

STATES OF JERSEY

OFFICIAL REPORT

FRIDAY, 23rd APRIL 2021

PUBLIC BUSINESS – Resumption	3
1. States of Jersey Development Company: Appointment of Non-Executive Director (P.24/2021) - resumption	3
1.1 Deputy M.R. Higgins of St. Helier:	3
1.1.1 Deputy G.P. Southern of St. Helier:	3
1.1.2 Senator S.C. Ferguson:	4
1.1.3 Deputy L.M.C. Doublet of St. Saviour:	4
1.1.4 Deputy I. Gardiner:	5
1.1.5 Connétable M.K. Jackson of St. Brelade:	5
1.1.6 Deputy K.F. Morel of St. Lawrence:	6
1.1.7 Deputy R.E. Huelin of St. Peter:	6
1.1.8 Deputy D. Johnson of St. Mary:	6
1.1.9 Senator S.Y. Mézec:	7
1.1.10 Deputy S.M. Wickenden of St. Helier:	7
1.1.11 Deputy S.J. Pinel of St. Clement:	8
2. Draft COVID-19 (Amendments - Extension and Suspension) (Jersey) Regulations 202- (P.25/2021).....	10
2.1 Deputy R.J. Renouf of St. Ouen (The Minister for Health and Social Services):	10
2.1.1 Deputy R.J. Ward:	12
2.1.2 The Deputy of St. Ouen:	13
2.2 The Deputy of St. Ouen:	14
2.2.1 Deputy L.M.C. Doublet:	14
2.2.2 Deputy S.M. Wickenden:	16
2.2.3 Deputy R.J. Ward:	16
2.2.4 Deputy M.R. Higgins:	17
2.2.5 The Deputy of St. Ouen:	17
2.3 The Deputy of St. Ouen:	19
3. Draft COVID-19 (Enabling Provisions) (Amendment No. 2) (Jersey) Law 202- (P.27/2021)	21
3.1 The Deputy of St. Ouen (The Minister for Health and Social Services):	21
3.2 The Deputy of St. Ouen:	23
3.3 The Deputy of St. Ouen:	24
4. Draft Illegal, Unreported and Unregulated Fishing (Jersey) Regulations 202- (P.35/2021)	26
4.1 Deputy J.H. Young of St. Brelade (The Minister for the Environment):	26
4.1.1 Connétable J.E. Le Maistre of Grouville:	27
4.1.2 Deputy K.F. Morel:	28

4.1.3 Deputy S.G. Luce of St. Martin:	28
4.1.4 Senator S.C. Ferguson:	28
4.1.5 Deputy M.R. Higgins:.....	28
4.1.6 Connétable R. Vibert of St. Peter:	28
4.1.7 Deputy J.H. Young:	28
4.2 Deputy J.H. Young:	31
4.2.1 Deputy K.F. Morel:.....	32
4.2.2 Deputy J.H. Young:	32
4.3 Deputy J.H. Young:	34
Mr. M. Jowitt., H.M. Solicitor General:.....	34
4.3.1 Senator S.C. Ferguson:	34
The Deputy of Grouville:	35
The Solicitor General:	35
4.3.2 Deputy M.R. Higgins:.....	35
4.3.3 Deputy J.H. Young:	36
5. Draft Sea Fisheries (T.C.A. - Licensing of Fishing Boats) (Amendment of Law and Regulations) (Jersey) Regulations 202- (P.38/2021)	38
5.1 Deputy J.H. Young (The Minister for the Environment):	38
5.1.1 The Deputy of St. Martin:.....	39
5.1.2 Deputy R.J. Ward:	40
5.1.3 Deputy J.H. Young:	40
5.2 Deputy J.H. Young:	43
5.2.1 The Deputy of Grouville:.....	43
5.2.2 Deputy J.H. Young:	44
5.3 Deputy J.H. Young:	46
5.3.1 Senator S.C. Ferguson:	46
5.3.2 The Connétable of St. Saviour:.....	46
5.3.3 Deputy J.H. Young:	46
5.4 Deputy J.H. Young:	48
5.4.1 The Deputy of St. Martin:.....	49
5.4.2 The Deputy of Grouville:.....	49
5.4.3 Deputy J.H. Young:	49
ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS.....	51
6. Deputy C.S. Alves (Chair, Privileges and Procedures Committee):.....	51
ADJOURNMENT.....	51

[9:37]

The Roll was called and the Dean led the Assembly in Prayer.

PUBLIC BUSINESS – Resumption

1. States of Jersey Development Company: Appointment of Non-Executive Director (P.24/2021) - resumption

The Bailiff:

We now continue with the debate on P.24, States of Jersey Development Company: Appointment of Non-Executive Director and I have Deputy Gardiner now to speak.

Deputy I. Gardiner of St. Helier:

Before I speak, I noted that the Minister for Treasury and Resources, who is responsible for this proposition, is not present. I have several questions, am I carrying on with this speech as it is or then somebody else will respond to the questions which will be raised in my speech?

The Bailiff:

I cannot answer that point, Deputy Gardiner, but it is for you now to speak on the matter and one is to perhaps assume that either the Minister will be responding or she will have appointed someone, if she is unable to do, to be rapporteur who will be listening; if you would continue with your speech.

Deputy I. Gardiner:

I believe that the proposed appointment of Carolyn Dwyer is incredibly talented ...

The Bailiff:

I am afraid if you are still speaking we can no longer hear you, Deputy; you have become silent. Deputy, if you could indicate in the chat if you are still able to hear me. Deputy Gardiner? We will move to the next speaker and I can invite Deputy Gardiner to speak when any of this particular problem has been solved.

1.1 Deputy M.R. Higgins of St. Helier:

I will state, first of all, that I have no concerns about the particular person who is being put forward for this position. But like other Deputies expressed yesterday, I am concerned that the level of payments that we are making to these appointments, it is not only things like the States of Jersey Development Company that annoy me, it is also bodies like the Jersey Financial Services Commission where the people are being paid something in the order of £30,000 for 12 meetings.

[9:45]

I just find it extraordinary that, yes, they are well-qualified people and so on but when we cannot pay people a living wage in this Island, I do find it totally unacceptable. The other comment I will make is that I really question why we have the States of Jersey Development Company. I give a warning to the Government now, please bring before the Assembly a cost-benefit analysis of this organisation, which were given land owned by the States free to develop and I would like to know exactly what they have contributed to the States coffers over the years and also what the level of remuneration has been in the time it has been there. Because I think the people who benefited most are the directors of that company. Again, I do question the validity of having it. Therefore, I will not be supporting the candidate, not a reflection on the candidate but at my disgust at the States of Jersey Development Company.

1.1.1 Deputy G.P. Southern of St. Helier:

I just want to take up, like other speakers, from where my colleague, Deputy Ward, was yesterday with his quite extreme reaction, gut reaction to this appointment. Normally, these are called just nod

them through, noddies, but this is important, it is significant. What I want to do is illustrate when we in Reform Jersey bang on about income inequality and doing something about it, let us just use this example to illustrate what that means; £22,000 for 15 days of work. As far as I know, the only other people employed by the States who get paid by the day are teachers on 180, 190 days per year. If we could do the equivalent between these 2 sets of payments for this specialist and, let us say, a secondary school teacher, it flew in on a parity, then we would be paying our teachers £250,000 a year; that is a massive difference to what anybody can earn reasonably on this Island. When we talk about promoting income equality, we are talking those sort of figures and those sort of differentials. In this session this Assembly decided not to increase the minimum wage. This Assembly has made absolutely very little progress in terms of a living wage and until we do we will always be a lame economy. It is no wonder we cannot recruit teachers, we cannot recruit nurses, we cannot recruit doctors, we cannot recruit carers, personal carers. Our society is on its knees in terms of equality and we really must do something about it. I shall be voting against this award.

1.1.2 Senator S.C. Ferguson:

Deputy Higgins has stolen my thunder because I was going to comment that at the last election in 2018 I was asked what I would do with the S.o.J.D.C. (States of Jersey Development Company). Frankly, I would dissolve the company because I have no idea why it is existing nowadays. I agree very much with a review of the necessity of rationale for the company. When they have to adjust the profits by £4 million last May, I do get a bit concerned. Deputy Southern compares a teacher with the working part-time as a director. Has he compared the numbers with States Members? But also it is a question of qualifications I think and abilities and not every teacher has a list of accomplishments to compare with the lady who is being proposed. I would hope that a director with a civil engineering degree, with that we might see some modern techniques incorporated into the building industry, which we are not getting at the moment. But that is by the by. We have nothing against this lady, she is obviously competent. I like the idea that she has had some experience in working on airports and so on because, as far as I am concerned, we do not need £42 million extensions and amendments and changes to the airport. We have not got the amount of traffic coming through, unlike the 1960s and 1970s. I do not know how I am going to vote on this one. I think the lady has a lot of experience, some of it will be very useful, some of which is inappropriate for a small island. But I would like to see some modern building experience brought in and I would like to see a review of the rationale and necessity for the S.o.J.D.C.

The Bailiff:

Thank you very much, Senator. Deputy Gardiner, are you able to join us?

Deputy C.S. Alves of St. Helier:

Sir, can I just interject here? Deputy Gardiner is on her way to my house because I think she is having issues with her internet and we live just round the corner. She will be back on soon.

The Bailiff:

Very well. We obviously cannot stop the process of the debate but it could be that she will be with you in enough time to make her contribution.

1.1.3 Deputy L.M.C. Doublet of St. Saviour:

I am still considering the issues that Members have raised around the financial issues around this appointment. But I wanted to thank Deputy Pinel because I had an exchange with her and I did ask for some additional information along the lines of looking at the make-up of the entire board in order to assess the diversity of said board. I just wanted to clarify a point in relation to this appointment, and all appointments, because I think we have had a couple of appointments recently which have been women. On a personal level I am pleased to see women being appointed to these roles. Sometimes it comes across as: "Look, we have found a woman from somewhere" and we are

expecting me to be pleased just because there is a woman. It is missing the point slightly because diversity is not about just getting more women on to boards. Certainly, for me, I champion all characteristics. A board that was entirely composed of just women would not be a diverse board and I would not support that, any more than I would support a board that was entirely made up of men. I am grateful for Deputy Pinel in a private exchange providing us with further information on the make-up of the board in its entirety. She has informed me that with this appointment there would be 2 women and 4 men non-executive directors. That tells me that adding this particular person to the board does improve the diversity of the board because at the moment the gender split is unequal, so that information helps me. I hope that clarifies for other Ministers the reasons why I think we need more information about the board generally and not just information on the one person that we are appointing on any one day. I will be considering the other issues that Members have raised. I am not sure how I will be voting but the lack of diversity information is not going to be an issue for me today when I am deciding my vote. I thank Deputy Pinel for that information. I hope that it is in slightly more detail because it is not just about gender; I would like to see information about ethnicity, possibly about disabilities and things like that. But I do understand that such information might need to be shared with States Members in confidence and I think that would be acceptable when we are thinking about these appointments.

