

# THE STATES assembled on Wednesday 10th September 2014, at 09.30 a.m. under the Presidency of the Deputy Bailiff, William James Bailhache, Esquire.

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

Senator Sarah Craig Ferguson – en défaut (défaut raised at 11.07 a.m.) Connétable Stephen William Pallett of St. Brelade – ill Deputy Jacqueline Ann Hilton of St. Helier – en défaut (défaut raised at 9.38 a.m.) Deputy Montfort Tadier of St. Brelade – en défaut (défaut raised at 10.05 a.m.) Deputy Michael Roderick Higgins of St. Helier – excused attendance

# **Notification of lodged propositions**

Vote of No Confidence: Minister for Treasury and Resources.

Lodged: 10th September 2014. *Deputy G.P. Southern of St. Helier.* 

### Deputy M.R. Higgins of St. Helier – excused attendance

THE STATES, adopting a proposition of Deputy Roy George Le Hérissier of St. Saviour, made in accordance with Standing Order 53(3), agreed that the reason for the absence of Deputy Michael Roderick Higgins of St. Helier was such that he should be excused attendance.

Members present voted as follows –

Deputy of Grouville

#### POUR: 29 CONTRE: 15 ABSTAIN: 2

Senator P.F. Routier
Senator P.M. Bailhache
Connétable of St. Clement
Connétable of St. Mary
Connétable of St. Ouen
Connétable of St. Martin
Connétable of St. Saviour
Deputy of Trinity
Deputy E.J. Noel (L)
Deputy of St. John
Deputy J.P.G. Baker (H)
Deputy S.J. Pinel (C)
Deputy of St. Mary
Deputy of St. Martin
Deputy R.G. Bryans (H)
•

Senator P.F.C. Ozouf Connétable of St. Peter

P.148/2014.

479 Price code: C

Deputy J.A.N. Le Fondré (L)

Deputy S.S.P.A. Power (B)

Deputy K.C. Lewis (S)

Deputy T.A. Vallois (S)

Deputy A.K.F. Green (H)

Deputy J.M. Maçon (S)

Deputy G.C.L. Baudains (C)

Deputy J.H. Young (B)

Deputy of St. Peter

Deputy R.J. Rondel (H)

Deputy N.B. Le Cornu (H)

Deputy S.Y. Mézec (H)

### Survivor's Benefit: repeal of 2012 changes P.122/2014

THE STATES commenced consideration of a proposition of Deputy Geoffrey Peter Southern of St. Helier regarding the repeal of changes made in 2012 to Survivor's Benefit (P.122/2014)

#### **Roll Call**

The Deputy 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 Presiding Officer 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 P.F. Routier

Senator A. Breckon

Senator A.J.H. Maclean

Senator B.I. Le Marquand

Senator F. du H. Le Gresley

Senator I.J. Gorst

Senator P.M. Bailhache

Connétable of St. Peter

Connétable of St. Lawrence

Connétable of St. Mary

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 T.A. Vallois (S)

Deputy A.K.F. Green (H)

Deputy J.M. Maçon (S)

Deputy of St. John

Deputy J.H. Young (B)

Deputy S.J. Pinel (C)

Deputy of St. Mary

Deputy of St. Peter

Deputy R.J. Rondel (H)

Deputy S.Y. Mézec (H)

# Survivor's Benefit: repeal of 2012 changes P.122/2014

THE STATES, having resumed consideration of a proposition of Deputy Geoffrey Peter Southern of St. Helier, rejected his proposal to refer to their Act dated 6th December 2012 in which they approved the Social Security (Amendment of Law No. 4) (Jersey) Regulations 2012 and agreed, *inter alia*, to restrict access to survivor's benefit to those surviving spouses or civil partners who had the care of a child or who had attained the age of 55 before the commencement date of Part 5 of the Regulations, namely 1st January 2013; and

- (a) to agree that the measures relating to survivor's benefit approved in December 2012 should be repealed and that the benefit should be restored without conditions in the form previously set out in Article 24 of the Social Security (Jersey) Law 1974 pending a full consultation through a Green Paper process on the subject;
- (b) to request the Minister for Social Security to bring forward the necessary legislation to give effect to the proposal in paragraph (a) and to take the necessary steps to commence the required consultation process.

