



**THE STATES assembled on Tuesday
18th March 2014, at 09.30 a.m. under
the Presidency of the Bailiff,
Sir Michael Birt.**

**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 Bryan Ian Le Marquand – en défaut (défaut raised at 9.36 a.m.)
Deputy Judith Ann Martin of St. Helier – excused attendance
Deputy Kristina Louise Moore of St. Peter – ill

Prayers

Subordinate enactments tabled

The following enactments were tabled, namely –

Community Provisions (Restrictive Measures – Ukraine) (Jersey) Order 2014. R&O.25/2014.
Chief Minister, for and on behalf of Minister for External Relations.

Motor Traffic (Third-Party Insurance) (Expenses Limits) (Amendment No. 2) R&O.26/2014.
(Jersey) Order 2014.
Minister for Health and Social Services.

Documents presented or laid

Esplanade Quarter developments: approval by the States (P.15/2014) – addendum. P.15/2014.
Presented: 14th March 2014. Add.
Senator A. Breckon.

Esplanade Quarter developments: approval by the States (P.15/2014) – additional P.15/2014.
comments. Com.(2)
Presented: 18th March 2014.
Minister for Treasury and Resources.

Piquet House: cancellation of sale and future use (P.16/2014) – comments. P.16/2014.
Presented: 17th March 2014. Com.
Minister for Treasury and Resources.

States Housing: arrangements for new tenants (P.19/2014) – comments. P.19/2014.
Presented: 17th March 2014. Com.
Minister for Housing.

Code of Practice on Public Access to Official Information: Annual Report for 2013. R.26/2014.
Presented: 10th March 2014.
Privileges and Procedures Committee.

Independent Custody Visitor Report Jersey 2013. R.27/2014.
Presented: 12th March 2014.
Minister for Home Affairs.

Land Transactions under Standing Order 168(3) – R.28/2014.
(a) Fields 811, 816 and land, l’Avenue de la Reine Elizabeth II, St. Peter – sale;
(b) 5 Grasett Park, St. Saviour – sale.
Presented: 12th March 2014.
Minister for Treasury and Resources.

Jersey Competition Regulatory Authority: appointment of Non-Executive Director. R.29/2014.
Presented: 13th March 2014.
Minister for Economic Development.

Safeguarding Partnership Board: Memorandum of Understanding. R.30/2014.
Presented: 14th March 2014.
Council of Ministers.

Fiscal Policy Panel: re-appointment of members and appointment of new members. R.31/2014.
Presented: 14th March 2014.
Minister for Treasury and Resources.

Jersey Police Complaints Authority: report for 2013. R.32/2014.
Presented: 17th March 2014.
Minister for Home Affairs.

Policy and practice relating to the provision of carpets and flooring for tenants: R.33/2014.
review.
Presented: 17th March 2014.
Minister for Housing.

Sex Discrimination: White Paper Consultation – March 2014. R.34/2014.
Presented: 18th March 2014.
Minister for Social Security.

Notification of lodged propositions

Draft Financial Services Ombudsman (Jersey) Law 201- (P.9/2014): amendment. P.9/2014.
Lodged: 18th March 2014. Amd.
Minister for Economic Development.

Draft Financial Services Ombudsman (Jersey) Law 201- (P.9/2014): second P.9/2014.
amendment. Amd.(2)
Lodged: 18th March 2014.
Deputy G.P. Southern of St. Helier.