The Bailiff:

Thank you very much, Deputy. Deputy Gardiner, are you able to make your contribution now?

1.1.4 Deputy I. Gardiner:

Yes, Sir. Apologies, Sir, I had a problem with the internet connection. I will start from the beginning, I do believe the proposed appointment of Carolyn Dwyer, who is incredibly talented and has an impressive track record and will bring diversity to the board. My questions to the Minister for Treasury and Resources related to the good governance and the policy decisions. I am sure the Minister is familiar with the C. and A.G. (Comptroller and Auditor General) report R.56 States of Jersey Development Company from June 2020. I would like to bring Members' attention and ask the Minister about recommendation 16 in the C. and A.G. report, which suggested: "To carry out a benchmarking survey on board remuneration in 2020 and ensure that comparator groups are relevant and appropriate to the size and scale of the S.o.J.D.C. business." This recommendation has been accepted and it should be done by the end of quarter 3 2020. My question is if this benchmarking survey has been carried out. If yes, what has been found out if this remuneration is according to the new survey that was carried out in 2020, if it was carried out? The second point: "The Minister is confident that the new non-executive director will provide a strong balance of skills, expertise and technical backgrounds that will help contribute to the continued success of the S.o.J.D.C." My question: did the Minister have a conversation or any communication with the candidate or the Minister was just reassured by the officers to make sure that the Minister is confident? Another question: did the candidate spend time in Jersey and, if yes, how long? How many applicants were from Jersey? The last question: is any credit given to the local knowledge during the application process? That is not the last question, just to be sure if I am correct, currently there are no Jersey residents or people with a Jersey connection on the board of S.o.J.D.C.

1.1.5 Connétable M.K. Jackson of St. Brelade:

I have no difficulty with someone of the calibre of Carolyn Dwyer being appointed and would thank her for putting her name forward. Likewise, I have no difficulty with private companies having non-executive directors at the sort of rates quoted, which can be benchmarked elsewhere. My problem is the fact that we are running an arm's length property development company in parallel with our government-run property organisation. The nonsense of this has arisen over the debate regarding the States officers where a third player has been brought into the scenario. In conclusion, while I will

support this proposition, in so doing I would ask the Minister to request that the Council of Ministers consider a proper review of our property management structures.

1.1.6 Deputy K.F. Morel of St. Lawrence:

I just wanted to know through the interview process whether the Minister or her representatives in that interview turned to the performance of S.o.J.D.C. in the questioning and wondering whether Ms. Dwyer's views as to whether S.o.J.D.C. is an appropriately performing company from the perspective of the States of Jersey. I ask these questions because S.o.J.D.C. since 2012 has returned just £5.473 million to the States of Jersey in terms of cash dividends.

[10:00]

It has also transferred £3.4 million in assets. But since 2012 the entire return to the States of Jersey is £17 million. You compare that to Andium Homes, which I know is a different business model but Andium Homes is expected and does return £30 million per year to the States of Jersey. I was wondering if the Minister would comment on whether Ms. Dwyer felt that the States of Jersey Development Company was an underperforming company and not returning the appropriate returns to the States of Jersey. It is also noticeable that no cash dividends were paid to the States of Jersey in 2016, 2017 or 2018. I also find it interesting that since its actual formation in 1996, as the Waterfront Enterprise Board, I believe just over £70 million of crystallised benefit has been returned to the States of Jersey. In 1996, that is 25 years just £70 million, the whole total of the benefit to the States of Jersey compared to Andium of £30 million per year, as well as the assets that Andium build and obviously maintains on behalf of the States of Jersey. Yes, so I was wondering what the views were of Ms. Dwyer in regard to the performance of S.o.J.D.C. Remember this is S.o.J.D.C. that also failed a government tender recently and we were told it came in third place out of 3. I was wondering if the Minister could respond to that.

1.1.7 Deputy R.E. Huelin of St. Peter:

A lot of very interesting points have been raised and to which I can agree with. I think the management of our estates, however large, is it something like £3 billion? I cannot remember but it is huge and the returns we get and the management of it are, shall we say, somewhat lacking, to put it politely? However, what we are here today for is to approve a board member as a result of P.73, i.e. the adoption of States of Jersey Development Company and within that we need to have non-executive directors to advise. I feel that having this debate at the expense of the applicant is really undermining her. It is not a trivial task to apply to be a non-executive director. The approval process, supervised or authorised by the Jersey Appointments Commission, is not trivial in itself and we should be appreciative of people who wish to give of their skills to this Island in the capacity that we have asked them to do. If we do not like that role, if we do not like the make-up of the States of Jersey Development Company, then we come back to the Assembly and we ask to rescind that or we bring propositions to a different effect. But I feel going through this process with this very talented lady in the public domain is unnecessary and she is being used as a sideshow for other matters. I think we ought to just get on, approve this and decide what we want to do as an Assembly about the States of Jersey Development Company, if that is an appropriate course of action.

The Bailiff:

Thank you very much. Deputy of St. Peter, can I echo the points that have been made in the chat, the chat is not a side line for a speech or points to be made in this debate. It is dealing purely with procedural matters, request the Chair and things of that nature. If anyone wants to make a point of debate they make it in open debate before the Assembly and not in the chat, please.

1.1.8 Deputy D. Johnson of St. Mary:

I would like to align myself with the comments made by the Deputy of St. Peter just now. This is not the forum where we should be discussing the merits or otherwise of a particularly good candidate

for this position. I am sure I am not the only States Member who is almost embarrassed by this ritual which happens every time we do have an appointment of this nature. I simply ask the Minister for Treasury and Resources to consider whether there is a better way of dealing with this in the future, whether detailed consideration should be given, if not via the Appointments Board, maybe to a particular new body to be set up to look at these to consider diversity in that context, so that the personal nature of the appointment can be taken away from this public forum. I do invite the Minister to comment on that in her response.

1.1.9 Senator S.Y. Mézec:

The previous speaker spoke about a potentially embarrassing situation wherein when we debate these points over and over again in these instances. I have to tell him that the reason it keeps happening is because the Government are not listening. The fact is that many of us feel embarrassed about the fact that we make these sorts of appointments on these very, very large salaries for very few days of work and are expected to simply nod that through. Yet, earlier this week we can have a very long and substantial debate and conclude at the end of it that there are hundreds of people in Jersey who are not even worthy of a living wage and that is why this debate has happened. I think it is symbolic of the out-of-touch and blasé attitude that the Government often has to these sorts of issues and then it becomes an issue like this, rather than being dealt with outside of the Assembly for us to consider how we think the S.o.J.D.C. should operate and how its appointment process should be run. But this has hit a nerve because of, I think, bad timing because of what happened earlier this week and that ought to rest on the consciences of those who are oh so happy to give somebody not connected to Jersey a substantial amount of remuneration for a very few days' work. They are not doing it out of the kindness of their heart, they are doing it for remuneration. Yet those hundreds of people who we represent as our constituents are not even worthy of a living wage and should settle for a poverty wage imposed on them by their employers in collusion with a Government that does not see them as worth more than that; that is why we are here. I will be voting against the proposition to send the Government that message.

1.1.10 Deputy S.M. Wickenden of St. Helier:

I always say now let the truth get in the way of the rhetoric. I think it is clear this has been mentioned plenty of times now, that this Assembly voted against raising the minimum wage. I think it is fair to say the actual truth of it is that the ...

The Bailiff:

Deputy Wickenden, a point of order is raised.

Senator S.Y. Mézec:

Was the speaker just now suggesting that a Member was misleading the Assembly and lying? He said do not let the truth get in the way of rhetoric. Is he implying that somebody has spoken in an untruthful way because that would surely be against Standing Orders?

The Bailiff:

I did not understand the Deputy's statement to mean that. But, Deputy Wickenden, presumably that is not your intention, it was a rhetorical statement you were making, rather than a suggestion that any Member who was lying.

Deputy S.M. Wickenden:

It was rhetorical but if the Senator would let me finish my speech, then maybe he would work out what I was talking about.

The Bailiff:

The Senator was perfectly entitled to raise a point of order to have the matter clarified by the Chair; there is nothing wrong with that, Deputy. But now it has been clarified you are perfectly at liberty to continue with your speech.

Deputy S.M. Wickenden:

I was saying the Assembly did not vote against raising the living wage in this week's debate, they voted on a majority to allow the Minister for Social Security continue a review into the living wage. Rather than choosing an arbitrary figure picked out of the air, that there was proper information about what a living wage could look like, that a minimum wage could be looked at, what the make-up of the Employment Forum would look like, who would be on it; that is what the Assembly has voted for. It did not vote against something; it voted in favour of something. If we are going to go down the route of party politics like this that says we did not get our way, so we are going to stop doing what you want and we are going to vote against your staff, then we are going to really, really get to the worst parts of party politics that we see many times in other Parliaments in the U.K. (United Kingdom) and around the world. I thought we were not in that position and I am disappointed. I feel sorry that we have to put these applicants that put themselves forward through this process in the Assembly. I do not know why anyone would want to come and work for us if we have to keep putting them through this situation and drag them through this public forum. I think it is unfair and I think it should be changed. I will be supporting it. The candidate is highly qualified and I think brings an awful lot of experience in areas that we have not seen before; that is really going to make public realm changes because that is her speciality. Which is what everyone in this Assembly is looking for as well, which is better public realm for Islanders to use, not just building flats. I absolutely support this candidate and I absolutely cannot believe sometimes things that are said in this Assembly.

The Bailiff:

Does any other Member wish to speak on the proposition? If no other Member wishes to speak, then I close the debate and call upon the Minister for Treasury and Resources to respond.

