



**THE STATES assembled on Tuesday
29th November 2016, at 09.30 a.m. under
the Presidency of the Bailiff,
William James Bailhache, Esquire.**

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

Senator Philip Francis Cyril Ozouf – absent on States business (arrived in the Chamber at 12.37 p.m.)
Senator Ian Joseph Gorst – absent on States business
Connétable John Martin Refault of St. Peter – en défaut (défaut raised at 9.43 a.m.)
Connétable Juliette Gallichan of St. Mary – ill
Connétable Michael John Paddock of St. Ouen – excused attendance (arrived in the Chamber at 10.30 a.m.)
Deputy Jacqueline Ann Hilton of St. Helier – excused attendance
Deputy John Alexander Nicholas Le Fondré of St. Lawrence – excused attendance
Deputy Louise Mary Catherine Doublet of St. Saviour – excused attendance
Deputy Scott Michael Wickenden of St. Helier – ill

Prayers

Retirement of His Excellency the Lieutenant Governor

The Bailiff recalled, for the Assembly's attention, the arrangements that had been made for Wednesday 30th November 2016 to mark the retirement of His Excellency the Lieutenant Governor, General Sir John McColl, K.C.B., C.B.E., D.S.O.

Subordinate enactments tabled

The following enactments were tabled, namely –

EU Legislation (Geographical Indications – Wines and Spirits) (Jersey) Order 2016. R&O.120/2016.
Minister for External Relations.

Documents presented

Draft Medium Term Financial Plan Addition for 2017 – 2019 (P.68/2016): fifth addendum. P.68/2016.
Presented: 29th November 2016. Add.(5)
Council of Ministers.

Ministerial Government: referendum – comments. P.94/2016.
Presented: 28th November 2016. Com.
Council of Ministers.

Future Hospital: preferred site (P.110/2016) – amendment (P.110/2016 Amd.) – comments. P.110/2016.
Presented: 28th November 2016. Amd.
Council of Ministers. Com.

Draft Finance (2017 Budget) (Jersey) Law 201- (P.113/2016): comments. Presented: 28th November 2016. <i>Comité des Connétables.</i>	P.113/2016. Com.
Minimum Wage: revised hourly rate from 1st April 2017 (P.115/2016) – comments. Presented: 29th November 2016. <i>Minister for Social Security.</i>	P.115/2016. Com.
Land Transactions under Standing Order 168(3) – (a) Astral House, 74 Great Union Road, St. Helier – Sale; (b) Apartment No. 6, Block H, Les Quennevais Park – transfer of the Public’s flying-freehold ownership and cancellation of existing 99-year lease. Presented: 18th November 2016. <i>Minister for Infrastructure.</i>	R.119/2016.
Land Transactions under Standing Order 168(3) – Imladris, 19 Clos de Devant, St. Lawrence – Assisted House Purchase Scheme – sale. Presented: 23rd November 2016. <i>Minister for Infrastructure.</i>	R.120/2016.
States of Jersey Law 2005: delegation of functions – Treasury and Resources – revised delegations November 2016. Presented: 29th November 2016. <i>Minister for Treasury and Resources.</i>	R.121/2016.
Future Hospital: preferred site – stakeholder engagement report. Presented: 29th November 2016. <i>Minister for Health and Social Services.</i>	R.122/2016.
Future Hospital Project: Report of the Sub-Panel. Presented: 24th November 2016. <i>Health and Social Security Scrutiny Panel.</i>	S.R.7/2016.

Notification of lodged propositions

Draft Budget Statement 2017 (P.109/2016): amendment. Lodged: 25th November 2016. <i>Deputy R. Labey of St. Helier.</i>	P.109/2016. Amd.
Draft Budget Statement 2017 (P.109/2016): second amendment. Lodged: 28th November 2016. <i>Deputy of St. Ouen.</i>	P.109/2016. Amd.(2)
Draft Budget Statement 2017 (P.109/2016): third amendment. Lodged: 29th November 2016. <i>Deputy S.Y. Mézec of St. Helier.</i>	P.109/2016. Amd.(3)
Draft Budget Statement 2017 (P.109/2016): fourth amendment. Lodged: 29th November 2016. <i>Senator S.C. Ferguson.</i>	P.109/2016. Amd.(4)
Draft Budget Statement 2017 (P.109/2016): fifth amendment. Lodged: 29th November 2016. <i>Deputy of St. John.</i>	P.109/2016. Amd.(5)

