



**THE STATES assembled on Tuesday  
18th January 2022, at 9.30 a.m. under  
the Presidency of the Bailiff,  
Timothy John Le Cocq, Esquire.**

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**His Excellency the Lieutenant Governor,  
Air Chief Marshall Sir Stephen Dalton, G.C.B., LL.D. (Hon.), D.Sc. (Hon.), B.Sc., F.R.Ae.S.,  
C.C.M.I. was present.**

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

Connétable Deidre Wendy Mezbourian of St. Lawrence – excused attendance  
Deputy Jeremy Martin Maçon of St. Saviour – excused attendance  
Deputy Scott Michael Wickenden of St. Helier – excused attendance  
Deputy Charles Hugh Raymond of Trinity – ill

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Prayers

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#### **Standing Order 55A – remote participation**

THE STATES, with reference to their Act dated 14th September 2021, in which they had agreed that, notwithstanding Standing Order 55A(1), members who did not wish to attend in the States Chamber might continue to take part in States meetings using Microsoft Teams (until the States had considered and voted upon a proposition to re-apply Standing Order 55A(1) or to repeal or vary the terms of the Standing Order), assembled in accordance with Standing Order 55A with members able to participate remotely using Microsoft Teams.

#### **Subordinate enactments tabled**

The following enactments were tabled, namely –

Regulation of Care (Standards and Requirements) (Reinstatement of Covid-19 Modifications) (Jersey) Order 2021. <i>Minister for the Environment.</i>	R&O.151/2021.
Sanctions and Asset-Freezing (Implementation of External Sanctions) (Amendment – Burundi) (Jersey) Order 2021. <i>Minister for External Relations and Financial Services.</i>	R&O.152/2021.
Social Security (Class 1 Minimum Earnings Threshold) (Jersey) Order 2021. <i>Minister for Social Security.</i>	R&O.153/2021.
Social Security (Collection of Class 1 and Class 2 Contributions) (Amendment) (Jersey) Order 2021. <i>Minister for Social Security.</i>	R&O.154/2021.
Control of Housing and Work (Fees) (Amendment No. 4) (Jersey) Order 2021. <i>Chief Minister.</i>	R&O.155/2021.

Nursing Homes (2022 Fees) (Jersey) Order 2021. <i>Chief Minister.</i>	R&O.157/2021.
Marriage and Civil Partnership (Amendments – Fees) (Jersey) Order 2021. <i>Minister for Home Affairs.</i>	R&O.159/2021.
Home Affairs (Fire and Rescue and Petroleum) (2022 Fees) (Jersey) Order 2021. <i>Minister for Home Affairs.</i>	R&O.160/2021.
Social Security (Classification and Contributions) (Amendment) (Jersey) Order 2021. <i>Minister for Social Security.</i>	R&O.161/2021.
Social Security (Television Licence Benefit – Income Threshold) (Amendment) (Jersey) Order 2021. <i>Minister for Social Security.</i>	R&O.162/2021.
Social Security (Contributions) (Covid-19) (Amendment No. 4) (Jersey) Order 2021. <i>Minister for Social Security.</i>	R&O.163/2021.
Covid-19 (Workplace – Thirtieth Extension) (Jersey) Order 2021. <i>Minister for Health and Social Services.</i>	R&O.164/2021.
Infrastructure (Driver and Vehicle Standards – 2022 Fees) (Jersey) Order 2021. <i>Minister for Infrastructure.</i>	R&O.165/2021.
Road Works (Permit Fees) (Amendment) (Jersey) Order 2021. <i>Minister for Infrastructure.</i>	R&O.166/2021.
Road Traffic (Public Parking Places – Charges) (Amendment No. 6) (Jersey) Order 2021. <i>Minister for Infrastructure.</i>	R&O.167/2021.
Road Traffic (Parking) (General Provisions and Penalties) (Repeal) (Jersey) Order 2021. <i>Minister for Infrastructure.</i>	R&O.168/2021.
Environment (2022 Fees) (Jersey) Order 2021. <i>Minister for the Environment.</i>	R&O.169/2021.
Covid-19 (Workplace Restrictions) (Amendment No. 15) (Jersey) Order 2021. <i>Minister for Health and Social Services.</i>	R&O.170/2021.