Deputy R.C. Duhamel (S)

Members present voted as follows –

POUR: 9 CONTRE: 37 ABSTAIN: 1

Senator A. Breckon Connétable of St. Lawrence Connétable of St. Ouen Connétable of St. Saviour Deputy G.P. Southern (H) Deputy M. Tadier (B) Deputy J.H. Young (B) Deputy N.B. Le Cornu (H) Deputy S.Y. Mézec (H) 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 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. Martin
Connétable of Grouville
Deputy R.G. Le Hérissier (S)
Deputy J.A. Martin (H)

Deputy J.A. Martin (H) Deputy of St. Ouen

481

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 E.J. Noel (L)

Deputy T.A. Vallois (S)

Deputy A.K.F. Green (H)

Deputy J.M. Maçon (S)

Deputy G.C.L. Baudains (C)

Deputy of St. John

Deputy S.J. Pinel (C)

Deputy of St. Mary

Deputy of St. Martin

Deputy R.G. Bryans (H)

Deputy of St. Peter

Deputy R.J. Rondel (H)

# Draft States of Jersey (Amendment No. 7) Law 2014 (Appointed Day) Act 201- P.131/2014

THE STATES, in pursuance of Article 10 of the States of Jersey (Amendment No. 7) Law 2014, made an Act entitled the States of Jersey (Amendment No. 7) Law 2014 (Appointed Day) Act 2014.

Members present voted as follows –

#### POUR: 29 CONTRE: 12 ABSTAIN: 1

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 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. Lawrence

Connétable of St. Mary Connétable of St. Ouen

Connétable of St. Martin

Connétable of Grouville

Deputy J.A. Hilton (H)

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 of St. John

Senator A. Breckon Deputy R.C. Duhamel (S)

Deputy R.G. Le Hérissier (S)
Deputy J.A. Martin (H)

Deputy G.P. Southern (H)

Deputy of Grouville Deputy M. Tadier (B)

Deputy J.M. Maçon (S) Deputy G.C.L. Baudains (C)

Deputy J.H. Young (B)

Deputy N.B. Le Cornu (H) Deputy S.Y. Mézec (H) Deputy J.A.N. Le Fondré (L)

Deputy S.J. Pinel (C)

Deputy of St. Mary

Deputy of St. Martin

Deputy of St. Peter

Deputy R.J. Rondel (H)

# Draft Amendment (No. 24) of the Standing Orders of the States of Jersey P.132/2014

THE STATES, in pursuance of Article 48 of the States of Jersey Law 2005, made Amendment (No. 24) of the Standing Orders of the States of Jersey.

Members present voted as follows –

**POUR: 37 CONTRE: 3 ABSTAIN: 1** 

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. Lawrence

Connétable of St. Mary

Connétable of St. Ouen

Connétable of St. Martin

Connétable of Grouville

Deputy R.C. Duhamel (S)

Deputy R.G. Le Hérissier (S)

Deputy of St. Ouen

Deputy of Grouville

Deputy J.A. Hilton (H)

Deputy J.A.N. Le Fondré (L)

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 A.K.F. Green (H)

Deputy G.C.L. Baudains (C)

Deputy of St. John

Deputy J.H. Young (B)

Deputy S.J. Pinel (C)

Deputy of St. Mary

Deputy of St. Martin

Deputy of St. Peter

Deputy R.J. Rondel (H)

Connétable of St. John Deputy S.Y. Mézec (H)

Deputy J.A. Martin (H)

Deputy J.M. Maçon (S)

# Draft Amendment (No. 25) of the Standing Orders of the States of Jersey P.133/2014

THE STATES, in pursuance of Article 48 of the States of Jersey Law 2005, made Amendment (No. 25) of the Standing Orders of the States of Jersey.

Members present voted as follows –

POUR: 44 CONTRE: 0 ABSTAIN: 0

Senator P.F. Routier

Senator P.F.C. Ozouf

Senator A. Breckon

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. Peter

Connétable of St. Lawrence

Connétable of St. Mary

Connétable of St. John

Connétable of St. Ouen

Connétable of St. Martin

Connétable of St. Saviour

Connétable of Grouville

Deputy R.C. Duhamel (S)

Deputy R.G. Le Hérissier (S)

Deputy J.A. Martin (H)

Deputy of St. Ouen

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 T.A. Vallois (S)

Deputy A.K.F. Green (H)

Deputy J.M. Maçon (S)

Deputy G.C.L. Baudains (C)

Deputy of St. John

Deputy J.H. Young (B)

Deputy S.J. Pinel (C)

Deputy of St. Mary

Deputy of St. Martin

Deputy of St. Peter

Deputy R.J. Rondel (H)

Deputy S.Y. Mézec (H)

#### Jersey Innovation Fund: Board remuneration P.134/2014

THE STATES, adopting a proposition of the Minister for Economic Development, referred to their Act dated 1st May 2013 in which they approved the establishment of the Jersey Innovation Fund and agreed the Revised Operational Terms of Reference April 2013, and agreed to vary the Revised Operational Terms of Reference so that Advisory Board members could be remunerated for their work.