1.1.11 Deputy S.J. Pinel of St. Clement:

This debate on this appointment has taken quite a considerable amount of time, so I shall attempt to be brief in my summing up. I will start with Deputy Ward, who spoke yesterday and was complimented or repeated by Deputy Southern and Senator Mézec to some extent, in the complaint about the perceptively high salary. This salary is a going rate for a non-executive director - in particular S.o.J.D.C. - it has not increased since 2018 and the contract says a minimum of 15 days. In my experience of N.E.D.s (Non-Executive Directors), having appointed quite a few, they invariably input far more time than the minimum of their contract, so from that point of view I hope that answers some of the questions. A couple of Members asked, Deputy Young being one of them, as to the composition of the board; I know Deputy Doublet asked it as well. But from a residential point of view the board currently comprises 5 Jersey residents and 2 directors who are non-Jersey residents. One of the reasons for extending this to a non-Jersey resident is the risk of the board becoming too insular if it was all Jersey residents, so I hope that answers that question. I wanted to thank Deputy Doublet as well for asking about the composition of the board and I agree with her that this information should be made available to the Assembly, even if it is in confidence. Certainly as far Treasury and Exchequer go, I will ask for that to happen. Deputy Southern, I have already addressed about the 15 days. Deputy Higgins and Senator Ferguson, again, turns the appointment, which was what this debate is all about, into a discussion about States of Jersey Development Company and whether it was necessary. I do not think this is the right forum, as was said, for a discussion about the merits or not of the company. Deputy Gardiner asked about the C. and A.G. (Comptroller and Auditor General) report and, yes, the review has been carried out. I think her second question was have I met Ms. Dwyer. No, I have not because all the candidates were interviewed by Berwick Partners, who are the recruitment agency. That was their recommendation

to me, which I accepted in order to bring it to the Assembly. The role itself attracted a significant amount of interest from candidates, both in Jersey and other locations. A small number of candidates either based in Jersey or with a connection to the Island were long-listed by the board for interview, which, as I mentioned, our search consultants who have a particular focus and expertise in this sector. I have already mentioned the residency of the current board. Connétable Jackson, a review of property management companies, I shall take that forward. I think I have answered Deputy Morel's question about the performance of S.o.J.D.C. and the return in investment but this debate is not about that; it is about a candidate with incredibly skill-matching for what we require in Jersey and realm development. I think Deputy Huelin mentioned that the candidate has been selected for her skill set, which, as you will see from the appendix to the proposition, is very considerable. I think both Deputy Huelin and the Deputy of St. Mary said that the forum for discussion of the merits of the company is not applicable in this proposition. Just for some reassurance to the Assembly, I hope, that all the arm's length organisations' memorandums of understanding are all being reviewed as we speak; 2 have been completed and the rest are almost completed.

[10:15]

The companies are being overseen and the M.o.U.s (Memorandums of Understanding) being altered, if necessary. I think I have got everybody, apart from Deputy Wickenden and I agree with the sentiments he expressed; we should not be dragging extremely competent candidates through such public criticism. It is rather embarrassing that my fellow Members have done that. With that, I hope I have answered all the questions, there were quite a lot. As I apologised for, I did miss the first 2 questions because I could not get the sound. With that, I make the proposition.

The Bailiff:

Thank you very much, Minister. I ask the Greffier to put a voting link into the chat. I open the voting and ask Members to vote. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The proposition has been adopted.

POUR: 35		CONTRE: 7		ABSTAIN: 1
Senator I.J. Gorst		Senator S.Y. Mézec		Deputy J.H. Young (B)
Senator J.A.N. Le Fondré		Connétable of St. Saviour		
Senator T.A. Vallois		Deputy G.P. Southern (H)		
Senator K.L. Moore		Deputy M.R. Higgins (H)		
Senator S.W. Pallett		Deputy K.F. Morel (L)		
Connétable of St. Helier		Deputy R.J. Ward (H)		
Connétable of St. Clement		Deputy C.S. Alves (H)		
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy S.J. Pinel (C)				

Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Greffier of the States:

Those Members who voted contre are: Deputy Ward, Deputy Southern, the Constable of St. Saviour, Deputy Morel, Senator Mézec, Deputy Higgins and Deputy Alves and the abstention was Deputy Young.

2. Draft COVID-19 (Amendments - Extension and Suspension) (Jersey) Regulations 202-(P.25/2021)

The Bailiff:

The next item is the Draft COVID-19 (Amendments - Extension and Suspension) (Jersey) Regulations P.25 lodged by the Minister for Health and Social Services. For the purposes of this debate the main respondent will be the chair of the Health and Social Services Scrutiny Panel. I ask the Greffier to read the citation.

The Greffier of the States:

Draft COVID-19 (Amendments - Extension and Suspension) (Jersey) Regulations 202-. The States make these regulations under Article 2 of the COVID-19 (Enabling Provisions) (Jersey) Law 2020.

2.1 Deputy R.J. Renouf of St. Ouen (The Minister for Health and Social Services):

These draft regulations set out the arrangements proposed for the further extension of the treatment of the emergency legislation we have needed to manage the COVID pandemic. Some of that legislation is suspended until orders are made to give it effect but some is also in use today, an example being our arrangements at the borders. Last September we extended the legislation to 30th April, which of course expires in just 8 days or perhaps a bit less. Therefore, if approved, these regulations further extend the legislation to 31st October 2021, a period of 6 months. The majority of this legislation has previously been extended by the Assembly last September with a few additional items, which included regulations on gatherings, enhanced arrangements for workplaces, which included mask-wearing, and I will talk about that later, and revised arrangements for care homes. I do acknowledge this is a complicated piece of legislation but I understand from Members following

the previous extension in September that the Assembly appreciated the opportunity in the proposition to see an overview of all the emergency legislation, rather than bring the individual and various items in a piecemeal fashion. I have tried to provide Members with the same overview here, using broadly the same format in the report and the law for consistency. The main objective of these regulations is to ensure that all these disparate pieces of legislation are treated in a consistent manner with powers relinquished to the greatest possible degree where it is safe to do so and to the degree that it is safe to do so. I wish to remind Members that before any powers I exercise under these regulations, there are a number of requirements. Firstly, that I, as Minister, must be satisfied that any order is necessary and proportionate, having regard to the foreseeable risk of spread of infection. Secondly, that I must take advice from the medical officer of health and, thirdly, that I must consult with the Council of Ministers. While COVID-19 is currently under good control in Jersey, transmission remains an issue globally and in jurisdictions with which Jersey has close connections. The ongoing risk of further outbreaks does preclude a full return to normality at this time. However, there is no desire to restrict the lives of Islanders unnecessarily should the situation remain stable. It would not be appropriate for Government to keep the unprecedented powers that have been required to combat the pandemic close to hand for an indefinite period. Therefore, the proposal before Members is for another time-limited extension of these powers to 31st October 2021. Of course, I am sure that the hope of all of us that after that time we will move to a situation where those powers are no longer necessary or if indeed some are necessary that they will be much reduced. The date of 31st October has been chosen because we recognise the precedent for the approximately 6-month periods of extension that have previously been set, starting in March 2020 when the first regulations were introduced. There was a further extension, as I have said, from October last year to April 2021. We consider 6 months to be a reasonable period for extension. It does not seem an unduly long time to retain some limited emergency powers and the timing should allow the Assembly to consider the ongoing need for this legislation before this coming winter in the light of the prevailing circumstances at the time and the progress of the vaccination programme. I just wish to say a few words about the issue of mask-wearing, which does form part of these regulations. It forms part of the workforce restrictions regulations but only part of those regulations. I know Members are receiving communications from members of the public basically saying: "Why do we still need to wear masks?" I am receiving the same and I can tell Members that that issue is presently under consideration by the medical officer of health and the Public Health officers who will be advising me. I undertake to, in turn, advise States Members of that conclusion. At the moment S.T.A.C. (Scientific and Technical Advisory Cell) have not recommended, I do not believe they have deeply considered any change to the legislation or the orders, so it is important at the moment still to be wearing masks in indoor public spaces. We recognised yesterday in our debate that we still have a threat to face with COVID and we must not let down our guard. Mask-wearing is recognised as an effective mitigation, combined with others, when people are gathering together in uncontrolled places. That review I have spoken of will include the question of students wearing masks in schools and also staff, I am sure. This matter is under consideration. It is not an issue for today, I would suggest, because what the proposition before Members does is offer a choice either to extend the whole of the regulation governing workplaces or not. It is not possible to dig down into the different parts of the regulation and have a debate simply on the wearing of masks. Indeed, I think any such debate would be premature at this stage. I acknowledge that there seems to be research out there that says wearing masks is ineffective and not good for us but at the same time there is ample research to the contrary. This is a matter that we need advice upon and advice is being sought. Therefore, at this stage I would like to propose the principles and ask for Members' support.

The Bailiff:

Thank you very much, Deputy. Are the other principles seconded? **[Seconded]** A point has been raised within the chat as to whether I should properly preside over the continuation of the debate on this particular matter because it does touch on regulations which deal with my power; I think

Regulation 19 at the end, although I do not think, as these have been given to me by the Assembly, there is any strict difficulty. Out of an abundance of caution I will ask the Greffier to take over presiding over this particular piece of legislation.

The Deputy of St. Ouen:

Sir, before you depart, I was not clear from the chat who made that comment and just for transparency.

The Bailiff:

Is it not in front of you in the Chat?

The Deputy of St. Ouen:

It is, Sir, but there is no identification of the person asking.

The Bailiff:

No, that is because it follows on from the chat immediately before. Deputy Ward raised the question and he then added a paragraph thereafter.

The Deputy of St. Ouen:

I understand, Sir, thank you.

Deputy R.J. Ward of St. Helier:

Sir, may I say it was genuinely intended to be helpful and ...

The Bailiff:

No, Deputy, I did not think it was anything other than that and, as I say, although I do not think there is a difficulty, there is no reason out of an abundance of caution why I need to preside over this and the Greffier is available and able to do it. Very well.

The Greffier of the States (in the Chair):

Does any Member wish to speak on the principles?

The Deputy of St. Ouen:

Sir, the principles are not yet seconded.

The Greffier of the States (in the Chair):

I think they were seconded, they have been seconded.

The Deputy of St. Ouen:

I apologise.

The Greffier of the States (in the Chair):

Does any Member wish to speak on the principles? If no Member wishes to speak on the principles, I will ask the Greffier, if he is ready, to place a ... yes, Deputy Ward, you are late off the mark.

2.1.1 Deputy R.J. Ward:

Sorry, Sir. In terms of the principles, I think this is relevant to the principles and I would just like to ask the Minister with regards to the use of the word "suspended" as to how quickly a regulation is suspended could be re-enacted. Because, again, a genuine question here for understanding, I believe that suspended means they would survive in the background and can be reinstated at a given point. I just wanted some clarity as to when the mechanism for reinstating any regulation that has been suspended; just some clarity on that. I do hope that question makes sense for the Minister because I understand how complicated these regulations are.

The Greffier of the States (in the Chair):

Does any other Member wish to speak on the principles? If no other Member wishes to speak, then I will close the debate and ask the Minister to respond.

2.1.2 The Deputy of St. Ouen:

The mechanism is the making of an order by a Minister, not all these regulations concern myself as Minister for Health and Social Services but it is the Minister for Home Affairs, the Minister for the Environment, the Minister for Children and Education are involved also in regulations. But, yes, it is simply the making of an order, reviving the regulation and of course, as I have said before, before such an order is made the Minister has to be satisfied it is necessary and proportionate to do so and must seek the advice of the medical officer of health and must consult with the Council of Ministers and that is the procedure that would be followed. Unless it was a real emergency, Members will know that we make efforts to consult Scrutiny Panels and conduct States Members’ briefings, so that they might be aware of the changes that are being made. I hope that helps.