Millennium Town Park: additional open space and public parking. Lodged: 22nd November 2016. <i>Connétable of St. Helier.</i>	P.123/2016.
Draft Public Elections (Amendment No. 7) (Jersey) Law 201-. Lodged: 23rd November 2016. <i>Privileges and Procedures Committee.</i>	P.124/2016.
Draft Public Elections (Amendment No. 8) (Jersey) Law 201-. Lodged: 23rd November 2016. <i>Privileges and Procedures Committee.</i>	P.125/2016.
Draft Amendment (No. 30) of the Standing Orders of the States of Jersey. Lodged: 24th November 2016. <i>Privileges and Procedures Committee.</i>	P.126/2016.
Taxation of High Value Residents. Lodged: 24th November 2016. <i>Deputy G.P. Southern of St. Helier.</i>	P.127/2016.
Draft Sea Fisheries (Amendment No. 3) (Jersey) Law 201-. Lodged: 25th November 2016. <i>Minister for the Environment.</i>	P.128/2016.
Draft Animal Health (Jersey) Law 2016 (Appointed Day) Act 201-. Lodged: 25th November 2016. <i>Minister for the Environment.</i>	P.129/2016.

Written Questions

(see *Official Report/Hansard*)

- 9721 1. The Minister for Home Affairs tabled an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the taking of breath samples from people aged under 18.
- 9722 2. The Minister for Health and Social Services tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the funding of Family Nursing and Home Care.
- 9723 3. The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding a grant from the Jersey Innovation Fund in the case of the 'Logfiller' proposal.
- 9724 4. The Minister for Social Security tabled an answer to a question asked by the Deputy of St. John regarding disability claims under the Income Support system.
- 9725 5. The Minister for Home Affairs tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the role of the Jersey Police Complaints Authority in overseeing police investigations.
- 9726 6. The Minister for Home Affairs tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding reports produced by the States of Jersey Police following a complaint against one or more of its officers.
- 9727 7. H.M. Attorney General tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Human Rights compliance of dégrèvement provisions.

- 9728 8. H.M. Attorney General tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Human Rights compliance of *Remise des Biens* provisions.
- 9729 9. The Minister for Home Affairs tabled an answer to a question asked by the Deputy of St. John regarding the detention of dogs by customs officers.
- 9730 10. The Minister for Treasury and Resources tabled an answer to a question asked by the Deputy of St. John regarding companies held within the portfolio of Jersey Telecom.
- 9731 11. The Chief Minister tabled an answer to a question asked by the Deputy of St. John regarding the impact of Control of Housing and Work legislation.
- 9732 12. The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact of benefit changes on low-income families.
- 9733 13. The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding ministerial control over the operational decisions of Andium Homes.

Oral Questions

(see *Official Report/Hansard*)

- 9739 1. Deputy S.Y. Mézec of St. Helier asked a question of the Minister for Housing regarding a policy to ban letting-agent fees for tenants.
- 9742 2. Deputy M.R. Higgins of St. Helier asked a question of the Chief Minister regarding the outcomes of the Access to Justice Review.
- 9734 3. Deputy J.M. Maçon of St. Saviour asked a question of the Minister for Economic Development, Tourism, Sport and Culture regarding the contract with Condor Ferries.
- 9741 4. Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Education regarding student loans, student grants and other assistance for people in higher education.
- 9735 5. Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the grant from the Jersey Innovation Fund to the 'Logfiller' proposal.
- 9738 6. The Deputy of St. John asked a question of the Minister for Education regarding nursery education funding.
- 9736 7. Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding measures to assist Jersey's 'Just about managing' working households.
- 9740 8. Deputy S.Y. Mézec of St. Helier asked a question of the Chief Minister regarding the Jersey Innovation Fund.
- 9743 9. Deputy M.R. Higgins of St. Helier asked a question of the Chief Minister regarding complaints from the public considered by the States Employment Board.
- 9737 10. Deputy J.M. Maçon of St. Saviour asked a question of the Minister for the Environment regarding the masterplan for Five Oaks.

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 United Nations Financial Sanctions (Jersey) Law 201- P.108/2016

THE STATES commenced consideration of the Draft United Nations Financial Sanctions (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 3.

THE STATES adopted Articles 4 to 6.

THE STATES adopted Articles 7 to 15.

THE STATES adopted Articles 16 to 25.

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

Ministerial Government: referendum P.94/2016

THE STATES commenced consideration of a proposition of Deputy Judith Ann Martin of St. Helier entitled ‘Ministerial Government: referendum’ (P.94/2016) and, adopting an amendment of Deputy Judith Ann Martin of St. Helier, agreed that paragraph (b) would be deleted, with subsequent paragraphs renumbered accordingly, and that in renumbered paragraph (b) after the words “for approval the” should be inserted the words “text of the referendum question (having received appropriate independent advice and undertaken consultation thereon), and the”.