Members present voted as follows –

POUR: 38 CONTRE: 5 ABSTAIN: 0

Senator P.F. Routier
Senator P.F.C. Ozouf
Senator A. Breckon
Senator S.C. Ferguson
Senator A.J.H. Maclean
Senator B.I. Le Marquand
Senator F. du H. Le Gresley

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. Martin Connétable of St. Saviour Connétable of Grouville Deputy R.G. Le Hérissier (S) Deputy of St. Ouen

Deputy J.A.N. Le Fondré (L)

Demotes of Tainites

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 A.K.F. Green (H)

Deputy J.M. Maçon (S)

Deputy G.C.L. Baudains (C)

Deputy J.H. Young (B)

Deputy S.J. Pinel (C)

Deputy of St. Mary

Deputy of St. Martin

Deputy of St. Peter

Deputy R.J. Rondel (H)

Connétable of St. John Deputy R.C. Duhamel (S) Deputy J.A. Martin (H) Deputy N.B. Le Cornu (H) Deputy S.Y. Mézec (H)

# States of Jersey Complaints Panel: appointment of Deputy Chairman P.142/2014

THE STATES, in accordance with Article 5(2) of the Administrative Decisions (Review) (Jersey) Law 1982, appointed Mr. Geoffrey George Crill as Deputy Chairman of the States of Jersey Complaints Panel for a period of 3 years.

## Draft Public Elections (Amendment No. 4) (Jersey) Regulations 201- P.138/2014

THE STATES commenced consideration of the Draft Public Elections (Amendment No. 4) (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 and 2.

THE STATES, in pursuance of Articles 5A(8) and 7(4) of the Public Elections (Jersey) Law 2002, made Regulations entitled the Public Elections (Amendment No. 4) (Jersey) Regulations 2014.

#### **Changes in Presidency**

The Deputy Bailiff retired from the Chamber prior to consideration of the Draft Income Support (Special Payments) (Child Personal Care) (Jersey) Regulations 201- (P.135/2014) and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, O.B.E., Greffier of the States.

# Draft Income Support (Special Payments) (Child Personal Care) (Jersey) Regulations 201-P.135/2014

THE STATES commenced consideration of the Draft Income Support (Special Payments) (Child Personal Care) (Jersey) Regulations 201- and adopted the principles.

Members present voted as follows –

POUR: 36 CONTRE: 0 ABSTAIN: 0

Senator P.F. Routier

Senator A. Breckon

Senator B.I. Le Marquand

Senator F. du H. Le Gresley

Senator L.J. Gorst

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. Martin

Connétable of St. Saviour

Connétable of Grouville

Deputy R.C. Duhamel (S)

Deputy J.A. Martin (H)

Deputy G.P. Southern (H)

Deputy of St. Ouen

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 T.A. Vallois (S)

Deputy A.K.F. Green (H)

Deputy J.M. Macon (S)

Deputy G.C.L. Baudains (C)

Deputy of St. John

Deputy J.H. Young (B)

Deputy S.J. Pinel (C)

Deputy of St. Mary

Deputy R.J. Rondel (H)

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.

THE STATES, in pursuance of Articles 8 and 18 of the Income Support (Jersey) Law 2007, made Regulations entitled the Income Support (Special Payments) (Child Personal Care) (Jersey) Regulations 2014.

#### Draft Income Support (Amendment No. 12) (Jersey) Regulations 201- P.136/2014

THE STATES commenced consideration of the Draft Income Support (Amendment No. 12) (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.

THE STATES, in pursuance of Articles 5 and 18 of the Income Support (Jersey) Law 2007, made Regulations entitled the Income Support (Amendment No. 12) (Jersey) Regulations 2014.

Members present voted as follows -

POUR: 37 CONTRE: 0 ABSTAIN: 0

Senator P.F. Routier

Senator A. Breckon

Senator A.J.H. Maclean

Senator B.I. Le Marquand

Senator F. du H. Le Gresley

Senator I.J. Gorst

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. Martin

Connétable of St. Saviour

Connétable of Grouville

Deputy R.C. Duhamel (S)

Deputy R.G. Le Hérissier (S)

Deputy J.A. Martin (H)

Deputy of St. Ouen

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 E.J. Noel (L)

Deputy T.A. Vallois (S)

Deputy A.K.F. Green (H)

Deputy J.M. Maçon (S)

Deputy G.C.L. Baudains (C)

Deputy of St. John

Deputy J.H. Young (B)

Deputy S.J. Pinel (C)

Deputy of St. Mary

Deputy of St. Martin

Deputy R.J. Rondel (H)

# Draft Income Support (Special Payments) (Cold Weather Payments) (Amendment No. 2) (Jersey) Regulations 201- P.137/2014

THE STATES commenced consideration of the Draft Income Support (Special Payments) (Cold Weather Payments) (Amendment No. 2) (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 and 2.