The Greffier of the States (in the Chair):

There may be a little delay due to the sudden change in arrangements but I will ask the Greffier to put a link to the vote on the principles of P.25 in the chat channel.

[10:30]

The link is available, so I would ask Members to cast their votes. If Members have had the opportunity to cast their votes, I ask the Greffier to close the voting. The principles have been adopted.

POUR: 42		CONTRE: 0		ABSTAIN: 0
Senator S.C Ferguson				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				

Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
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 Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

Minister, there are 20 regulations, how do you want to handle them?

2.2 The Deputy of St. Ouen:

I sense that Members might not want me to pursue at length a description of each regulation. I would be minded to propose the regulations all of them *en bloc* and if Members wished to ask me particular questions about individual regulations I will try and address that in my response, if that is acceptable to Members, so it goes *en bloc*.

The Greffier of the States (in the Chair):

Are the regulations seconded? [**Seconded**]

2.2.1 Deputy L.M.C. Doublet:

Could I ask a question, please, about the regulations? I just wanted to clarify, I believe it is Regulation 5 that covers mask-wearing in schools and I would like to vote on that separately. Is that going to be possible, please?

The Greffier of the States (in the Chair):

That is possible. Do you want to speak to the regulation? Do you want to say something about it?

Deputy L.M.C. Doublet:

Yes, please, if I may. I wanted to just speak briefly about mask-wearing. We have had an email exchange and a very helpful email from a member of the public, who is a medical practitioner, outlining some of the harms that have been caused by masks. While I can see perhaps why on balance at this time mask-wearing in some circumstances in the wider community may still be the right thing to do, I believe, looking at the evidence that has been presented by this medical practitioner and also

hearing concerns that have been raised with me and, I believe, with other Members and Ministers by parents, who are concerned that children are wearing masks for up to 7 hours a day while they are learning at school and believing that it is not appropriate and indeed it is harmful for children to be having to do this at this time. I did raise a question on Tuesday of the Chief Minister in his capacity as Minister for Children and Education at this time, around the reconnection strategy in relation to schools. Members will have seen at the time on Tuesday I was really quite disappointed at the response of the Chief Minister at the time because it seems that the impact on children of these COVID measures has not recently been reviewed. In fact it seems that it is just being left to continue without reflecting on the impact on children. I strongly believe that we need to reflect at this point. In fact I am currently leading a Scrutiny review into the impact of the pandemic measures on children. If there are any parents listening and they are interested in this issue, I would urge them to contribute to that review. But what I wanted to hear from the Minister for Health and Social Services, I welcome the Minister for Health and Social Services' commitment over emails to look further into this matter and I think he has just said it this morning as well. But I want to hear further from him on why this has not been reviewed further and I want some reassurance that it is not going to take prompting from the States Assembly for children's needs to be taken into account. I kind of trusted that that was happening as a matter of course and it seems that it has not been, although we are regularly reviewing the needs of our economy. I want to see that children's needs are being put first and that their needs are being regularly reviewed. That is the commitment I would like from the Minister for Health and Social Services. The evidence that I have seen does not support mask-wearing in schools, I am considering voting against Regulation 5. Yes, I have not seen that it is necessary in schools anymore, given that children do not spread the virus to the same extent as adults, given our case numbers are so low and given the weight of the evidence of the harm that it is causing children. Yes, I would like the Minister to respond on that, please, and I will consider how I vote.

The Greffier of the States (in the Chair):

Minister, before we carry on, can I just make sure that Regulation 5 is the one that deals with mask-wearing in schools?

The Deputy of St. Ouen:

No, I regret it does not and I can explain. Regulation ...

The Greffier of the States (in the Chair):

Perhaps we can treat this as a point of clarification in that case because we are mid-debate.

The Deputy of St. Ouen:

Very well, Sir. Regulation 5 ...

Deputy L.M.C. Doublet:

Yes, please, I would like to clarify from the Minister's email exchange where he specified Regulation 5, so if I could request a clarification, that would be very helpful.

The Greffier of the States (in the Chair):

I think the Minister is requesting clarification, an intervention to clarify at this point. But whatever of it he is going to speak and tell us more about it.

The Deputy of St. Ouen:

Yes, I did say that this is complex. Yes, I did say in my email it was Article 5. Article 5 proposes the extension of the Workplace Restrictions Regulations. That is the only regulation that deals with mask-wearing as regulation, in other words as legislation. There is a long list in that regulation of the places where mask-wearing is required as a matter of law. But in fact mask-wearing in schools is not law. It is a matter of guidance I understand. It is a matter of C.Y.P.E.S. (Children, Young

People, Education and Skills) policy and has never been part of the workplace regulations or any other regulation. In fact that is expressly mentioned in the Workplace Restrictions Order. It says that essentially masks must be worn in workplaces. But the part of the regulation I am looking at says: “A workplace is close-contact premises if it is a building that is neither a school nor day-care accommodation within the meaning of the Day Care of Children (Jersey) Law 2002.” So that excludes schools from the ambit of the regulation itself. The question of wearing masks in school has come forward as a matter of C.Y.P.E.S. policy. The Deputy has asked why has that not been reviewed. I believe that C.Y.P.E.S. has regularly been reviewing provisions in schools. But of course I am not the Minister who can answer for that at this stage. But I have said that mask-wearing in schools is a matter of review and advice is being sought at the moment. I hope that helps.

The Greffier of the States (in the Chair):

That is helpful. I do not want to stray into a second speech but that is an appropriate clarification. The Constable of St. Saviour, you cannot ask a question at this point. You could make a speech or you could seek a clarification of what the Minister has just said.

Connétable S.A. Le Sueur-Rennard of St. Saviour:

No, I will leave it. I wanted to ask a question, but thank you.

2.2.2 Deputy S.M. Wickenden:

I could help here. In Education, we have been taking advice from Public Health and Dr. Ivan Muscat. That is where we are getting out policy with regard to mask-wearing in schools. I can inform the Assembly that we are constantly reviewing it. There is a new review happening right now with Public Health, which is about mask-wearing in schools. It is about mixing class bubbles. It is about school trips. So it is all constantly being reviewed. But I hope next week to have a better update on the advice we are getting from Public Health and Dr. Ivan Muscat and whether the policies we have in place will be changed next week. But it is constantly being reviewed. It is being reviewed again right now in relation to where we are, which is in such a good place. I will have an update for the Deputy. I will let the Deputy know as soon as I possibly can what the outcome of that consultation with the Public Health is.

2.2.3 Deputy R.J. Ward:

A couple of things for the Minister. It is Regulation 6 that states in there the consultation with the Council of Ministers. I just want to ask, and this is a general question, whenever this arises it needs to be clarified what consultation means. Is that just simply informing the Council of Ministers or is that a vote is taken? If a vote is taken, is it a majority outcome or is it wanting to be unanimous agreement for example, and who has the casting vote? It is important that, if the Council of Ministers is to be involved in the extension of any COVID restrictions, we know the mechanism by which that decision is made. Also in Regulation 8, really just to confirm: “The current regulations do not apply to any service, which delivers care to under-18s. The allowed deviations from normal procedure are more limited.” Under-18s, I would ask the question regards care leavers who may be offered support in their homes who may be over 18 or may be living somewhere who are over 18, whether it means that the regulations do not extend to them, which is quite important. Because we define a child as not necessarily just under 18. There has been a positive move there. Regulation 17, the end-of-life regulation. Are we saying that the process by which it was not necessarily the deceased’s G.P. (general practitioner) who signed the death certification, which was a slight concern for some? I know there was a team set up with a horrendous job to do. But I am sure they did it well. But that is not happening anymore and that has been suspended. I just want to confirm that because I agree with the Minister, these are complicated. It is very important that we understand them. In terms of marriages, how many can attend marriages now, just to confirm? Because I am trying to pick through regulations here to get a number. That was it in terms of questions regards the regulations. Just on

outdoor events, can the Minister confirm what is happening, and I have to declare an interest here regards live music in outdoor events. From 2nd May I believe it is allowed outdoors, public music, with particular risk assessments being given with it. But can the Minister confirm whether that is the case and how these regulations would affect that? I hope that is a comprehensive set of questions.

The Greffier of the States (in the Chair):

Deputy Ward, you said you had to declare an interest but you did not say what it was.

Deputy R.J. Ward:

It is just that I play live music outdoors and I am looking forward to doing it again.

[10:45]

2.2.4 Deputy M.R. Higgins:

Again, I am going to ask the question, but again I have to declare an interest. Obviously, as the organiser of a very, very large event, the air display, I would like to know as well from the Minister what regulations are being placed on large-scale events. The reason I ask this is that, not only the air display, but other large-scale events take months, if not years, in preparation. We need to know as soon as possible.

The Greffier of the States (in the Chair):

Does any other Member wish to speak on the regulations? If no other Member wishes to speak I will call on the Minister to respond.

2.2.5 The Deputy of St. Ouen:

Deputy Ward has asked what does consultation with the Council of Ministers mean. First of all, we need to begin with an understanding that the legal power to make orders implementing the regulations vests in individual Ministers. The Council of Ministers has no legal authority to do so. It is the Ministers as corporations sole. But of course, throughout the pandemic, we have tried to work together and provide a Governmental response to this. So, consulting with C.O.M. (Council of Ministers) means that any proposals having gone through S.T.A.C. and received advice from the medical officer of health and proposed by the Minister goes to a Council of Ministers meeting for discussion and, yes, a vote sometimes, a consensus on whether that measure can be supported. But it is not the Council of Ministers making the decision because lawfully that decision rests in the Minister. So technically the Minister could go off and disregard a view of the Council of Ministers. But no Minister is going to do that. Of course there are safeguards in broader legislation in that of course if I was to do anything stupid like that then the Chief Minister could immediately dismiss me or withdraw my power to make that sort of frolic of my own. So there are safeguards built in if I suddenly decided in a fit of pique to go off and disregard all the advice that I was receiving. Likewise other Ministers. So consultation is effective. It means that we provide a governmental response and there is general agreement around the table as to the way it proceeds. In answer to Deputy Ward's other questions, the one about children over 18. That was Regulation 8. It is the case that these regulations do not apply to children. So Children's Services operate with all the safeguards that have always existed. These are regulations relating to standards of care in services governing adults. Generally, they are there to allow services to continue to operate in the event that a large number of staff were required to isolate. The Jersey Care Commission is involved. The Jersey Care Commission always has to give permission for the service to continue in those circumstances. They are the regulator in this instance. So, I imagine if a person over 18 was in care in some way, it is possible that these regulations might one day be reactivated. They are going to be suspended at the moment and we hope never to reactivate them. But of course all the safeguards would be followed and the Jersey Care Commission would be involved. That is the best I can offer at the moment on that issue. On the death management Regulation 17, we are back to normal in that any G.P. can now

sign a death certificate. Under marriages, any number can attend a marriage ceremony, I understand, subject to the premises wishing to follow safe-distancing guidance. So there may be practical limitations, but there is no legal limitation on attending the ceremony. For the time being, I understand that there is a restriction under the Gatherings Regulation of 50 people attending a wedding reception or a funeral wake. That is my present recollection because that is defined as a private event. Outdoor events, from 2nd May, essentially that will all be reduced to guidance now. There is no legal requirement to keep 2 metres apart. Guidance says that is recommended still, 1 metre as a minimum. This combines with Deputy Higgins' answers also. We have also said in guidance that venues should consider not filling their venues to capacity but at the most limiting their numbers to 50 per cent of their usual capacity. So that may apply to the air display also. It might be difficult to assess capacity there. For those events that require a Bailiff's permit, in this respect perhaps it is an idea that the Bailiff did depart, I believe the Bailiff's Office has said that for applicants for Bailiff's permits they will have to show that they comply with Public Health guidance. So that refers us back to the guidance, which is still: "Make every effort to observe a proper separation of people to avoid crowding." Again, I hope that helps, but I invite those Members, if they have very specific questions, or if I have not answered precisely, jut to email myself or Public Health officers, and we will try to be precise. Particularly with Deputy Higgins who has an event to organise, Public Health officers do, and I thank them for this, engage with event organisers and industry in trying to ensure that we can get back to normal and operate in a safe manner.

