibilities: Ministers and Assistant Ministers. R.14/2016.
Presented: 5th February 2016.
Chief Minister.

Policing Plan 2016. R.15/2016.
Presented: 8th February 2016.
Minister for Home Affairs.

Land Transactions under Standing Order 168(3) – Belle Vue – Pump-house and land R.16/2016.
transfer.
Presented: 9th February 2016.
Minister for Infrastructure.

Organisations receiving grants of over £75,000: 2014 Accounts. R.17/2016.
Presented: 23rd February 2016.
Minister for Treasury and Resources.

Notification of lodged propositions

Concessionary bus fares for the disabled: discussions with LibertyBus (P.140/2015) – P.140/2015.
amendment. Amd.
Lodged: 16th February 2016.
Deputy M. Tadier of St. Brelade.

Public Employees Contributory Retirement Scheme Committee of Management: P.8/2016.
membership.
Lodged: 8th February 2016.
Chief Minister.

Draft Former La Motte Street School (Validation and Abrogation of Covenants) P.9/2016.
(Jersey) Law 201-.
Lodged: 17th February 2016.
Minister for Infrastructure.

Electronic voting. P.10/2016.
Lodged: 17th February 2016.
Deputy G.P. Southern of St. Helier.

Social Security Tribunal: appointment of Deputy Chairmen and re-appointment of members. P.11/2016.
Lodged: 23rd February 2016.
Minister for Social Security.

Income Support Medical Appeal Tribunal: appointment of Deputy Chairmen. P.12/2016.
Lodged: 23rd February 2016.
Minister for Social Security.

Social Security Medical Appeal Tribunal: appointment of Deputy Chairmen. P.13/2016.
Lodged: 23rd February 2016.
Minister for Social Security.

Withdrawal of lodged propositions

THE STATES noted that, in accordance with Standing Order 34(1), the proposers of the following propositions lodged “au Greffe” had informed the Greffier of the States that they had been withdrawn –

People’s Park: removal from list of sites under consideration for future new hospital. P.3/2016.
Lodged: 19th January 2016.
Connétable of St. Helier.

Draft Act annulling the Planning and Environment (2016 Fees) (Jersey) Order 2015. P.4/2016.
Lodged: 19th January 2016.
Deputy S.M. Wickenden of St. Helier.

Written Questions

(see Official Report/Hansard)

1. The Minister for Social Security tabled an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the processing of Impairment Forms.
2. The Minister for Health and Social Services tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the future hospital website.
3. The Chief Minister tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding Laws adopted by the States Assembly, but not in force.
4. The Minister for Infrastructure tabled an answer to a question asked by the Deputy of Grouville regarding budgeting for the provision of the Eastern Cycle Network.
5. The Chief Minister tabled an answer to a question asked by the Deputy of Grouville regarding the extension of freedom of information legislation to companies owned or controlled by the States.
6. The Chief Minister tabled an answer to a question asked by Deputy R. Labey of St. Helier regarding the provision of local wholesale services by JT.

7. The Minister for Infrastructure tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the allocation of States Members' parking spaces.
8. The Minister for Economic Development, Tourism, Sport and Culture tabled an answer to a question asked by Deputy R. Labey of St. Helier regarding the service provided by Condor Ferries.
9. The Chief Minister tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding support provided to Jersey's digital industry.
10. The Minister for Economic Development, Tourism, Sport and Culture, tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the regeneration of Fort Regent.
11. The Minister for Treasury and Resources tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding underground car parking at the Esplanade.
12. The Minister for Social Security tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding allowances made to clients of Les Amis.
13. The Chief Minister tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding complaints made about telephone providers.
14. The Minister for Education tabled an answer to a question asked by Deputy J.A. Hilton of St. Helier regarding the presence of asbestos in schools.
15. The Minister for Health and Social Services tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the sites shortlisted for the new hospital.
16. The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the health charge proposed in the Medium Term Financial Plan.
17. The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding household incomes.
18. The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding potential reductions in retail gas tariffs.
19. The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding rental charges.
20. The Chairman of the Privileges and Procedures Committee tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding States members' car parking.

Oral Questions

(see Official Report/Hansard)

1. Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Infrastructure regarding the privatisation of gardening and cleaning services.
2. The Connétable of St. Helier asked a question of the Minister for Infrastructure regarding the timetable for the introduction of a charge for waste disposal.