Draft Taxation (Miscellaneous Provisions) (Jersey) Regulations 201- (P.13/2014): amendment. Lodged: 18th March 2014. <i>Minister for External Relations</i>	P.13/2014. Amd.
Health and Safety Appeal Tribunal: re-appointment of Chairman. Lodged: 7th March 2014. <i>Minister for Social Security.</i>	P.25/2014.
Draft Referendum (Amendment) (Jersey) Law 201-. Lodged: 10th March 2014. <i>Privileges and Procedures Committee.</i>	P.26/2014.
Draft Jersey Mutual Insurance Society, Incorporated (Alteration of Rules) (No. 7) (Jersey) Law 201-. Lodged: 11th March 2014. <i>Chief Minister.</i>	P.27/2014.
Draft Public Employees (Pensions) (Jersey) Law 201-. Lodged: 11th March 2014. <i>States Employment Board.</i>	P.28/2014.
Draft Financial Services Commission (Amendment of Law No. 2) (Jersey) Regulations 201-. Lodged: 12th March 2014. <i>Chief Minister.</i>	P.29/2014.
Draft Road Traffic (No. 60) (Jersey) Regulations 201-. Lodged: 18th March 2014. <i>Minister for Transport and Technical Services.</i>	P.30/2014.
Draft States of Jersey (Amendment No. 7) Law 201-. Lodged: 18th March 2014. <i>Chief Minister.</i>	P.31/2014.
Draft Treason (Jersey) Law 201-. Lodged: 18th March 2014. <i>Chief Minister.</i>	P.32/2014.
Draft States of Jersey (Amendment No. 8) Law 201-. Lodged: 18th March 2014. <i>Chief Minister.</i>	P.33/2014.
International Criminal Court Act 2001: extension to Jersey. Lodged: 18th March 2014. <i>Chief Minister.</i>	P.34/2014.
Draft International Criminal Court (Jersey) Law 201-. Lodged: 18th March 2014. <i>Minister for External Relations.</i>	P.35/2014.

Written Questions

(see Official Report/Hansard)

The Chief Minister tabled an answer to a question asked by the Connétable of St. Lawrence regarding legislation to be debated by summer 2014.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy J.A. Hilton of St. Helier regarding asbestos management plans in schools.

The Minister for Planning and Environment tabled an answer to a question asked by the Deputy of St. Martin regarding coastal footpaths in St. Martin.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the Finance Industry Sound Business Practices Committee.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the regulation or supervision of the Channel Island Stock Exchange.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the adoption of T.U.P.E. principles.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the differentials between Jersey and UK consumer price levels.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the use of exclusivity clauses.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding World War I Anniversary plans.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the cost of installing cycle racks at Rue des Près Trading Estate.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding ongoing problems with JT customers' bills.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the introduction of 'death or injury by careless driving' legislation.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the Planning Applications Panel.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding organ donations over the last 5 years.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding succession planning in States-owned utility companies.

The Chief Minister tabled an answer to a question asked by Deputy S.S.P.A. Power of St. Brelade regarding the control of immigration.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy J.H. Young of St. Brelade regarding planning enforcement procedures.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding monies allocated to court and case costs in Jersey.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the schedule of land and property assets owned by the public.

The Minister for Transport and Technical Services table an answer to a question asked by the Deputy of St. Martin regarding Pine Walk and the results of core samples taken in 2013.

Oral Questions

(see Official Report/Hansard)

Deputy M.R. Higgins of St. Helier asked a question of the Minister for Treasury and Resources regarding the cost of living in Jersey.

Deputy S.Y. Mezec of St. Helier asked a question of the Chief Minister regarding a Royal Commission on electoral reform.

Deputy J.H. Young of St. Brelade asked a question of the Minister for Planning and Environment regarding the future of the Planning system.

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Treasury and Resources regarding the use of departmental underspends.

The Deputy of St. Martin asked a question of the Minister for Transport and Technical Services regarding repairs to the area near Pine Walk in St. Martin.

The Connétable of St. Lawrence asked a question of the Minister for Health and Social Services regarding broadband provision for patients within the General Hospital.

Deputy N.B. Le Cornu of St. Helier asked a question of the Chief Minister regarding the whistle-blowing policy.

Deputy R.G. Le Hérisser of St. Saviour asked a question of the Minister for Home Affairs regarding the conduct of the former Drugs and Addictions Counsellor at H.M. Prison La Moye.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Home Affairs regarding action following allegations of impropriety at the Prison.

Deputy G.P. Southern of St. Helier asked a question of the Assistant Chief Minister regarding 'No Tax' activities in the Island.

Deputy J.A. Hilton of St. Helier asked a question of the Chief Minister regarding the management of asbestos within the public buildings.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Health and Social Services regarding the importation of cannabis for medicinal use.