The Greffier of the States (in the Chair):

Deputy Doublet, you asked for a separate vote on Regulation 5. But has the Minister answered your point on that, so there is no need for a separate vote?

Deputy L.M.C. Doublet:

Yes. I do not think there is a need for a separate vote at this point.

The Greffier of the States (in the Chair):

Unless I hear otherwise, the vote will be on all of the regulations combined. I do not hear any challenge to that. So I will ask the Greffier to prepare a link for a vote on all of the regulations. The link is available so the vote is open. Members have had the opportunity to cast their votes. I will ask the Greffier to close the voting. The regulations have been adopted.

POUR: 41	CONTRE: 0	ABSTAIN: 0
Senator S.C Ferguson		
Senator J.A.N. Le Fondré		
Senator T.A. Vallois		
Senator S.W. Pallett		
Senator S.Y. Mézec		
Connétable of St. Helier		
Connétable of St. Lawrence		
Connétable of St. Saviour		
Connétable of St. Brelade		
Connétable of Grouville		
Connétable of Trinity		
Connétable of St. Peter		
Connétable of St. Mary		
Connétable of St. Ouen		
Connétable of St. Martin		

Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
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 Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

Minister, do you wish to take this forward in Third Reading?

2.3 The Deputy of St. Ouen:

I do. May I thank Members for the support thus far. Government is very conscious of the very unusual and extensive powers that are contained in this legislation. We exercise them sparingly having regard to the implications on our society and civil liberties. I am pleased that this Assembly has been heavily involved in managing the COVID pandemic throughout and has scrutinised Government in this respect. May I thank also all the officers who have put together and worked on this very complex piece of legislation, which is going to provide protections we need for the next 6 months in order to keep our Island safe. I propose the Third Reading.

The Greffier of the States (in the Chair):

Is the Third Reading seconded? [**Seconded**] Good point, Deputy Le Hegarat, I had forgotten to offer this to the Health Panel. I am going to hope you do not want it.

Deputy M.R. Le Hegarat of St. Helier (Chair, Health and Social Security Scrutiny Panel):

You are quite right. But I did hesitate and I did think it was probably appropriate to ask. So, no, we do not want to call it in.

The Greffier of the States (in the Chair):

Does any Member wish to speak on Third Reading? No Member wishes to speak on Third Reading, in which case I will ask the Greffier to put a link into the chat. The voting link is available so I ask Members to cast their votes. Members have had the opportunity to cast their votes. I will therefore ask the Greffier to close the voting. The Regulations have been adopted in Third Reading.

POUR: 40	CONTRE: 0	ABSTAIN: 0
Senator L.J. Farnham		
Senator S.C Ferguson		
Senator J.A.N. Le Fondré		
Senator S.Y. Mézec		
Connétable of St. Helier		
Connétable of St. Lawrence		
Connétable of St. Saviour		
Connétable of St. Brelade		
Connétable of Grouville		
Connétable of Trinity		
Connétable of St. Peter		
Connétable of St. Mary		
Connétable of St. Ouen		
Connétable of St. Martin		
Connétable of St. John		
Deputy J.A. Martin (H)		
Deputy of Grouville		
Deputy K.C. Lewis (S)		
Deputy M.R. Higgins (H)		
Deputy S.J. Pinel (C)		
Deputy of St. Martin		
Deputy of St. Ouen		
Deputy L.M.C. Doublet (S)		
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 Trinity		
Deputy of St. John		

Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

3. Draft COVID-19 (Enabling Provisions) (Amendment No. 2) (Jersey) Law 202- (P.27/2021)

The Bailiff:

The next item is the Draft COVID-19 (Enabling Provisions) (Amendment No. 2) (Jersey) Law, P.27/2021, lodged by the same Minister and the main respondent also will be the chair of the Health and Social Security Scrutiny Panel, Deputy Le Hegarat. I ask the Greffier to read the citation.

The Greffier of the States:

Draft COVID-19 (Enabling Provisions) (Amendment No. 2) (Jersey) Law 202- A law to amend further the COVID-19 (Enabling Provisions) (Jersey) Law 2020. The States, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following law.

3.1 The Deputy of St. Ouen (The Minister for Health and Social Services):

This law, if adopted, extends the operation of the COVID-19 (Enabling Provisions) (Jersey) Law to 31st March 2022. We are now over one year into this pandemic and, while we can take some pride in the fact that the situation here is currently under control and our vaccination programme is proceeding well, unfortunately jurisdictions around us are still in the grip of the pandemic and seeing waves of infection. It is therefore essential that we have the legal tools to control COVID-19. Although they might not necessarily be deployed, as we have seen in the last debate, this extension to the enabling law is intended to ensure that we retain the capacity to develop and modify our legislative framework that enables decisive action when it is needed, and which restricts Islanders' liberties as little as possible.

[11:00]

Essentially, as Members will know, primary legislation needs the sanction of Her Majesty's Privy Council. But that the Privy Council agreed when we put forward the enabling law the early part of last year that, for the purposes of the control of the pandemic, this States Assembly would be empowered to make certain measures without necessarily incurring the delays of the process involving the Privy Council. Now that the preceding proposition has been adopted, which extends much of the emergency legislation to 31st August, that falls beyond the end of the current enabling law extension. So, as Members will be aware, if the enabling arrangements were to expire, no new emergency regulations and no order under the existing regulations could be made. That has immediate effects on the control of COVID-19. So therefore this proposition will enable the enabling law to extend its operation to 31st March 2022. Of course we really hope that the pandemic will be well and truly over by that time or at least that matters will have reached a point where COVID is globally controllable. During the debate on the previous extension of this legislation I said that the Council of Ministers and I very much hoped that it would no longer be necessary beyond this time. Sadly, we see from the winter we have experienced and the experience of other jurisdictions that there is still a need to retain a degree of control over the situation, which does mean that we believe we need to regain this enabling legislation. So we have chosen that extension period until 31st March 2022 because any decision on any further extension that might be required must be taken, not only

in advance of the required lodging period, but also in consideration of the Privy Council’s schedule for the relevant period. This means that a decision on the further extension would be required by the latest by January 2022, at which point the prevailing conditions of this coming winter will be known and understood. Essentially, this is a significant piece of legislation, but that does give us the powers to introduce the measures that we need to take, sometimes rapidly, in order to control the spread of COVID in the Island. Therefore, I propose the principles.

The Bailiff:

Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles? If no Member wishes to speak on the principles, then the debate is now closed and I ask the Greffier to put a vote into the chat.

Senator L.J. Farnham:

Should this be referred to Scrutiny first?

The Bailiff:

No, we have to have the principles adopted first and then Scrutiny decides if they want to take them in there.

Senator L.J. Farnham:

Apologies.

The Bailiff:

I open the voting and ask Members to vote. Members have had the opportunity of casting their votes. I ask the Greffier to close the voting. The principles have been adopted.

POUR: 40		CONTRE: 0		ABSTAIN: 0
Senator L.J. Farnham				
Senator S.C Ferguson				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				

Deputy of St. Ouen			
Deputy L.M.C. Doublet (S)			
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 Trinity			
Deputy of St. John			
Deputy M.R. Le Hegarat (H)			
Deputy S.M. Ahier (H)			
Deputy R.J. Ward (H)			
Deputy C.S. Alves (H)			
Deputy K.G. Pamplin (S)			
Deputy I. Gardiner (H)			

Deputy Le Hegarat, does your panel wish to call this in?

Deputy M.R. Le Hegarat (Chair, Health and Social Security Scrutiny Panel):

No, thank you.

The Bailiff:

How do you wish to deal with the matters in Second Reading, Minister?

3.2 The Deputy of St. Ouen:

The proposition is very simple. I would like to take the 2 Articles *en bloc*.

The Bailiff:

Is the matter seconded for Second Reading? **[Seconded]** Does any Member wish to speak in Second Reading? If no Member wishes to speak in Second Reading, then the debate is closed and I ask the Greffier to place a link into the chat. I open the voting and ask Members to vote. Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. The Articles have been adopted in Second Reading.

POUR: 41		CONTRE: 0		ABSTAIN: 0
Senator L.J. Farnham				
Senator S.C Ferguson				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator S.W. Pallett				
Senator S.Y. Mézec				

Connétable of St. Helier			
Connétable of St. Lawrence			
Connétable of St. Saviour			
Connétable of St. Brelade			
Connétable of Grouville			
Connétable of Trinity			
Connétable of St. Peter			
Connétable of St. Mary			
Connétable of St. Ouen			
Connétable of St. Martin			
Connétable of St. John			
Deputy J.A. Martin (H)			
Deputy of Grouville			
Deputy K.C. Lewis (S)			
Deputy M.R. Higgins (H)			
Deputy S.J. Pinel (C)			
Deputy of St. Martin			
Deputy of St. Ouen			
Deputy L.M.C. Doublet (S)			
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 Trinity			
Deputy of St. John			
Deputy M.R. Le Hegarat (H)			
Deputy S.M. Ahier (H)			
Deputy R.J. Ward (H)			
Deputy C.S. Alves (H)			
Deputy I. Gardiner (H)			

Do you move the matter in Third Reading, Minister?

3.3 The Deputy of St. Ouen:

I do. I thank Members for their support thus far and all officers working on this in their liaison with the Privy Council and officers there also.

The Bailiff:

Thank you very much. Is the matter seconded for Third Reading? [**Seconded**] Does any Member wish to speak in Third Reading? No Member wishes to speak in Third Reading. Then the debate is closed and I ask the Greffier to put a link into the chat. I open the voting and ask Members to vote. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The law has been adopted in Third Reading.