THE STATES, in pursuance of Articles 8 and 18 of the Income Support (Jersey) Law 2007, made Regulations entitled the Income Support (Special Payments) (Cold Weather Payments) (Amendment No. 2) (Jersey) Regulations 2014.

Members present voted as follows -

POUR: 37 CONTRE: 0 ABSTAIN: 0

Senator P.F. Routier

Senator A. Breckon

Senator A.J.H. Maclean

Senator B.I. Le Marquand

Senator F. du H. Le Gresley

Senator I.J. Gorst

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. Martin

Connétable of St. Saviour

Connétable of Grouville

Deputy R.C. Duhamel (S)

Deputy R.G. Le Hérissier (S)

Deputy J.A. Martin (H)

Deputy of St. Ouen

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 E.J. Noel (L)

Deputy T.A. Vallois (S)

Deputy A.K.F. Green (H)

Deputy J.M. Macon (S)

Deputy G.C.L. Baudains (C)

Deputy of St. John

Deputy J.H. Young (B)

Deputy S.J. Pinel (C)

Deputy of St. Mary

Deputy of St. Martin

Deputy R.J. Rondel (H)

# Draft Amendment (No. 26) of the Standing Orders of the States of Jersey P.139/2014

THE STATES, in pursuance of Article 48 of the States of Jersey Law 2005, made Amendment (No. 26) of the Standing Orders of the States of Jersey.

# Social Security Tribunal: re-appointment of members P.145/2014

THE STATES, adopting a proposition of the Minister for Social Security, re-appointed the following persons as members of the Social Security Tribunal, in pursuance of Article 33A of the Social Security (Jersey) Law 1974, further to a process overseen by the Jersey Appointments Commission, for a further 5 year period –

Mr. Stewart Hill Panel member
Mrs. Judith Querée Panel member
Mr. Geoff Esnouf Panel member

# **Changes in Presidency**

Mr. Michael Nelson de la Haye, O.B.E., Greffier of the States, retired from the Chair following consideration of the proposition of the Minister for Social Security entitled 'Social Security Tribunal: reappointment of members' (P.145/2014) and the meeting continued under the Presidency of the Deputy Bailiff.

# Arrangement of public business

THE STATES, adopting a proposition of Deputy Geoffrey Peter Southern of St. Helier, agreed, in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of his proposition entitled 'Vote of No Confidence: Minister for Treasury and Resources' (P.148/2014) and to reconvene on 16th September 2014 as an additional continuation meeting to consider this matter.

Deputy J.A.N. Le Fondré (L)

Deputy M. Tadier (B)
Deputy G.C.L. Baudains (C)

Deputy J.H. Young (B)

Deputy of St. Martin

Members present voted as follows –

POUR: 35 CONTRE: 7 ABSTAIN: 2

Senator P.F. Routier Senator P.F.C. Ozouf Senator A. Breckon Senator S.C. Ferguson Senator A.J.H. Maclean Senator B.I. Le Marquand Senator F. du H. Le Gresley

Senator I.J. Gorst

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. Martin

Connétable of St. Saviour

Deputy R.G. Le Hérissier (S)

Deputy J.A. Martin (H)

Deputy G.P. Southern (H)

Deputy of St. Ouen

Deputy J.A. Hilton (H)

Deputy of Trinity

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 of St. John

Deputy S.J. Pinel (C)

Deputy of St. Mary

Deputy of St. Peter

Deputy R.J. Rondel (H)

Deputy N.B. Le Cornu (H)

Deputy S.Y. Mézec (H)

Deputy R.C. Duhamel (S)

Connétable of Grouville

Deputy S.S.P.A. Power (B)

# Adjournment

THE STATES adjourned, having agreed to reconvene on Tuesday 16th March 2014 to consider the proposition of Deputy Geoffrey Peter Southern of St. Helier entitled 'Vote of No Confidence: Minister for Treasury and Resources' (P.148/2014).

THE STATES rose at 3.31 p.m.

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

Greffier of the States