



**THE STATES assembled on Tuesday  
3rd June 2014, at 09.30 a.m. under  
the Presidency of the Bailiff,  
Sir Michael Birt.**

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

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

Deputy Geoffrey Peter Southern of St. Helier – en défaut (défaut raised at 9.45 a.m.)  
Deputy James Gordon Reed of St. Ouen – ill  
Deputy Susan Jane Pinel – en défaut  
Deputy Stephen George Luce of St. Martin – excused attendance  
Deputy Kristina Louise Moore of St. Peter – ill

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Prayers

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### **Subordinate enactments tabled**

The following enactments were tabled, namely –

Community Provisions (Restrictive Measures – Ukraine) (Amendment No. 5) (Jersey) Order 2014. <i>Minister for External Relations.</i>	R&O.48/2014.
Road Racing (International Festival of Motoring) (Jersey) Order 2014. <i>Minister for Transport and Technical Services.</i>	R&O.49/2014.
Road Traffic (Public Parking Places – Miscellaneous Amendments No. 2) (Jersey) Order 2014. <i>Minister for Transport and Technical Services.</i>	R&O.50/2014.
Building Bye-Laws (Amendment No. 3) (Jersey) 2014. <i>Minister for Planning and Environment.</i>	R&O.51/2014.
Community Provisions (Restrictive Measures – Côte d'Ivoire) (Amendment No. 8) (Jersey) Order 2014. <i>Minister for External Relations.</i>	R&O.52/2014.
Long-Term Care (Health and Social Services Charges) (Jersey) Order 2014. <i>Minister for Health and Social Services.</i>	R&O.53/2014.
Jersey Festival of Cycling (Jersey) Order 2014. <i>Minister for Transport and Technical Services.</i>	R&O.55/2014.

Water Pollution (Code of Good Agricultural Practice) (Amendment) (Jersey) Order 2014. R&O.56/2014.  
*Minister for Transport and Technical Services.*

States of Jersey Police Force (Transitional Provisions) (Jersey) Order 2014. R&O.57/2014.  
*Minister for Home Affairs.*

**Documents presented or laid**

Sunstone Holdings Ltd. and De Lec Ltd. – *ex gratia* payments to investors (P.90/2013) – comments. P.90/2013.  
Com.(2)  
 Presented: 29th May 2014.  
*Council of Ministers.*

Jersey Employment Tribunal: re-appointment of Side Member. R.71/2014.  
 Presented: 28th May 2014.  
*Minister for Social Security.*

Land Transactions under Standing Order 168(3) – R.72/2014.  
 (a) Mourant Lodge, La Rue d’Asplet, Trinity – cession and transfer of land;  
 (b) Old Mill House, 52 Le Vier Mont, St. Helier – sale;  
 (c) La Préférence Children’s Home, La Grande Route de St. Martin, St. Martin – sale.  
 Presented: 29th May 2014.  
*Minister for Treasury and Resources.*

2014-15 Enterprise Action Plan. R.73/2014.  
 Presented: 29th May 2014.  
*Minister for Economic Development.*

Public Sector Pension Reform (S.R.4/2014): response of the States Employment Board. S.R.4/2014.  
Res.  
 Presented: 27th May 2014.  
*States Employment Board.*

**Notification of lodged propositions**

Draft Air Navigation (Jersey) Law 201- (P.63/2014): amendment. P.63/2014.  
Amd.  
 Lodged: 3rd June 2014.  
*Minister for External Relations.*

Draft Taxation (Implementation) (International Tax Compliance) (United Kingdom) (Jersey) Regulations 201- (P.67/2014): amendment. P.67/2014.  
Amd.  
 Lodged: 3rd June 2014.  
*Senator Sir P.M. Bailhache.*

Draft Shops (Regulation of Opening) (Amendment) (Jersey) Regulations 201- (P.76/2014): amendment. P.76/2014.  
Amd.  
 Lodged: 2nd June 2014.  
*Comité des Connétables.*

Comptroller and Auditor General: re-appointment. Lodged: 27th May 2014. <i>Chief Minister.</i>	P.99/2014.
States owned or controlled companies: rights and responsibilities. Lodged: 28th May 2014. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.100/2014.
Income Support: free GP access. Lodged: 28th May 2014. <i>Deputy G.P. Southern of St. Helier.</i>	P.101/2014.
Civil marriages: same sex couples. Lodged: 28th May 2014. <i>Deputy S.Y. Mézec of St. Helier.</i>	P.102/2014.
Draft Restriction on Smoking (Amendment No. 4) (Jersey) Law 201-. Lodged: 29th May 2014. <i>Minister for Health and Social Services.</i>	P.103/2014.
Maternity leave: rights of employees. Lodged: 2nd June 2014. <i>Deputy G.P. Southern of St. Helier.</i>	P.104/2014.
Draft Income Support (Amendment No. 13) (Jersey) Regulations 201-. Lodged: 3rd June 2014. <i>Minister for Social Security.</i>	P.105/2014.
Draft Social Security (Amendment of Law No. 8) (Jersey) Regulations 201-. Lodged: 3rd June 2014. <i>Minister for Social Security.</i>	P.106/2014.
Plémont Holiday Village: grant to National Trust for Jersey. Lodged: 3rd June 2014. <i>Senator Sir P.M. Bailhache.</i>	P.107/2014.
Draft Charities (Jersey) Law 201-. Lodged: 3rd June 2014. <i>Chief Minister.</i>	P.108/2014.
Draft Employment (Amendment No. 8) (Jersey) Law 201-. Lodged: 3rd June 2014. <i>Minister for Social Security.</i>	P.109/2014.
Draft Health Insurance (Performers List for General Medical Practitioners) (Jersey) Regulations 201-. Lodged: 3rd June 2014. <i>Minister for Health and Social Services.</i>	P.110/2014.
Draft Residential Tenancy (Deposit Scheme) (Jersey) Regulations 201-. Lodged: 3rd June 2014. <i>Minister for Housing.</i>	P.111/2014.

