



**THE STATES assembled on Tuesday
12th May 2015, at 09.30 a.m. under
the Presidency of the Deputy Bailiff,
Timothy John Le Cocq, 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 Sir Philip Martin Bailhache – excused attendance (arrived in the Chamber at 11.12 a.m.)
Connétable John Edward Le Maistre of Grouville – excused attendance
Deputy Jeremy Martin Maçon of St. Saviour – ill

Prayers

H.M. Attorney General – welcome

The Deputy Bailiff, on behalf of all members, welcomed H.M. Attorney General, Mr. Robert James MacRae, Q.C. to his first meeting of the States Assembly.

The Connétable of St. Clement, on behalf of all members, wished H.M. Attorney General every success in his new role.

H.M. Attorney General extended his thanks to members.

Viscount – forthcoming appointment

The Deputy Bailiff advised the Assembly that Advocate Elaine Millar had been appointed to the role of Viscount and would take up office later in the year.

Liberation Day – thanks

The Deputy Bailiff, on behalf of all members and the Bailiff, thanked those involved in the organisation of the recent Liberation Day celebrations and, in particular, the Bailiff's Chief Officer, Mr. David G.C. Filipponi.

Subordinate enactments tabled

The following enactments were tabled, namely –

Taxation (Exchange of Information with Third Countries) (Specified Date (Hungary, Indonesia, Italy)) (Jersey) Order 2015. R&O.48/2015.
Minister for External Relations.

EU Legislation (Sanctions – Democratic Republic of the Congo) (Amendment) (Jersey) Order 2015. R&O.49/2015.
Minister for External Relations.

Taxation (Implementation) Convention on Mutual Administrative Assistance in Tax Matters) (Amendment of Regulations No. 2) (Jersey) Order 2015. R&O.50/2015.
Minister for External Relations.

Road Racing (International Festival of Motoring) (Jersey) Order 2015. R&O.51/2015.
Minister for Transport and Technical Services.

Documents presented or laid

Bus Fares 2015: review (P.35/2015) – comments. P.35/2015.
 Presented: 8th May 2015. Com.
Minister for Transport and Technical Services.

Zero Hours Contracts: response to P.100/2013 as amended. R.52/2015.
 Presented: 6th May 2015.
Minister for Social Security.

Land Transactions under Standing Order 168(3) – R.53/2015.
 (a) Ground Floor Retail Unit, 52 Don Street, St. Helier – new lease;
 (b) Jersey Electricity Sub-station No. 621 and Section Pillar No. 6680, Les Creux sub-lease;
 (c) St. Brelade Promenade Ticket Kiosk – lease.
 Presented: 8th May 2015.
Minister for Treasury and Resources.

States of Jersey Financial Reporting Manual (May 2015). R.54/2015.
 Presented: 12th May 2015.
Minister for Treasury and Resources.

Land Transactions under Standing Order 168(3) – R.55/2015.
 (a) 14/16 Burrard Street, Ground Floor premises – new lease;
 (b) Alzola, 2 Belle Vue Villas, Upper King’s Cliff, La Pouquelaye, St. Helier – proposed sale;
 (c) Les Creux Country Park, La Moye, St. Brelade – Sub-lease of Ground Site to “The Scouts’ Association Jersey”.
 Presented: 12th May 2015.
Minister for Treasury and Resources.

Notification of lodged propositions

Draft Air and Sea Ports (Incorporation) (Jersey) Law 201- (P.5/2015): second amendment. P.5/2015.
 Amd.(2)
 Lodged: 12th May 2015.
Deputy G.P. Southern of St. Helier.