POUR: 41	CONTRE: 0	ABSTAIN: 0
Senator L.J. Farnham		
Senator S.C Ferguson		
Senator J.A.N. Le Fondré		
Senator T.A. Vallois		
Senator S.W. Pallett		
Senator S.Y. Mézec		
Connétable of St. Helier		
Connétable of St. Lawrence		
Connétable of St. Saviour		
Connétable of St. Brelade		
Connétable of Grouville		
Connétable of Trinity		
Connétable of St. Peter		
Connétable of St. Mary		
Connétable of St. Ouen		
Connétable of St. Martin		
Connétable of St. John		
Deputy J.A. Martin (H)		
Deputy of Grouville		
Deputy M.R. Higgins (H)		
Deputy S.J. Pinel (C)		
Deputy of St. Martin		
Deputy of St. Ouen		
Deputy L.M.C. Doublet (S)		
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 Trinity		
Deputy of St. John		
Deputy M.R. Le Hegarat (H)		

Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

4. Draft Illegal, Unreported and Unregulated Fishing (Jersey) Regulations 202- (P.35/2021)

The Bailiff:

The next item is the Draft Illegal, Unreported and Unregulated Fishing (Jersey) Regulations, P.36, lodged by the Minister for the Environment. For the purposes of the debate, the main respondent will be the chair of the Environment, Housing and Infrastructure Scrutiny Panel. I ask the Greffier to read the proposition.

The Greffier of the States:

Draft Illegal, Unreported and Unregulated Fishing (Jersey) Regulations 202- The States make these regulations under Article 2 of the European Union Legislation (Implementation) (Jersey) Law 2014.

4.1 Deputy J.H. Young of St. Brelade (The Minister for the Environment):

I will begin by first of all a couple of apologies. Firstly, having been my first day back in the States Chamber, which is a real pleasure for a year, I find my laptop camera will not work. It has obviously been set up differently for my HD camera at home. So, anyway, that is a personal thing, but I will do my best. I want to thank of course States Members for allowing me to bring this item today at short notice. I know Members, I am sure, have read through it. It looked very, very complicated. This is one of 2 pieces of regulation for management of our fisheries. But this particular one I am very hopeful you will share my view after hearing what I have to say. This is very much the one that will give Jersey less problems. This is a piece of legislation that we would have had to have brought anyway because of Brexit; that on 1st January we ceased to be a member of the E.U. (European Union) and became a third country. Therefore we had to put in place the external structures to comply with international agreements. Of course, the key thing is that the new agreement with the U.K. and E.U., which we have joined in, does require us to have these to be compliant, the T.C.A. (Trade and Cooperation Agreement) does require us to fulfil these obligations. Of course, globally, Illegal, Unreported and Unregulated fishing constitutes one of the big serious threats to sustainable exploitation of aquatic resources and jeopardises fishing policy and management and international efforts to promote ocean governance. So a big threat to marine diversity, to action against I.U.U. (Illegal, Unreported and Unregulated) fishing is an international effort under the U.N. (United Nations) Convention for the Law of Sea. To do this, to fulfil our obligations, we of course have a comprehensive and well-established system for monitoring and enforcement of fishing activity in our waters under the framework of the 1994 law and other agreements, i.e. there is a F.M.A. (Fisheries Management Agreement) with the U.K. Incidentally, that does need reviewing. That is a story for another day. But it is not considered that Jersey has an issue with I.U.U. fishing, either with fishing vessels in Jersey water or indeed Jersey's fleet when it fishes external to territorial waters, which of course our boats do when they have those licences. Of course Jersey as well, if you look around our seas, we do not have international waters because, around our seas, there is no exclusive economic zone because we are completely surrounded by France and Guernsey at a distance of no more than 12 miles. So certain aspects of E.U. legislation, which could be considered part of the I.U.U. regulatory package, have already been adopted as appropriate, for example, around vessel monitoring, reporting and landing declarations, relevant Jersey regs are Sea Fisheries (Vessel Monitoring Systems) (Jersey) Regulations 2014; Sea Fisheries (Logbooks, Transshipment and Landing Decks) Regulations 2014. However, the draft legislation today, which I am asking you to

sign up to, is required because of the U.K.'s new arrangements. Jersey, of course, in Protocol 3 of the previous membership, the British membership of the E.U., now that is gone, but we are no longer within the E.U. Customs territory. We know now that very much it has had an impact on Jersey vessels landing into the E.U. and French vessels' ability to land in Jersey. But we do not have that, it is rather theoretical at the moment. That may come in the future but at the present time that is not a feature. But nonetheless we have to have these legal arrangements in place. So it is an important element of those international agreements. If we were not to do this, there would be, and I think this is a theoretical because in places like Jersey these things would be spotted, potential for a loophole in respect to third country vessels landing fishery products in Jersey, which could then be re-exported to either the U.K. or the E.U.

[11:15]

So what we have to do is to give the reassurance to the U.K., the E.U., and international bodies, the Regional Fishery Management, that Jersey is meeting these international standards. Also, its future proofs legislation should the markets change. Of course we are into a period of uncertainty where it is likely fishing markets and so on will change over the years. So this is an important step to have this. Reputationally we do not want to be a backdoor or weak spot with anything to do with financial controls over fishing as well, about ownership of vessels, insurance and other services which may be offered to vessels and operators who engage in this I.U.U. fishing. I do not think that is really likely at the moment. I have covered the fact that we have these other obligations, these other pieces of legislation in place already. So now of course, from what I have said already, you have learned that legislation concerning fishing is extremely complicated. I.U.U. fishing is even worse. The E.U. regulations are more than 50 pages. But really what they basically do, to sum up, is 3 things: it provides a legal framework and obligations that allows Jersey vessels and exporters of fisheries products to continue to land and trade into the E.U. ports; to ensure that vessels landing into Jersey ports and vessels and companies connected to Jersey that engage in fishing activities comply with the legal requirement to demonstrate they are not engaged in I.U.U. fishing; and to prevent the current gaps in legislation being exploited by those, some who may be and could be involved in organised crime engaged in E.U. fishing. We do not think that any of those issues are real issues at the moment but nonetheless we have to do this. So this legislation is being made under the European Union Legislation (Implementation) (Jersey) Law 2014. Therefore, if this passed it would, with the modifications necessary to apply to Jersey, mean that E.U. Regulation 1005/2008 established a system to determine it would be in place. We are an extremely well-regulated jurisdiction but we need to make sure we update and maintain that position. Of course the fact that we are now a third country really makes that even more important with the international agreement that we are a party of as far as fish, the Trade and Co-operation agreement. I would like to thank the Connétable of St. Brelade as well who has had a briefing for this regulation and discussion in the Scrutiny Panel. I thank Members of the Assembly for allowing me to bring this forward today. Hopefully, Members will agree that this is the more esoteric part of the 2 pieces of legislation I am bringing today. I will try to answer Members' questions.

The Bailiff:

Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles of the legislation?

4.1.1 Connétable J.E. Le Maistre of Grouville:

The chairman of the E.H.I (Environment, Housing and Infrastructure) panel unfortunately is at a funeral and has asked me to speak on his behalf. Obviously, with the very short lodging period of these regulations, it has been impossible to properly scrutinise them. Having said that, the department all the way through Brexit has done everything they can to keep our panel informed of everything that is going on. It is not an ideal situation but we feel that these regulations should go through and

I, and I know the Constable of St. Brelade, will be supporting this proposition. We cannot really say any more than that.

4.1.2 Deputy K.F. Morel:

It is just a couple of quick questions. One was the proposition refers to foreign boats or foreign fishing vessels. I just wondered if the Minister could clarify that “foreign” means any vessel that is not a Jersey vessel, so is not just a reference to E.U., but it is also a reference to U.K. and Guernsey vessels as well. I would also be grateful if the Minister could explain to the Assembly the length and breadth of his consultation with the fishing sector and how many representatives of the fishing sector he has spoken to and what their views are.

4.1.3 Deputy S.G. Luce of St. Martin:

I just speak very briefly to give the Minister my full support. Illegal, Unreported and Unregulated fishing is something that we need to make sure we are completely on top of. It is a great threat to anything that might happen in our marine environment. The Minister gets my vote.

4.1.4 Senator S.C. Ferguson:

As the States Assembly will know, I have been pushing for support of the fishing industry for some time. However, this morning on Radio Jersey there was a French biologist who was busy saying that our fishermen are being emotional and that the scallop beds, for example, are better than they have been for 40 years. So I wonder what comment has the Minister to make on this. When will he be able to produce some evidence that perhaps this gentleman is being slightly overenthusiastic about fishing for scallops?

4.1.5 Deputy M.R. Higgins:

Just following up from Senator Ferguson’s comments regarding the scallop beds, can the Minister tell us, scallops can be hand-dived but this is not what this is applying to. They are trawled, if I am not mistaken, or are they dredged? If a dredge is going over the sea bottom to rake up the scallops, does it discriminate between small and mature scallops? How would that relate to the statements made by this so-called scientist?

4.1.6 Connétable R. Vibert of St. Peter:

I would just like to ask the Minister if he is aware of comments made on one of the French television stations. I saw a short documentary that they made where one of their reporters went out on a French vessel into our waters and the French captain said that the French fishermen would bankrupt our Channel Island fishermen by preventing them from having access to markets. Although they are our waters, they very much feel that they are their waters and they are entitled to them. I would like to ask the Minister if he could cover that in his response.

The Bailiff:

Does any other Member wish to speak on the principles? If no other Member wishes to speak on the principles, then I close the debate and call upon the Minister to respond.