### Documents presented

Draft Financial Services Commission (Amendment No. 8) (Jersey) Law 202- (P.104/2021): comments. Presented: 13th January 2022, <i>Economic and International Affairs Scrutiny Panel.</i>	P.104/2021. Com.
Draft Commercial Vehicles (Licensing of Operators) (Jersey) Law 202- (P.118/2021): comments. Presented: 14th January 2022, <i>Environment, Housing and Infrastructure Scrutiny Panel.</i>	P.118/2021. Com.
Rent Safe Scheme (P.121/2021): comments. Presented: 13th January 2022, <i>Minister for the Environment.</i>	P.121/2021. Com.

Consultants-Use by the Government of Jersey (P.59-2019) - Report by the Chief Minister - December 2021. Presented: 20th December 2021, <i>Chief Minister</i> .	R.187/2021.
P.28/2021 Broad Street Active Travel Corridor and Public Realm Review Report. Presented: 20th December 2021, <i>Minister for Infrastructure</i> .	R.188/2021.
Review of Jersey's Incapacity Benefits. Presented: 22nd December 2021, <i>Minister for Social Security</i> .	R.189/2021.
Social Security Review: incapacity benefits – Expert report on future design of incapacity benefits system. Presented: 22nd December 2021, <i>Minister for Social Security</i> .	R.189/2021. Add.
Tracking Comptroller and Auditor General Recommendations. Presented: 22nd December 2021, <i>Comptroller and Auditor General</i> .	R.190/2021.
Publication of Legal Aid Guidelines. Presented: 23rd December 2021, <i>Chief Minister</i> .	R.191/2021.
Jersey Care Model Update Report 2021. Presented: 24th December 2021, <i>Minister for Health and Social Services</i> .	R.192/2021.
States of Jersey Law 2005: Delegation of Functions – Minister for Health and Social Services – Consolidated Schedule December 2021. Presented: 24th December 2021, <i>Minister for Health and Social Services</i> .	R.193/2021.
Transfers Between Heads of Expenditure under the Public Finances (Jersey) Law 2019: Article 18 – 23rd December 2021. Presented: 4th January 2022, <i>Minister for Treasury and Resources</i> .	R.1/2022.
Commissioner for Standards: Investigation of complaint of breach of the Code of Conduct for elected members by Deputy M.R. Higgins of St. Helier. Presented: 5th January 2022, <i>Privileges and Procedures Committee</i> .	R.2/2022.
Policy Guidance in respect of Standing Order 53(2): Parental Responsibilities. Presented: 11th January 2022, <i>Privileges and Procedures Committee</i> .	R.3/2022.
Regulation of Investigatory Powers (Jersey) Law 2005 and Police Procedures and Criminal Evidence (Jersey) Law 2003: Report of the Investigatory Powers Commissioner 1st January – 31st December 2020. Presented: 13th January 2022.	R.4/2022.
Fiscal Policy Panel: Re-appointment of Member. Presented: 17th January 2021, <i>Minister for Treasury and Resources</i> .	R.5/2022.
Records Advisory Panel: Appointment of Chair and Members. Presented: 17th January 2021, <i>Minister for Economic Development, Tourism, Sport and Culture</i> .	R.6/2022.
Jersey Electoral Authority – Appointment of Chair and Members. Presented: 17th January 2021, <i>Privileges and Procedures Committee</i> .	R.7/2022.
Order in Council regarding the attachment of Jersey to the Diocese of Salisbury and adoption of new canons. Presented: 18th January 2021, <i>Chief Minister</i> .	R.8/2022.