Draft States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 201-. Lodged: 6th May 2015. <i>Chief Minister.</i>	P.46/2015. (re-issue)
Jersey Financial Services Commission: re-appointment of Commissioner. Lodged: 6th May 2015. <i>Chief Minister.</i>	P.47/2015.
Draft Connétables (Amendment – Declaration of Convictions) (Jersey) Law 201-. Lodged: 7th May 2015. <i>Comité des Connétables.</i>	P.48/2015.
Jersey Financial Services Commission: re-appointment of Commissioner. Lodged: 11th May 2015. <i>Chief Minister.</i>	P.49/2015.
Draft Income Support (Amendment) (Jersey) Law 201-. Lodged: 12th May 2015. <i>Minister for Social Security.</i>	P.50/2015.
Draft Income Support (Amendment of Law No. 2) (Jersey) Regulations 201-. Lodged: 12th May 2015. <i>Minister for Social Security.</i>	P.51/2015.
Draft Income Support (Amendment No. 13) (Jersey) Regulations 201-. Lodged: 12th May 2015. <i>Minister for Social Security.</i>	P.52/2015.
Draft Adoption (Amendment No. 7) (Jersey) Law 201-. Lodged: 12th May 2015. <i>Minister for Health and Social Services.</i>	P.53/2015.
Health and Safety Appeal Tribunal: appointment of members. Lodged: 12th May 2015. <i>Minister for Social Security.</i>	P.54/2015.

Written Questions

(see Official Report/Hansard)

The Chief Minister tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding salaries paid to Law Officers.

The Chief Minister tabled an answer to a question asked by the Connétable of Grouville regarding LEAN initiatives.

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

The Chief Minister tabled an answer to a question asked by Deputy J.A. Martin of St. Helier regarding registration cards.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy S.Y. Mézec of St. Helier regarding the cost of running the States of Jersey Development Company.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding hospital waiting times.

The Minister for Economic Development tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regard grants to the agriculture, aquaculture and fishing sectors.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding car parking revenue received by the States of Jersey Development Company.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the bonus structure for staff of the Jersey Development Company.

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

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding staffing posts allocated to Health and Social Services and Education, Sport and Culture.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the construction costs of the new Police Headquarters.

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

The Minister for Economic Development tabled an answer to a question asked by the Deputy of Grouville regarding the Cultural Strategy.

Oral Questions

(see Official Report/Hansard)

Deputy S.Y. Mézec of St. Helier asked a question of the Chief Minister regarding user pays charges.

Deputy A.D. Lewis of St. Helier asked a question of the Assistant Chief Minister regarding the Control of Housing and Work (Jersey) Law 2012.

Deputy G.J. Truscott of St. Brelade asked a question of the Minister for Education, Sport and Culture regarding the new Les Quennevais School.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding zero-hours contracts.

Senator Z.A. Cameron asked a question of the Minister for Health and Social Services regarding complaints about General Practitioners.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Social Security regarding the living wage for Jersey.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Social Security regarding the minimum wage.

Deputy A.D. Lewis of St. Helier asked a question of the Minister for Health and Social Services regarding patient treatment abroad.

Deputy G.P. Southern of St. Helier asked a question of the Assistant Minister for Treasury and Resources regarding the cleaning contract for Morier House.

Oral Questions without notice
(see *Official Report/Hansard*)

The Minister for Economic Development answered questions without notice from members.

The Minister for Housing answered questions without notice from members.

Deregulation Bill: application of certain provisions to Jersey P.28/2015

THE STATES, adopting a proposition of the Chief Minister regarding the application of certain provisions of the Deregulation Bill to Jersey (P.28/2015), agreed to signify, pursuant to Article 31(1)(a) of the States of Jersey Law 2005, that they agreed that clauses 102 and 109(1) of, and Schedule 21 to, the Deregulation Bill of the United Kingdom Parliament, to the extent they would repeal the Sea Fisheries Act 1868, the Fisheries Act 1891 and the British Fishing Boats Act 1983, should, if enacted, be registered by the Royal Court.

Draft Shipping (Oil Pollution) (Liability and Compensation) (Jersey) Law 201- P.29/2015

THE STATES commenced consideration of the Draft Shipping (Oil Pollution) (Liability and Compensation) (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 37.