4.1.7 Deputy J.H. Young:

I thank the 7 Members for some very interesting and important points there. I think some of the answers to them are possibly more relevant to the second question about licensing of French vessels but, nonetheless, I will give it a go. Obviously, I am grateful for the Connétable of Grouville’s support on behalf of the Scrutiny Panel. The preparation work for this particular piece of legislation kicked off before the T.E.C.A. (Trade and Economic Co-operation Agreement) because obviously it was always known once you leave the E.U., all the E.U. legislation fell away and we had to re-enact those parts of it that we really needed to fulfil our obligation. It is proven to be, with the T.E.C.A. that came along, we have these obligations confirmed so thank you for that. Deputy Morel’s question

is of course who does this apply to? I think it applies to all fishing boats. If we look at the various users of our waters, E.U. boats of course that were to do illegal fishing would already be acting in contravention of their own national licences and, therefore, the E.U. rules would be applying to them anyway. In terms of Jersey boats, obviously the intention here is that Jersey boats of course would be covered by this. I have never heard any suggestion, frankly, of any illegal fishing ever happening from Jersey boats. One could get a situation where any third country boat uses Jersey in some way or another to support this and therefore this legislation that I am asking the States to approve today would deal with that. What I cannot answer, I am afraid, is the position of U.K. boats. I do not know what the U.K. is going to do about this. The assumption I make of course is the United Kingdom is a third country and therefore I assume they will have this in place so I would have to follow that up. Regarding the length of breadth of consultation, first of all, the law officers have been heavily involved with the complexity of this and of course throughout all of this work, the marine resources team who I want to pay tribute to are an outstanding group and they worked so hard on this. They are expert people and they have had to work with the U.K. Defra counterparts throughout to ensure that what we are doing is sensible and appropriate. Having attended the Marine Resources Panel - I do not go to them all but Deputy Guida usually chairs them but I have attended recently because of the tensions and the issues that exist - they are entirely clear that this is a really important part of our legislative framework to protect us from illegal fishing. All of their concerns and issues are in relation to the next item of business which we will go into shortly. Thank you, Deputy Luce, for support. This is where both Senator Ferguson and Deputy Higgins spoke about the scallop issue. I wonder, if Members would agree, that I will try to answer that in the licensing because here we have licensed vessels. Those boats that have been accessing our waters for scallops in the last few weeks, I know their argument is to say that this is illegal fishing but the checks that we have done is that it is being done within the terms of the amnesty where we agreed that over 12-metre boats that have Granville Bay Agreements which were in place before 1st January, those licences would be honoured. Even though I have to say there has been a longstanding difference of opinion between Jersey and the French maritime authorities over the number of licences, the view that our fishermen take, backed up by our marine resources people, is there are far more boats with Bay of Granville licences from the French that ever fished in our waters or ever had a track record. Nonetheless, they had those licences and, for me, it is no secret we were trying to reduce that and that did not succeed. We now have a situation under the Trade and Economic Co-operation Agreement that there those boats qualify for Jersey licences if and only if they have a qualified track record of 10 days at sea fishing in our waters between January 2017 and January 2020. I listened to the French biologist this morning and what it illustrated to me is there have been differences of opinion historically between the French maritime authorities and Jersey. There have been disagreements about the catch data but very polite of course. There has not been a row. These things are done very sensibly but there has been a difference of view. The Marine Resources Panel were advised when they attended on Monday that our assessment for scallop fishing is at the moment assessed at being fished at 700 tonnes per year. That is slightly why they would prefer it to be around 620 tonnes or thereabouts a year, so it is marginally overfished.

[11:30]

Our fishermen did discuss, but have not decided, that when we get our rules back we might change some of the allowed dimensions, increase the size and so on to try to reduce that. I will say more about that licencing in the second item. There are disagreements there and also I would mention that there is an issue about the provision of catch information to Jersey. I heard the French scientist say that he had that information. If he has that information, we certainly do not have it, and that is the information I had that we have not been provided with that catch data. I have no problem with hand diving, Deputy Higgins. You cannot hand dive in 60 metres of water, which is where the intense effort is being done and the stock will be reassessed after the end of 30th April which we will go to in a minute. To the Constable of St. Peter, yes, I did hear that piece of media from the French

television channel. I do not speak French but I did see the translation and I think the meaning of it was pretty clear. I do not want to increase the tensions. What it showed is the tensions that have gone on in the last few months, thankfully, have died down a bit but there is no question there still are issues to be resolved about access of our fishing boats to E.U. markets. That is an issue that I have asked Senator Gorst as Minister for External Relations and Financial Services to take on. Mentioning Senator Gorst, he did answer Deputy Higgins' question in the States earlier this week. He did say that the level of fishing was not thought to be any different to what it was previously. The information I have had is that there previously was a period of excess fishing attributable to, I believe, French boats, and I think it was in 2015 but I would need to correct when that was, where the extraction rate went up to 1,250 tonnes, and of course that did cause stock to suffer and that took some years to recover. Where we are now, the stock is healthy and the team will reassess the impact of what has gone on recently because, as I said, we have not had the catch data, in deciding what measures to introduce in the future. There are tensions and I very much hope that the Minister for External Relations and Financial Services with his meetings with the French authorities can try to improve matters in terms of the difficulties. Of course, as we all know, what I am also told is that the market in scallops has crashed in France anyway with their closure of restaurants and so on and there are very large quantities of scallops being put on the market by the French so maybe this is not the time. There are many other issues but I think I have probably said enough. Sorry for going on at length but I have tried to discipline that so I will ask for the principles please, Sir.

The Bailiff:

I ask the Greffier to place a voting link into the chat. I open the voting and ask Members to vote. If all Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. The principles have been adopted.

POUR: 42	CONTRE: 0	ABSTAIN: 0
Senator I.J. Gorst		
Senator L.J. Farnham		
Senator S.C Ferguson		
Senator J.A.N. Le Fondré		
Senator T.A. Vallois		
Senator K.L. Moore		
Senator S.W. Pallett		
Senator S.Y. Mézec		
Connétable of St. Helier		
Connétable of St. Clement		
Connétable of St. Lawrence		
Connétable of St. Saviour		
Connétable of Grouville		
Connétable of Trinity		
Connétable of St. Peter		
Connétable of St. Ouen		
Connétable of St. Martin		
Connétable of St. John		
Deputy J.A. Martin (H)		
Deputy of Grouville		
Deputy K.C. Lewis (S)		

Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy L.M.C. Doublet (S)				
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 Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Connétable of Grouville, does your panel wish to call this in? I assume not from what you said.

The Connétable of Grouville (Environment, Housing and Infrastructure Scrutiny Panel):

No, Sir.

The Bailiff:

Thank you very much. How do you wish to propose the regulations in Second Reading then, Minister?

4.2 Deputy J.H. Young:

I would like to propose them *en bloc* but I think I should just scan through what they are. Regulation 1 makes the I.U.U. (Illegal, Unreported and Unregulated) Regulations applicable to Jersey. Regulation 2 sets out the activities within Jersey’s territorial waters, other jurisdictions and I.C.s (International Conventions). Regulation 3 sets out modifications to allow it to apply it to Jersey as Jersey is not a member state of the E.U. Regulation 4 provides that whoever holds the office of Minister for the Environment is the competent authority. Regulation 5 designates the Port of St. Helier as the designated port for I.U.U. and the Minister may designate other ports. Regulations 6 and 7 means the Minister can make exemptions for third country vessels. Regulation 8 is to inform the competent authority of flag states, et cetera, where it is decided not to grant permission to tranship. Regulation 9 is appeals. Regulation 10 gives the powers to fishery officers. That is really important and that is our fishery officers in the I.U.U. Regulation 11 allows disclosure of information through other competent authorities for the purpose of combating illegal issues. Regulation 12 deals with the offences and of course they are very savage and of potential severity. This is something I think is

generally supported worldwide and it needs to be current to these breaches of the law. The other one is a citation and so I propose the regulations *en bloc*, Sir.

The Bailiff:

Are the Regulations seconded for Second Reading? **[Seconded]** Does any Member wish to speak on the Regulations or any one of them in Second Reading?

4.2.1 Deputy K.F. Morel:

I do apologise and I do not mean to frustrate any Members of the Assembly but I do have to repeat the questions I asked in the principles because they were not answered by the Minister. My question is: what consultation took place with the fishing industry? I did not ask what consultations took place with the law officers, so if the Minister could respond by telling me what consultations took place with the fishing industry and the other question is very simple. Are Guernsey and U.K. vessels classified as foreign vessels? That is the question there.

The Bailiff:

Does any other Member wish to speak on the Regulations? If no other Member wishes to speak, then I close the debate and call upon the Minister to respond.

4.2.2 Deputy J.H. Young:

The problem I have in answering Deputy Morel’s questions is I do not attend every meeting but there is a Marine Resources Panel that meets frequently. Other Members also attend that. My Assistant Minister does. I have never had any messages from the fishing industry, which is the body that we have that does consultations with all parts of the industry. There are the agriculture people there, there are the inshore fishermen, there is a wide range of interest and we need to have these frameworks in place. Obviously, we are not free to be able to design these ourselves. We are trying to apply international rules elsewhere and modify them for Jersey so they fit. This is not a question of us starting from a plain sheet of paper. We do not have that luxury. We go along with it and comply. Clearly, from what I have said, these regulations would apply to any foreign vessel accessing our waters and not just accessing our waters but using us in any way to further illegal fishing activity. I wish I could tell you Guernsey have done the same thing. Guernsey are party to the Trade and Economic Co-operation Agreement the same as us so they are subject to the same international obligations. Whether they have them in their law or not, I do not know, but if they have not yet done so, they will do so. In the meantime, if we were to get a Guernsey boat take part in illegal activity in our waters or using Jersey in any way, I feel very confident this law would cover it. Thank you. Sir, I propose the regulations *en bloc*.

The Bailiff:

I am afraid, Senator Ferguson, the debate on the regulations has now closed and the Minister has summed up. There is no opportunity now to speak.

Senator S.C. Ferguson:

Can I speak on Third Reading?

The Bailiff:

Yes, you will have the opportunity to speak on Third Reading if the regulations are adopted in Second Reading. I ask the Deputy to place a voting link into the chat. I open the voting and ask Members to vote. If all Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. The regulations have been adopted in Second Reading.

POUR: 44		CONTRE: 0		ABSTAIN: 0
Senator I.J. Gorst				

Senator L.J. Farnham				
Senator S.C Ferguson				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
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 Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				

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

Do you propose the matter in Third Reading, Minister?

4.3 Deputy J.H. Young:

Yes, Sir. I think that I do have a note that I think the Solicitor General may want to give advice about foreign vessels on that one, Sir, which I probably did not answer as comprehensively as I could. I wonder could I, within the procedure, ask to hear from him at this point before I propose a Third Reading?

The Bailiff:

Well, I think what you need to do is to propose in Third Reading and if that is seconded for Third Reading, then I invite Members to speak and, at that point, the Solicitor General can offer his advice.

Deputy J.H. Young:

I propose the Third Reading. I am conscious that I will need to respond to Senator Ferguson's question and I propose the Third Reading.

The Bailiff:

Is the matter seconded for Third Reading? **[Seconded]** Solicitor General, do you wish to offer any advice?

Mr. M. Jowitt., H.M. Solicitor General:

Yes, just to clarify the question that Deputy Morel asked. These regulations enshrine in domestic laws the Minister has explained. The number of Illegal, Unreported and Unregulated Fishing Regulations that appear in European law, every fishing vessel will be subject to those regulations whether they are Jersey vessels or not. A third country fishing vessel as opposed to a foreign vessel is defined in the interpretation section of these draft regulations as a fishing vessel registered in any country or jurisdiction other than Jersey. That would include Jersey registered vessels and U.K. registered vessels and any vessels registered anywhere else in the world. The relevance of that for the purposes of the regulations is found in draft Regulation 6, which is this. The Minister may, by order, exempt specified categories of third country fishing vessels from the obligations imposed by Article 6(1) of the European Regulations and that is really the relevance of it. I have the copy of the E.U. Regulations that are designed to be imported into Jersey law. Article 6 concerns foreign vessels effectively giving prior notice to Jersey that it wishes to land and land its catch in a Jersey port and it has to give, under the regulations, various details and there are times set, before which it can land, those details must be given.