GST Personal Importation Review: Phase 1 (S.R. 15/2021) – Response of the Minister for Treasury and Resources. Presented: 17th January 2022, <i>Minister for Treasury and Resources.</i>	S.R.15/2021. Res.
Government Plan 2022-2025 Scrutiny Review (Economic and International Affairs Scrutiny Panel) (S.R.17/2021): Response of the Minister for International Development. Presented: 11th January 2022, <i>Minister for International Development.</i>	S.R.17/2021. Res.
Regulations for the licence application, production and export of Medicinal Cannabis on Jersey. Presented: 6th January 2022, <i>Economic and International Relations Scrutiny Panel.</i>	SR.1/2022.

### Notification of lodged propositions

Radiotherapy Unit in Jersey (P.113/2021): amendment. Lodged: 11th January 2021, <i>Minister for Health and Social Services.</i>	P.113/2021. Amd.
Re-opening of Samarès Ward (P.115/2021): amendment. Lodged: 11th January 2021, <i>Minister for Health and Social Services.</i>	P.115/2021. Amd.
Draft Taxation (Enveloped Property Transactions) (Jersey) Law 202-. Lodged: 20th December 2021, <i>Minister for Treasury and Resources.</i>	P.119/2021.
Draft Social Security (Amendment of Law – Minimum Earnings Threshold) (No. 2) (Jersey) Regulations 202-. Lodged: 20th December 2021, <i>Minister for Social Security.</i>	P.120/2021.
Rent Safe Scheme. Lodged: 21st December 2021, <i>Senator K.L. Moore.</i>	P.121/2021.
Draft Connétables (Amendment No. 3) (Jersey) Law 202-. Lodged: 23rd December 2021, <i>Comité des Connétables.</i>	P.122/2021.
Draft Proceeds of Crime (Amendment No. 5) (Jersey) Law 202-. Lodged: 23rd December 2021, <i>Minister for External Relations and Financial Services</i>	P.123/2021.
Draft Proceeds of Crime (Enforcement of Confiscation Orders) (Amendment) (Jersey) Regulations 202-. Lodged: 23rd December 2021, <i>Minister for External Relations and Financial Services.</i>	P.124/2021.
Draft Court of Appeal (Amendment No. 9) (Jersey) Law 202-. Lodged: 23rd December 2021, <i>Minister for External Relations and Financial Services.</i>	P.125/2021.
Draft Royal Court (Amendment No. 16) (Jersey) Law 202-. Lodged: 23rd December 2021, <i>Chief Minister.</i>	P.126/2021.
Amendment (No. 54) to Standing Orders – Amendments to the Code of Conduct for elected members and related matters. Lodged: 4th January 2021, <i>Privileges and Procedures Committee.</i>	P.1/2022.
Tenancy notice period. Lodged: 7th January 2021, <i>Senator S.Y. Mézec.</i>	P.2/2022.
Amendment to Standing Orders – miscellaneous amendments. Lodged: 11th January 2021, <i>Privileges and Procedures Committee.</i>	P.3/2022.

Draft Criminal Procedure (Consequential Amendments – Access to Justice) (Jersey) Regulations 202- Lodged: 14th January 2022, <i>Chief Minister</i> .	P.4/2022.
Draft Public Holidays and Bank Holidays (Amendment No. 4) (Jersey) Act 202- Lodged: 17th January 2022, <i>Chief Minister</i> .	P.5/2022.
Draft Marriage and Civil Status (Amendment No.5) (Jersey) Law 202- Lodged: 17th January 2022, <i>Minister for Home Affairs</i> .	P.6/2022.
Draft Civil Partnership (Amendment)(Jersey) Law 202- Lodged: 17th January 2022, <i>Minister for Home Affairs</i> .	P.7/2022.
Covid-19 hospital patients visitor access. Lodged: 17th January 2022, <i>Deputy M. Tadier of St. Brelade</i> .	P.8/2022.
Draft Children (Arrangements to Assist Children to Live Outside Jersey) (Amendment) (Jersey) Law 202- Lodged: 18th January 2022, <i>Minister for Children and Education</i> .	P.9/2022.
Draft Ecclesiastical Legislation (Consequential Amendments) (Jersey) Law 202- Lodged: 18th January 2022, <i>Chief Minister</i> .	P.10/2022.
Trade Marks, Registered Designs and Patents (Application Forms) (Jersey) Regulations 202- Lodged: 18th January 2022, <i>Minister for External Relations and Financial Services</i> .	P.11/2022.
Order in Council: adoption of new Canons. Lodged: 18th January 2022, <i>Chief Minister</i> .	P.12/2022.