3. Deputy G.P. Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding funding the projected cost of the new hospital.
4. Deputy J.A. Martin of St. Helier asked a question of the Minister for Health and Social Services regarding the public consultation on the new site for Jersey's hospital.
5. The Deputy of Grouville asked a question of the Chairman of the Comité des Connétables regarding the Code of 1771.
6. Deputy J.A. Hilton of St. Helier asked a question of the Assistant Chief Minister regarding the privatisation of aspects of the Department for Infrastructure's service provision.
7. Deputy L.M.C. Doublet of St. Saviour asked a question of the Minister for Home Affairs regarding the allocation of funding to set up a Sexual Assault Referral Centre in Jersey.
8. The Connétable of St. John asked a question of the Assistant Minister for Treasury and Resources regarding the level of Vehicle Emission Duty payable on cars with no engine.
9. The Deputy of St. Ouen asked a question of the Minister for Treasury and Resources regarding annual pension statements issued to pensioners in receipt of a Social Security pension.
10. Deputy S.Y. Mézec of St. Helier asked a question of the Minister for Treasury and Resources regarding the effect on economic growth of plans to increase taxes on middle-earners.
11. Deputy M. Tadier of St. Brelade asked a question of the Minister for Housing regarding the average rental costs of residential accommodation per sector.
12. Deputy R. Labey of St. Helier asked a question of the Minister for Health and Social Services regarding the consultation process for the future hospital.
13. Deputy S.Y. Mézec of St. Helier asked a question of the Minister for Health and Social Services regarding the ownership of People's Park.
14. Deputy J.A. Martin of St. Helier asked a question of H.M. Attorney General regarding the process for the compulsory purchase of People's Park.
15. Deputy M. Tadier of St. Brelade asked a question of the Minister for Social Security regarding the maximum accommodation components for Income Support.
16. Deputy L.M.C. Doublet of St. Saviour asked a question of the Chief Minister regarding the gender pay gap.
17. Deputy J.A. Hilton of St. Helier asked a question of the Minister for Health and Social Services regarding regulatory standards for residential and nursing homes.

Oral Questions without notice

(see Official Report/Hansard)

The Minister for External Relations answered questions without notice from members.

The Chief Minister answered questions without notice from members.

Statements on a matter of official responsibility*(see Official Report/Hansard)*

The Chief Minister made a statement regarding the budget of the Independent Jersey Care Inquiry.

Draft Dentistry (Jersey) Law 2015 (Appointed Day) Act 201- P.2/2016

THE STATES, in pursuance of Article 29 of the Dentistry (Jersey) Law 2015, made an Act entitled the Dentistry (Jersey) Law 2015 (Appointed Day) Act 2016.

Members present voted as follows –

POUR: 40**CONTRE: 0****ABSTAIN: 0**

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy M. Tadier (B)
 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 L.M.C. Doublet (S)
 Deputy S.M. Wickenden (H)
 Deputy S.M. Bree (C)
 Deputy M.J. Norton (B)
 Deputy T.A. McDonald (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy P.D. McLinton (S)

Concessionary bus fares for the disabled: discussions with LibertyBus P.140/2015

THE STATES commenced consideration of a proposition of Deputy Montfort Tadier of St. Brelade regarding concessionary bus fares for the disabled (P.140/2015) and, adopting an amendment of Deputy Montfort Tadier of St. Brelade, agreed that –

before the words “to request the Minister” there should be inserted the following new paragraph (a) –

“(a) to agree that individuals below pensionable age with a disability which prevents them from being able to drive should be entitled to a concessionary bus pass;”,

and the subsequent paragraph should be renumbered as paragraph (b);

in new paragraph (b), after the word “LibertyBus” the words “to investigate” should be deleted and there should be inserted the word “for”; after the words “prescribed disability” there should be inserted the words “which prevents them from being able to drive”; and for the words “31st May 2016” there should be substituted the words “1st September 2016”.

THE STATES, adopting the proposition of Deputy Montfort Tadier of St. Brelade, as amended, agreed –

- (a) that individuals below pensionable age with a disability which prevents them from being able to drive should be entitled to a concessionary bus pass;
- (b) to request the Minister for Transport and Technical Services to enter into formal discussions with LibertyBus for the provision of concessionary bus passes for those with a prescribed disability which prevents them from being able to drive, and to bring forward proposals to the States no later than 1st September 2016 detailing both the potential cost implications and the criteria which applicants would have to meet in order to access this service.