THE STATES, resuming consideration of the proposition of Deputy Judith Ann Martin of St. Helier, as amended, rejected the proposition –

- (a) to agree that a referendum under the Referendum (Jersey) Law 2002 should be held on the day of the 2018 general election with a single Yes/No question to ask voters whether they agree that the States Assembly should continue with a Ministerial form of Government;
- (b) to request the Privileges and Procedures Committee to bring forward for approval the text of the referendum question (having received appropriate independent advice and undertaken consultation thereon) and the necessary Referendum Act to enable the referendum to take place.

Members present voted as follows –

POUR: 12

Senator S.C. Ferguson
Connétable of St. Saviour
Connétable of St. John
Deputy J.A. Martin (H)
Deputy of Grouville
Deputy K.C. Lewis (S)

CONTRE: 29

Senator P.F. Routier
Senator A.J.H. Maclean
Senator L.J. Farnham
Senator A.K.F. Green
Connétable of St. Helier
Connétable of St. Clement

ABSTAIN: 0

Deputy of St. John	Connétable of St. Peter
Deputy M.R. Higgins (H)	Connétable of St. Lawrence
Deputy J.M. Maçon (S)	Connétable of St. Ouen
Deputy R. Labey (H)	Connétable of St. Brelade
Deputy S.M. Bree (C)	Connétable of St. Martin
Deputy T.A. McDonald (S)	Connétable of Grouville
	Connétable of Trinity
	Deputy G.P. Southern (H)
	Deputy of Trinity
	Deputy M. Tadier (B)
	Deputy E.J. Noel (L)
	Deputy S.J. Pinel (C)
	Deputy of St. Martin
	Deputy R.G. Bryans (H)
	Deputy of St. Peter
	Deputy R.J. Rondel (H)
	Deputy S.Y. Mézec (H)
	Deputy A.D. Lewis (H)
	Deputy of St. Ouen
	Deputy M.J. Norton (B)
	Deputy of St. Mary
	Deputy G.J. Truscott (B)
	Deputy P.D. McLinton (S)

Greville Bathe Fund: appointment of Jurat P.112/2016

THE STATES, adopting a proposition of the Minister for Treasury and Resources, appointed Jurat Rozanne Barbara Thomas, née Rosenthal, for the purpose of administering the income of the Greville Bathe Fund.

Draft Road Works and Events (Jersey) Law 2016 (Appointed Day) Act 201- P.114/2016

THE STATES, in pursuance of Article 71 of the Road Works and Events (Jersey) Law 2016, made an Act entitled the Road Works and Events (Jersey) Law 2016 (Appointed Day) Act 2016.

Minimum Wage: revised hourly rate from 1st April 2017 P.115/2016

THE STATES commenced consideration of a proposition of Deputy Samuel Yves Mézec of St. Helier entitled ‘Minimum Wage: revised hourly rate from 1st April 2017’ (P.115/2016).

Adjournment

THE STATES, adopting a proposition of Deputy Murray Julian Norton of St. Brelade, agreed to adjourn and to reconvene on Wednesday 30th November 2016 to mark the departure of His Excellency the Lieutenant Governor, General Sir John McColl, K.C.B., C.B.E., D.S.O., and to continue consideration of the proposition of Deputy Samuel Yves Mézec of St. Helier entitled ‘Minimum Wage: revised hourly rate from 1st April 2017’ (P.115/2016), and the outstanding items of public business.

Members present voted as follows –

POUR: 23

Senator A.J.H. Maclean
Senator L.J. Farnham
Senator P.M. Bailhache
Connétable of St. Lawrence
Connétable of St. Ouen
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Connétable of St. John
Deputy G.P. Southern (H)
Deputy of Grouville
Deputy K.C. Lewis (S)
Deputy M. Tadier (B)
Deputy of St. John
Deputy M.R. Higgins (H)
Deputy R.G. Bryans (H)
Deputy R.J. Rondel (H)
Deputy S.Y. Mézec (H)
Deputy A.D. Lewis (H)
Deputy M.J. Norton (B)
Deputy T.A. McDonald (S)
Deputy of St. Mary
Deputy P.D. McLinton (S)

CONTRE: 14

Senator P.F. Routier
Senator A.K.F. Green
Senator S.C. Ferguson
Connétable of St. Clement
Connétable of St. Peter
Connétable of Grouville
Connétable of Trinity
Deputy of Trinity
Deputy J.M. Maçon (S)
Deputy S.J. Pinel (C)
Deputy of St. Martin
Deputy of St. Peter
Deputy of St. Ouen
Deputy G.J. Truscott (B)

ABSTAIN: 0

THE STATES rose at 4.45 p.m.

DR. M. EGAN

Greffier of the States