### Written Questions

(see *Official Report/Hansard*)

- WQ.506/2021 1. The Minister for Health and Social Services had tabled an answer on 20th December 2021 to a question asked by the Connétable of St. John regarding contracts to reduce the waiting list for cataract surgery.
- WQ.507/2021 2. The Minister for Health and Social Services had tabled an answer on 20th December 2021 to a question asked by Senator S.W. Pallett regarding the provision of rehabilitation services in Jersey.

### Oral Questions

(see *Official Report/Hansard*)

- OQ.4/2022 1. Deputy I. Gardiner of St. Helier asked a question of the Minister for Infrastructure regarding to damage to the Energy from Waste plant.
- OQ.8/2022 2. Deputy K.G. Pamplin of St. Saviour asked a question of the Minister for the Environment regarding the Regulation of Care (Standards and Requirements) (Reinstatement of Covid-19 Modifications) Order 2021.
- OQ.13/2022 3. Senator T.A. Vallois asked a question of the Chair of the States Employment Board regarding succession planning in the public sector.

- OQ.2/2022 4. Senator S.Y. Mézec asked a question of the Minister for Treasury and Resources regarding the accreditation of States-owned bodies as Living Wage employers.
- OQ.16/2022 5. Senator K.L. Moore asked a question of the Minister for Health and Social Services regarding the treatment of spinal cord injuries.
- OQ.14/2022 6. Deputy K.F. Morel of St. Lawrence asked a question of the Minister for Home Affairs regarding violent crimes committed by men against women.
- OQ.12/2022 7. Deputy J.M. Maçon of St. Saviour asked a question of the Chair of the Privileges and Procedures Committee regarding the implementation of ‘Diversity Working Group’ (P.118/2019), as amended.
- OQ.17/2022 8. Deputy J. H. Perchard of St. Saviour asked a question of the Minister for Housing and Communities regarding the number of Islanders considered to be homeless.
- OQ.10/2022 9. Deputy R.J. Ward of St. Helier asked a question of the Minister for Health and Social Services regarding the occurrence of Paediatric Inflammatory Multisystem Syndrome.
- OQ.1/2022 10. Senator S.C. Ferguson asked a question of the Vice-Chair of the States Employment Board regarding the policy governing contact between senior managers and their direct reports outside of standard working hours.
- OQ.6/2022 11. Deputy M.R. Higgins of St. Helier asked a question of the Minister for the Environment regarding the Norfolk Police investigation of the Planning department.
- OQ.15/2022 12. The Connétable of St. Helier asked a question of the Minister for the Environment regarding the planning application process for the new Hospital.
- OQ.9/2022 13. Deputy K.G. Pamplin of St. Saviour asked a question of the Minister for Health and Social Services regarding the former Samarès Ward.
- OQ.5/2022 14. Deputy I. Gardiner of St. Helier asked a question of the Minister for Health and Social Services regarding public engagement in respect of the Jersey Care Model.
- OQ.3/2022 15. Senator S.Y. Mézec asked a question of the Minister for Infrastructure regarding the roadworks at Havre des Pas.

THE STATES noted that, in accordance with Standing Order 63(9), a written response would be provided to the following oral questions that had not been asked during the time allowed at the meeting –

- OQ.11/2022 16. Deputy R.J. Ward of St. Helier asked a question of the Minister for Infrastructure regarding the Highway Code.
- OQ.7/2022 17. Deputy M.R. Higgins of St. Helier asked a question of the Minister for the Environment regarding the Planning and Building (General Development) (Jersey) Order 2011.

### **Suspension of meeting**

The Bailiff, during the period of Oral Questions with notice suspended the meeting until 2.15 p.m., in accordance with Standing Order 46, in order that members could attend the funeral service of the late Mr. Gary Burgess.

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

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

The Minister for Infrastructure answered questions without notice from members.