Members present voted as follows –

POUR: 33

CONTRE: 0

ABSTAIN: 0

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. 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 Trinity
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy K.C. Lewis (S)

Deputy M. Tadier (B)
 Deputy of St. John
 Deputy M.R. Higgins (H)
 Deputy S.J. Pinel (C)
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)
 Deputy S.Y. Mézec (H)
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 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)

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Shipping (Oil Pollution) (Liability and Compensation) (Jersey) Law 201-.

Gas Tariffs: review by Jersey Competition Regulatory Authority P.32/2015

THE STATES rejected a proposition of Deputy Geoffrey Peter Southern of St. Helier to request the Minister for Treasury and Resources, or another Minister as appropriate, to bring forward Regulations for approval by the States, under the powers assigned by Article 89(1) of the Jersey Gas Company (Jersey) Law 1989, in order to vary the Jersey Gas Company's domestic and commercial tariffs by 1st October 2015 in the light of the recommendations of the Jersey Competition Regulatory Authority resulting from its review of fuel markets.

Members present voted as follows –

POUR: 13

Connétable of St. Saviour
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy S.Y. Mézec (H)
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Bree (C)
 Deputy T.A. McDonald (S)

CONTRE: 30

Deputy J.A.N. Le Fondré
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 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 St. John
 Connétable of Trinity
 Deputy of Trinity

ABSTAIN: 0

Deputy E.J. Noel (L)
 Deputy of St. John
 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 of St. Mary
 Deputy G.J. Truscott (B)
 Deputy P.D. McLinton (S)

Jersey Appointments Commission: appointment of Commissioners P.33/2015

THE STATES, adopting a proposition of the Chief Minister, agreed, in accordance with Article 18(1) of the Employment of States of Jersey Employees (Jersey) Law 2005, to appoint the following persons as Commissioners of the Jersey Appointments Commission, each appointment being for the period stated against their name in the table below –

New appointments

Mr. Richard Plaster	3 years
Ms. Louise Read	4 years
Mrs. Jennifer Carnegie	4 years

Re-appointment

Professor Ed Sallis, O.B.E.	18 months.
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Draft Social Security (Reciprocal Agreement with Chile) (Jersey) Act 201- P.34/2015

THE STATES, in pursuance of Article 48 of the Social Security (Jersey) Law 1974, made an Act entitled the Social Security (Reciprocal Agreement with Chile) (Jersey) Act 2015.

Members present voted as follows –

POUR: 33

CONTRE: 0

ABSTAIN: 0

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

Deputy G.P. Southern (H)
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 Deputy of St. John
 Deputy M.R. Higgins (H)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)
 Deputy of St. Ouen
 Deputy R. Labey (H)
 Deputy S.M. Bree (C)
 Deputy T.A. McDonald (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy P.D. McLinton (S)

Bus Fares 2015: review P.35/2015

THE STATES rejected a proposition of Deputy Geoffrey Peter Southern of St. Helier to request the Minister for Transport and Technical Services to –

- (a) review his policy on fare pricing for 2015; and
- (b) renegotiate the terms of the agreement between the Minister and CT Plus Jersey; and
- (c) bring to the States for agreement a revised policy which conformed to the States' anti-inflation policy.

Members present voted as follows –

POUR: 7

Senator Z.A. Cameron
 Connétable of St. Saviour
 Deputy G.P. Southern (H)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy S.Y. Mézec (H)
 Deputy T.A. McDonald (S)

CONTRE: 31

Senator P.F. Routier
 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. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. John
 Connétable of Trinity
 Deputy J.A. Martin (H)
 Deputy J.A. Hilton (H)
 Deputy of Trinity

ABSTAIN: 0

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 A.D. Lewis (H)
 Deputy of St. Ouen
 Deputy R. Labey (H)
 Deputy S.M. Bree (C)
 Deputy M.J. Norton (B)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)

Commissioners of Appeal for Taxes Office: re-appointment P.37/2015

THE STATES, adopting a proposition of the Minister for Treasury and Resources, agreed in accordance with Article 10 of the Income Tax (Jersey) Law 1961, as amended, to approve the appointment as a Commissioner of Appeal for the Taxes Office, each for a period of 3 years with effect from the end of their current appointment, of –

Mr. Craig Leach
 Mr. John Mills, C.B.E.
 Mr. Michael Lanyon.