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the effect of the proposed career average pension scheme on women.

Deputy R.G. Le Hérisier of St. Saviour asked a question of the Minister for Home Affairs regarding the circulation of mobile phones within the Prison.

Deputy J.H. Young of St. Brelade asked a question of the Minister for Planning and Environment regarding development on the coast.

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Planning and Environment answered questions without notice from members.

The Chief Minister answered questions without notice from members.

Draft Employment and Discrimination Tribunal (Jersey) Regulations 201- P.4/2014

THE STATES commenced consideration of the Draft Employment and Discrimination Tribunal (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.

Members present voted as follows –

POUR: 43

CONTRE: 0

ABSTAIN: 1

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 I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of Trinity
 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
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisier (S)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)

Deputy G.C.L. Baudains (C)

Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 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. Le Cornu (H)
 Deputy S.Y. Mezec (H)

THE STATES adopted Regulation 5.

Members present voted as follows –

POUR: 34

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of Trinity
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy of St. Ouen
 Deputy J.A. Hilton (H)
 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 J.P.G. Baker (H)
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)

CONTRE: 10

Senator S.C. Ferguson
 Connétable of St. Lawrence
 Connétable of St. John
 Deputy R.G. Le Hérisier (S)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy M. Tadier (B)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy S.Y. Mezec (H)

ABSTAIN: 1

Deputy G.C.L. Baudains (C)

Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)
 Deputy N. Le Cornu

THE STATES adopted Regulation 6.

THE STATES adopted Regulation 7.

Members present voted as follows –

POUR: 35

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of Trinity
 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 Grouville
 Deputy R.C. Duhamel (S)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 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)
 Deputy N. Le Cornu (H)

CONTRE: 10

Senator S.C. Ferguson
 Connétable of St. Clement
 Connétable of St. John
 Connétable of St. Saviour
 Deputy R.G. Le Hérisier (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy G.C.L. Baudains (C)
 Deputy J.H. Young (B)
 Deputy S.Y. Mezec (H)

ABSTAIN: 0

THE STATES adopted Regulations 8 to 13.

Members present voted as follows –

POUR: 43

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 I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of Trinity
 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
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 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. Le Cornu (H)
 Deputy S.Y. Mezec (H)

CONTRE: 1

Connétable of St. John

ABSTAIN: 1

Deputy G.C.L. Baudains (C)

THE STATES, in pursuance of Articles 82 and 104 of the Employment (Jersey) Law 2003 and Articles 15(3) and 16(1) of the Employment of States of Jersey Employees (Jersey) Law 2005, made Regulations entitled the Employment and Discrimination Tribunal (Jersey) Regulations 2014.

Draft Discrimination (Jersey) Law 2013 (Appointed Day) Act 201- P.5/2014

THE STATES, in pursuance of Article 49 of the Discrimination (Jersey) Law 2013, made an Act entitled Discrimination (Jersey) Law 2013 (Appointed Day) Act 2014.

Members present voted as follows –

POUR: 44**CONTRE: 2****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 I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of St. Helier
 Connétable of Trinity
 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
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 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.J. Rondel (H)
 Deputy N. Le Cornu (H)
 Deputy S.Y. Mezec (H)

Connétable of St. John
 Deputy G.C.L. Baudains (C)

Esplanade Quarter Developments: approval by the States P.15/2014

THE STATES commenced consideration of a proposition of Senator Alan Breckon entitled 'Esplanade Quarter Developments: approval by the States' (P.15/2014).

Changes in Presidency

The Bailiff retired from the Chamber during consideration of the proposition of Senator Alan Breckon entitled 'Esplanade Quarter Developments: approval by the States' and Mr. Michael Nelson de la Haye, Greffier of the States, assumed the Presidency. The Bailiff returned to the Chamber during the same debate and the meeting continued under his Presidency.

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 19th March 2014 to continue consideration of the proposition of Senator Alan Breckon entitled 'Esplanade Quarter Developments: approval by the States' (P.15/2014) and the outstanding items of public business.

THE STATES rose at 5.31 p.m.

M.N. DE LA HAYE

Greffier of the States