Draft Proceeds of Crime and Terrorism (Tipping-Off Exceptions) (Jersey) Regulations 201-. P.112/2014.

Lodged: 3rd June 2014.

*Chief Minister.*

### **Written Questions**

*(see Official Report/Hansard)*

H.M. Attorney General tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding Article 123 of the Planning and Building (Jersey) Law 2002.

H.M. Attorney General tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding procedures for Planning enforcement actions.

H.M. Attorney General tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding Article 7(4) of the Planning and Building (Jersey) Law 2002.

H.M. Attorney General tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the appointment procedures for senior posts.

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

The Minister for Economic Development tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding leisure boat fees over the last 10 years in comparison to commercial fees.

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 consequences of J.E.C. trench re-instatement on road surfaces at Havre des Pas.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy J.H. Young of St. Brelade regarding registration for G.S.T. and the amount levied on public transport providers.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding a breakdown of the Criminal Offences Confiscation Fund since 2010.

The Chairman of the Privileges and Procedures Committee tabled an answer to a question asked by Senator P.F. Routier regarding access to the States Building for meetings.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding steps to initiate closer co-operation with the French authorities.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding television licences.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy J.H. Young of St. Brelade regarding Milli's Child Centre at Bel Royal.

The Minister for Home Affairs tabled an answer to a question asked by Deputy J.H. Young of St. Brelade regarding Milli's Child Centre at Bel Royal.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy J.H. Young of St. Brelade regarding Milli's Child Centre at Bel Royal.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding social housing waiting lists.

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

The Minister for Health and Social Services tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding a review of organ donation.

The Chairman of the Privileges and Procedures Committee tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding referenda procedures.

H.M. Attorney General tabled an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the disclosure of information by the Minister for Planning and Environment.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy J.A. Hilton of St. Helier regarding the training of staff to manage asbestos in Jersey schools.

### **Oral Questions**

*(see Official Report/Hansard)*

The Connétable of St. Peter asked a question of the Assistant Minister for Treasury and Resources regarding the creation of public toilets at Le Port, St. Peter.

Deputy M.R. Higgins of St. Helier asked a question of H.M. Attorney General regarding the Viscount's recent decision to release creditor details of bankrupts to the media in the 'public interest'.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Minister for Economic Development regarding the Channel Islands Competition Regulatory Authorities.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Housing regarding efforts to increase supply of housing in the short and medium term.

Deputy J.A. Martin of St. Helier asked a question of the Minister for Education, Sport and Culture regarding the provision of information and voter registration forms in States-funded secondary schools.

Deputy J.H. Young of St. Brelade asked a question of H.M. Attorney General regarding the pending litigation between Harcourt Limited and its potential effect on the approved Esplanade Masterplan.

The Connétable of St. John asked a question of the Assistant Minister for Treasury and Resources regarding agricultural tax revenues.

Deputy J.A. Hilton of St. Helier asked a question of the Assistant Chief Minister regarding the publication of the 'Family W' Serious Case Review.

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Economic Development regarding the maintenance of the Weymouth route.

Deputy J.A.N. Le Fondré of St. Lawrence asked a question of the Minister for Treasury and Resources regarding the Police relocation budget.

Deputy J.H. Young of St. Brelade asked a question of the Minister for Planning and Environment regarding a review of the Masterplan for the Esplanade Quarter.

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Treasury and Resources regarding Jersey Telecom's proposed 28% increase in broadband charges.

Deputy M.R. Higgins of St. Helier asked a question of the Chief Minister regarding compliance with the Data Protection (Jersey) Law 2005.

Deputy J.A.N. Le Fondré of St. Lawrence asked a question of the Minister for Treasury and Resources regarding the principles and policies laid down in P.73/2010 'Property and Infrastructure Regeneration: the States of Jersey Development Company Limited'.

Deputy J.A. Martin of St. Helier asked a question of the Minister for Treasury and Resources regarding the possibility of building 'Grade A' office space on the Waterfront for the States of Jersey Police.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding a review of the length of maternity leave taken by employees in Jersey.