The Chief Minister answered questions without notice from members.

**Arrangement of public business for the present meeting**

THE STATES, adopting a proposition of Deputy Montfort Tadier of St. Brelade, agreed, in accordance with Standing Order 80, to suspend Standing Order 32 in order that his proposition entitled ‘Covid-19 hospital patients visitor access’ (P.8/2022) might be listed for consideration at the present meeting; and further agreed in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of the same proposition in order that it might be debated at the present meeting.

Members present voted as follows –

**POUR: 37**

Senator I.J. Gorst  
 Senator T.A. Vallois  
 Senator K.L. Moore  
 Senator S.W. Pallett  
 Senator S.Y. Mézec  
 Connétable of St. Helier  
 Connétable of St. Saviour  
 Connétable of St. Brelade  
 Connétable of Grouville  
 Connétable of Trinity  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Martin  
 Connétable of St. John  
 Connétable of St. Clement  
 Deputy G.P. Southern (H)  
 Deputy of Grouville  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy M.R. Higgins (H)  
 Deputy of St. Martin  
 Deputy of St. Ouen  
 Deputy L.M.C. Doublet (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy J.H. Young (B)  
 Deputy K.F. Morel (L)  
 Deputy G.C.U. Guida (L)  
 Deputy of St. Peter  
 Deputy of St. John  
 Deputy M.R. Le Hegarat (H)  
 Deputy S.M. Ahier (H)  
 Deputy J.H. Perchard (S)  
 Deputy R.J. Ward (H)

**CONTRE: 7**

Senator S.C. Ferguson  
 Connétable of St. Peter  
 Deputy J.A. Martin (H)  
 Deputy J.M. Maçon (S)  
 Deputy S.J. Pinel (C)  
 Deputy S.M. Wickenden (H)  
 Deputy L.B.E. Ash (C)

**ABSTAIN: 0**

Deputy C.S. Alves (H)  
 Deputy K.G. Pamplin (S)  
 Deputy I. Gardiner (H)

THE STATES rejected a proposition of Deputy Montfort Tadier of St. Brelade that his proposition entitled 'Covid-19 hospital patients visitor access' (P.8/2022) should be considered as the first item of public business at the meeting.

Members present voted as follows –

**POUR: 12**

Senator L.J. Farnham  
 Senator T.A. Vallois  
 Senator K.L. Moore  
 Senator S.Y. Mézec  
 Connétable of St. Mary  
 Deputy G.P. Southern (H)  
 Deputy M. Tadier (B)  
 Deputy M.R. Higgins (H)  
 Deputy L.M.C. Doublet (S)  
 Deputy M.R. Le Hegarat (H)  
 Deputy R.J. Ward (H)  
 Deputy C.S. Alves (H)

**CONTRE: 32**

Senator I.J. Gorst  
 Senator S.C. Ferguson  
 Senator J.A.N. Le Fondré  
 Senator S.W. Pallett  
 Connétable of St. Helier  
 Connétable of St. Brelade  
 Connétable of Grouville  
 Connétable of St. Peter  
 Connétable of St. Ouen  
 Connétable of St. Martin  
 Connétable of St. John  
 Connétable of St. Clement  
 Deputy J.A. Martin (H)  
 Deputy of Grouville  
 Deputy K.C. Lewis (S)  
 Deputy J.M. Maçon (S)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy of St. Ouen  
 Deputy R. Labey (H)  
 Deputy S.M. Wickenden (H)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy J.H. Young (B)  
 Deputy L.B.E. Ash (C)  
 Deputy K.F. Morel (L)  
 Deputy G.C.U. Guida (L)  
 Deputy of St. Peter  
 Deputy of St. John  
 Deputy S.M. Ahier (H)  
 Deputy J.H. Perchard (S)  
 Deputy I. Gardiner (H)

**ABSTAIN: 0****Adjournment**

THE STATES adjourned, having agreed to reconvene on Wednesday 19th January 2022 to consider the items of public business listed for the meeting.

THE STATES rose at 5.23 p.m.

**DR. M. EGAN**

*Greffier of the States*