Members present voted as follows –

POUR: 43

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Deputy J.A. Martin (H)

Deputy G.P. Southern (H)
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy K.C. Lewis (S)
Deputy M. Tadier (B)
Deputy E.J. Noel (L)
Deputy of St. John
Deputy M.R. Higgins (H)
Deputy J.M. Maçon (S)
Deputy S.J. Pinel (C)
Deputy of St. Martin
Deputy R.G. Bryans (H)
Deputy S.Y. Mézec (H)
Deputy A.D. Lewis (H)
Deputy of St. Ouen
Deputy L.M.C. Doublet (S)
Deputy R. Labey (H)
Deputy S.M. Wickenden (H)
Deputy S.M. Brée (C)
Deputy T.A. McDonald (S)
Deputy of St. Mary
Deputy G.J. Truscott (B)
Deputy P.D. McLinton (S)

In accordance with Standing Order 106(1)(b), Senator Andrew Kenneth Francis Green, M.B.E., and Deputy Kevin Charles Lewis of St. Saviour declared an interest, but remained in the Chamber for the duration of the debate.

Draft Taxation (Implementation) (International Tax Compliance) (United States of America) (Amendment) (Jersey) Regulations 201- P.160/2015

THE STATES commenced consideration of the Draft Taxation (Implementation) (International Tax Compliance) (United States of America) (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 to 7.

THE STATES, in pursuance of Article 2 of the Taxation (Implementation) (Jersey) Law 2004, made Regulations entitled the Taxation (Implementation) (International Tax Compliance) (United States of America) (Amendment) (Jersey) Regulations 2016.

Draft Taxation (Implementation) (International Tax Compliance) (United Kingdom) (Amendment) (Jersey) Regulations 201- P.161/2015

THE STATES commenced consideration of the Draft Taxation (Implementation) (International Tax Compliance) (United Kingdom) (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 to 10.

THE STATES, in pursuance of Article 2 of the Taxation (Implementation) (Jersey) Law 2004, made Regulations entitled the Taxation (Implementation) (International Tax Compliance) (United Kingdom) (Amendment) (Jersey) Regulations 2016.

Draft Financial Regulation (Miscellaneous Provisions No. 3) (Jersey) Law 201- P.162/2016

THE STATES commenced consideration of the Draft Financial Regulation (Miscellaneous Provisions No. 3) (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 7.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Financial Regulation (Miscellaneous Provisions No. 3) (Jersey) Law 201-.

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) –

8th March 2016

Draft Children's Property and Tuteurs (Jersey) Law 201-. P.156/2015.
Lodged: 15th December 2015.
Chief Minister.

Public Employees Contributory Retirement Scheme Committee of Management: P.8/2016.
membership.
Lodged: 8th February 2016.
Chief Minister.

22nd March 2016

Draft Commissioner for Standards (Jersey) Law 201-. P.120/2015.
Lodged: 15th October 2015.
Privileges and Procedures Committee.

La Collette Low Rise Development: direction to Andium Homes Ltd. P.139/2015.
Lodged: 9th November 2015.
Deputy R. Labey of St. Helier.

Draft EU Legislation (Veterinary Checks – Imports from Third Countries) (Jersey) P.5/2016.
Regulations 201-.
Lodged: 29th January 2016.
Minister for the Environment.

Draft EU Legislation (Veterinary and Zootechnical Checks – Trade with Member States) (Jersey) Regulations 201-. P.6/2016.
Lodged: 29th January 2016.
Minister for the Environment.

Draft Aircraft (Registration) (Amendment) (Jersey) Law 201-. P.7/2016.
Lodged: 2nd February 2016.
Minister for Economic Development, Tourism, Sport and Culture.

Electronic voting. P.10/2016.
Lodged: 17th February 2016.
Deputy G.P. Southern of St. Helier.

12th April 2016

26th April 2016

Draft Former La Motte Street School (Validation and Abrogation of Covenants) (Jersey) Law 201-. P.9/2016.
Lodged: 17th February 2016.
Minister for Infrastructure.

Social Security Tribunal: appointment of Deputy Chairmen and re-appointment of members. P.11/2016.
Lodged: 23rd February 2016.
Minister for Social Security.

Income Support Medical Appeal Tribunal: appointment of Deputy Chairmen. P.12/2016.
Lodged: 23rd February 2016.
Minister for Social Security.

Social Security Medical Appeal Tribunal: appointment of Deputy Chairmen. P.13/2016.
Lodged: 23rd February 2016.
Minister for Social Security.

THE STATES rose at 2.57 p.m.

DR. M. EGAN

Greffier of the States