Deputy R.G. Le Hérisier of St. Saviour asked a question of the Chief Minister regarding the bringing of proposals for the reform of the judicial appointments process to the Assembly.

The Connétable of St. John asked a question of the Minister for Economic Development regarding a review of the agricultural grants system.

The Connétable of St. Peter asked a question of the Minister for Transport and Technical Services regarding amendments to the driving licence application process.

### **Oral Questions without notice**

*(see Official Report/Hansard)*

The Minister for Education, Sport and Culture answered questions without notice from members.

The Chief Minister answered questions without notice from members.

### **Lack of quorum**

The Bailiff, in accordance with Standing Order 56(2), directed that elected members be summoned as the Assembly was inquorate. In accordance with Standing Order 56(2), having allowed such time as he considered reasonable for elected members to return to the Chamber, the Bailiff asked the Greffier to call the roll, as he believed that the States remained inquorate. The following members were present in the Chamber for this second roll call –

Senator A. Breckon

Senator A.J.H. Maclean

Senator B.I. Le Marquand

Senator I.J. Gorst

Connétable of Trinity

Connétable of St. Lawrence

Connétable of St. Mary  
Connétable of St. John  
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 of Grouville  
Deputy J.A. Hilton (H)  
Deputy of Trinity  
Deputy S.S.P.A. Power (B)  
Deputy T.A. Vallois (S)  
Deputy A.K.F. Green (H)  
Deputy J.M. Maçon (S)  
Deputy of St. John  
Deputy of St. Mary  
Deputy R.G. Bryans (H)  
Deputy R.J. Rondel (H)  
Deputy N.B. Le Cornu (H)  
Deputy S.Y. Mézec (H)

#### **Waste Water Strategy P.39/2014**

THE STATES, adopting a proposition of the Minister for Transport and Technical Services –

(a) approved –

- (i) the adoption of the principles of the Water Framework Directive 2000/60/EC as part of the Regulatory regime for St. Aubin's Bay;
- (ii) the construction of a new sewage treatment works at Bellozanne to ensure the Island can conform to the standards required by the Water Framework Directive 2000/60/EC for St. Aubin's Bay; and,

(b) requested –

- (i) the Minister for Planning and Environment to take the necessary action to adopt the principles of the Water Framework Directive 2000/60/EC as part of the Regulatory regime for St. Aubin's Bay;
- (ii) the Minister for Treasury and Resources to bring forward for approval as required the necessary funding arrangements for the estimated £75 million needed for the construction of the new sewage treatment works in line with the proposals in the Jersey's Waste Water Strategy Section 11.3 (page 71) and the Budget Statement 2014 Section 12.6 (page 86);

- (iii) the Minister for Transport and Technical Services, subject to the approval of the funding arrangements, to take the necessary action for the procurement and construction of the new sewage treatment works;
- (iv) the Minister for Transport and Technical Services to deliver the 20 year sewerage network infrastructure programme in line with the priorities and timings in the Jersey's Waste Water Strategy Section 7 (page 47);
- (v) the Minister for Transport and Technical Services, following consultation, to develop a strategy for providing assistance for householders to connect to the Public foul sewer network.

Members present voted as follows –

**POUR: 43****CONTRE: 2****ABSTAIN: 0**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator S.C. Ferguson  
 Senator A.J.H. Maclean  
 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. Mary  
 Connétable of St. John  
 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 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 S.S.P.A. Power (B)  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy E.J. Noel (L)  
 Deputy A.K.F. Green (H)  
 Deputy J.M. Maçon (S)  
 Deputy G.C.L. Baudains (C)  
 Deputy of St. John  
 Deputy J.P.G. Baker (H)  
 Deputy J.H. Young (B)

Deputy T.A. Vallois (S)  
 Deputy M.R. Higgins (H)



Deputy of St. Mary  
Deputy R.G. Bryans (H)  
Deputy R.J. Rondel (H)  
Deputy N.B. Le Cornu (H)  
Deputy S.Y. Mézec (H)

**Sunstone Holdings Ltd. and De Lec Ltd. – *ex gratia* payments to investors P.90/2013**

THE STATES resumed consideration of a proposition of Senator Alan Breckon regarding the payment of *ex gratia* sums from central reserves to investors who suffered financial losses as a result of investments they had made in Sunstone Holdings Ltd. and/or De Lec Ltd. (P.90/2013), the Assembly having decided to move to the next item on the Order Paper when the matter was previously considered on 25th September 2013.

Senator Paul Francis Routier, in accordance with the provisions of Standing Order 106(1)(b), declared an interest and withdrew from the Chamber for the duration of the debate.

**Adjournment**

THE STATES adjourned, having agreed to reconvene on Wednesday 4th June 2014, to continue consideration of the proposition of Senator Alan Breckon entitled ‘Sunstone Holdings Ltd. and De Lec Ltd. – *ex gratia* payments to investors’ (P.90/2013) and the outstanding items of public business.

THE STATES rose at 5.34 p.m.

**L-M. HART**

*Deputy Greffier of the States*