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) –

2nd June 2015

Draft Restriction on Smoking (Motor Vehicles) (Jersey) Regulations 201-. Lodged: 1st April 2015 <i>Minister for Health and Social Services.</i>	P.36/2015.
Draft Air and Sea Ports (Incorporation) (Jersey) Law 201-. Lodged: 15th January 2015. <i>Council of Ministers.</i>	P.5/2015.
Draft Air and Sea Ports (Incorporation) (Jersey) Law 201- (P.5/2015): amendment. Lodged: 16th April 2015. <i>Chief Minister.</i>	P.5/2015. Amd.
Draft Air and Sea Ports (Incorporation) (Jersey) Law 201- (P.5/2015): second amendment. Lodged: 12th May 2015. <i>Deputy G.P. Southern of St. Helier.</i>	P.5/2015. Amd.(2)

Draft Aircraft Registration and Air Navigation (Miscellaneous Provisions) (Jersey) Law 201-. P.38/2015.
Lodged: 8th April 2015.
Minister for Economic Development.

Draft Discrimination (Sex and Related Characteristics) (Jersey) Regulations 201-. P.40/2015.
Lodged: 21st April 2015.
Minister for Social Security.

Draft Employment (Amendment of Law) (Jersey) Regulations 201-. P.41/2015.
Lodged: 21st April 2015.
Minister for Social Security.

Draft Public Finances (Amendment of Law No. 2) (Jersey) Regulations 201-. P.42/2015.
Lodged: 21st April 2015.
Minister for Treasury and Resources.

Draft Criminal Procedure (Miscellaneous Amendments) (Jersey) Law 201-. P.43/2015.
Lodged: 21st April 2015.
Chief Minister.

States of Jersey Development Company Limited: re-appointment of Non-Executive Director. P.45/2015.
Lodged: 28th April 2015
Minister for Treasury and Resources.

Jersey Financial Services Commission: re-appointment of Commissioner. P.47/2015.
Lodged: 6th May 2015.
Chief Minister.
(Cannot be debated before 3rd June 2015)

16th June 2015

Esplanade Quarter development: Scrutiny review and referendum. P.44/2015.
Lodged: 28th April 2015.
Deputy M. Tadier of St. Brelade.

Jersey Financial Services Commission: re-appointment of Commissioner. P.49/2015.
Lodged: 11th May 2015.
Chief Minister.

Health and Safety Appeal Tribunal: appointment of members. P.54/2015.
Lodged: 12th May 2015.
Minister for Social Security.

23rd June 2015

States Assembly: filming proceedings and the installation of clocks. P.39/2015.
Lodged: 16th April 2015.
Privileges and Procedures Committee.

- Draft States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 201-. P.46/2015.
Lodged: 6th May 2015. (re-issue)
Chief Minister.
- Draft Connétables (Amendment – Declaration of Convictions) (Jersey) Law 201-. P.48/2015.
Lodged: 7th May 2015.
Comité des Connétables.
- Draft Income Support (Amendment) (Jersey) Law 201-. P.50/2015.
Lodged: 12th May 2015.
Minister for Social Security.
- Draft Income Support (Amendment of Law No. 2) (Jersey) Regulations 201-. P.51/2015.
Lodged: 12th May 2015.
Minister for Social Security.
- Draft Income Support (Amendment No. 13) (Jersey) Regulations 201-. P.52/2015.
Lodged: 12th May 2015.
Minister for Social Security.
- Draft Adoption (Amendment No. 7) (Jersey) Law 201-. P.53/2015.
Lodged: 12th May 2015.
Minister for Health and Social Services.

THE STATES rose at 3.04 p.m.

M.N. DE LA HAYE, O.B.E.

Greffier of the States