[11:45]

The effect of our draft Regulation 6 would be that the Minister can make orders either varying those conditions or varying the timeframe in which they have to be given or indeed exempting certain specified foreign vessels from complying with those requirements at all. I hope that clarifies and is helpful.

The Bailiff:

Thank you very much, Solicitor General. Senator Ferguson, did you wish to speak in Third Reading?

4.3.1 Senator S.C. Ferguson:

I feel very strongly about the position of the fishermen as I know the Minister and his Assistant do also but I was not really quite sure where to ask these particular questions so perhaps the Minister

will clarify his stance on this. What steps is he taking to support the fishermen? They would like to setup a co-op like Jersey Dairy. What steps are there to help set up, for example, a freezing plant and to get into alternative markets to France? Guernsey, for example, mainly export to the U.K. so what are we doing to support the search for new markets? The other question is if Guernsey gets admitted to the North Atlantic Fisheries Commission due to having international waters; have there been any talks about joining with them as a Channel Islands joint body with regard to fishing in the overall area? We are standing on our own 2 feet.

The Bailiff:

Senator, I do hesitate to interrupt you but the rules of the Assembly require that this is a discussion upon whether or not the legislation should be adopted in Third Reading and not in any other tangential matter, I am afraid. It does not appear to me that those remarks are specifically directed as to whether this piece of legislation should be adopted in Third Reading.

Senator S.C. Ferguson:

I rather thought that my approbation of the Minister and his Assistant Minister was very much that I agreed with this and I just wanted to know how far they were going to extend various regulations and so on working with the fisheries industry given the poor deal they appear to have had. I am sorry if it does not sound as if it is part of the debate but I think it should be part of the debate. Thank you.

The Bailiff:

Thank you very much, Senator. The Deputy of Grouville, you say you have a question. Is that for the Solicitor General?

Deputy C.F. Labey of Grouville:

Yes, Sir.

The Bailiff:

Very well. Deputy, please do ask that.

The Deputy of Grouville:

It is with regard to what he has just referred to in Article 6. Could I ask if there could be provision to obligate the landing of fish caught in our waters before being shipped to markets in France or elsewhere?

The Solicitor General:

If I have understood the question correctly, the answer is no. These regulations do not provide for that and Article 6 of the European Union Regulations I do not think cover that either. They are solely concerned with third country vessels landing their catch in Jersey and having to give certain information before doing so if they wish to do so. Those provisions are not concerned with onward transmission of a catch landed in Jersey to a third country.

4.3.2 Deputy M.R. Higgins:

I would just like the Minister to answer the question that I asked previously because, again, it will determine whether I support this. The French have argued that the fishing beds are fine and yet scallops are fished in 2 main methods. One was hand diving, which I said was not relevant in this case, and the Minister mentioned that but what about the dredging of the seabed to recover the scallops? Surely, that affects both mature and immature scallops. Will he just tell me whether it is relevant, if they are dredging the seabed, that surely they are damaging all scallops?

The Bailiff:

Does any other Member wish to speak in Third Reading? If no other Member wishes to speak in Third Reading, then I close the debate and call upon the Minister to respond.

4.3.3 Deputy J.H. Young:

I thank Members again for some very good points. Obviously, I understand your ruling regarding Senator Ferguson's questions but, nonetheless, I can reassure the Senator that all of the suggestions that the Senator makes I believe are extremely good ones and fall within the category of assistance in the medium to longer term. I certainly have made this clear at the Council of Ministers and at the Brexit ministerial group, and I have the support of my ministerial colleagues that they should be provided with financial support to do that. Of course, the provision of finance to support our industries does not sit with the Minister for the Environment's responsibility as I think most Members know. Fisheries are both environment and economic and it is not possible to split that so the Minister assures me he is on the case. The officers are on it. These things are quite complex. I pick up on Guernsey. Yes, we know Guernsey has a different way of freezing products but of course our market very much is in a different type of fish. Guernsey fishing is deep water with different types of species. Ours are different, which I am told does not lend itself very well to freezing. From what I know, I believe that scallops, when they are taken out of the water, do not last very long. Our products are very fresh and that is what we want. Anyway, that work will go on and they have to have that support in the meantime. A very interesting point the Senator raised, which I think is highly relevant to this, this question of Guernsey waters having international waters to their west where of course I do not think we have international waters on our boundaries. Therefore, North Atlantic Fisheries, I was not aware of that, I will follow that up. Is there being co-operation with Guernsey on fishing? Well, I could say more, I am not going to say it now because us and Guernsey, we are both in the same agreement and that will be a story for another day. Now, I think I should highlight this because I will be told off if I do not, in response to the Deputy of Grouville, absolutely I heard the Solicitor General's answer. Of course this law that we are bringing today does not deal with that matter that she spoke of about landings into Jersey by E.U. boats. But I know my colleague Assistant Minister tells me that there are potential issues under Customs regulations which may be something that will have to be looked at in the future but that is a very great number of complications. It does not sit within my territory, and I am sure the Home Affairs team will be having a look at that, because this is not the first time that surfaces. Deputy Higgins, look, hand-diving is sustainable. Dredging in the sea beds in 60-metres water cannot be hand-dived, it is dangerous. The waters we are talking about where it is being dredged - I did circulate a map of the sea bed and all the habitats type - the areas that have been dredged are areas that do not have the kind of diversity of sea grass and those species. We are talking about sand, we are talking about what is a harsh environment with high energy and that is very, very different to the hand-dive areas, which are shallow waters where we most want to protect. So I am told these are - the dredging areas - the least sensitive. But of course dredging is bad because it smashes up the whelks, I am told, and the whelks are a species that are very threatened and that is something which we will have to look at in our licensing framework. The marine resources team did discuss the change to the size of the gear that is used to make sure that the younger scallops can escape. As I said a bit earlier, the advice we have had is this: the scallops are healthy fishery, it is marginally being over-fished, the team will look at ways of reducing it. We do not yet know whether there has been adverse impact from the recent very, very intense level of effort from E.U. boats in that area but it will be measured. But, in any event, it will not be continuing - hopefully, if we go on to the next piece of legislation - in an unmanaged way any more than another 7 days. So I would ask the Deputy please to come on board with support, we all want the same thing here. I propose it in Third Reading.

The Bailiff:

I will ask the Greffier to place a voting link into the chat. I open the voting and ask Members to vote. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The regulations are adopted in Third Reading.

POUR: 43	CONTRE: 0	ABSTAIN: 0
Senator I.J. Gorst		
Senator S.C Ferguson		
Senator J.A.N. Le Fondré		
Senator T.A. Vallois		
Senator K.L. Moore		
Senator S.W. Pallett		
Senator S.Y. Mézec		
Connétable of St. Helier		
Connétable of St. Clement		
Connétable of St. Lawrence		
Connétable of St. Saviour		
Connétable of Grouville		
Connétable of Trinity		
Connétable of St. Peter		
Connétable of St. Mary		
Connétable of St. Ouen		
Connétable of St. Martin		
Connétable of St. John		
Deputy J.A. Martin (H)		
Deputy of Grouville		
Deputy K.C. Lewis (S)		
Deputy M.R. Higgins (H)		
Deputy S.J. Pinel (C)		
Deputy of St. Martin		
Deputy of St. Ouen		
Deputy L.M.C. Doublet (S)		
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 Trinity		
Deputy of St. John		
Deputy M.R. Le Hegarat (H)		

Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

5. Draft Sea Fisheries (T.C.A. - Licensing of Fishing Boats) (Amendment of Law and Regulations) (Jersey) Regulations 202- (P.38/2021)

The Bailiff:

The final item of Public Business before the Assembly is the Draft Sea Fisheries (T.C.A. - Licensing of Fishing Boats) (Amendment of Law and Regulations) (Jersey) Regulations lodged by the Minister for the Environment, P.38. The main respondent will be the same Scrutiny Panel and I ask the Greffier to read the citation.

The Greffier of the States:

Draft Sea Fisheries (T.C.A. - Licensing of Fishing Boats) (Amendment of Law and Regulations) (Jersey) (Regulations) 202-. The States make these regulations under Articles 2, 7, 12, 13 and 29 of the Sea Fisheries (Jersey) Law 1994 and Article 2 of the European Union Legislation (Implementation) (Jersey) Law 2014.

5.1 Deputy J.H. Young (The Minister for the Environment):

During the previous debate Members raised a lot of very, very valid points. But of course the difference between this piece of legislation I am now about to propose is, I hope very much, a major step forward, if not the solution to many of those problems about how we make sure that we can keep our fishery sustainable and ensure that it has a future and we do not damage our marine environment in an irresponsible way. So the one thing that is new is that on Christmas Eve we got the Trade and Co-operation Agreement which the U.K. Prime Minister had agreed with E.U. Commissioners at the eleventh hour and of course none of us knew the details of it. We had a couple of days to digest it before this Assembly was asked to sign up to it. I think it was New Year's Eve we signed up and decided to participate. The one thing that we achieved from that, because my own personal view is that Brexit was always going to be extremely negative, nothing was ever going to get us as good a situation as Protocol 3, but nonetheless we did not get a say but we have had to make it work with what we got. We got the power to manage our seas by powers to license all vessels. Under the previous Bay of Granville Agreement that was not the case. Under the previous Bay of Granville Agreement which the T.E.C.A. rubbed out, if you like, expired on 1st January, the licensing was shared.

[12:00]

Jersey licenses its vessels and the Republic of France licensed its vessels. That arrangement now ends and we license all vessels in our seas which goes right out to, we are talking here, the 12 miles. We have 12 miles at sea, the nought to 3 miles are exclusive, the 3 to 6 we are required under the T.E.C.A. to ensure continuation of the previous nature and extent of access for fishing within those waters by the T.E.C.A., and this gives us help to do the rules. Of course we all know that for the last 4 months there has not been a day gone by we have sat without some national publicity, local publicity, anxieties, issues and so on. So, what of course the officers have had to do is to work out now how we are going to do this because there were clear, very significant differences between Jersey's licensing regime and that which the European Union had ... sorry, the Republic of France, because it was not the E.U. who issued licences, it was France. We had to work out that access regime of vessels from Normandy, Brittany, we had to fulfil the obligations and we recognised early

on that amendments were required to both the Fisheries Law and subordinate legislation where we have got both here. So we have got one legal document but it effectively changes both the law and also the regulations, which is probably a bit unusual but it is necessary. They enable us to comply with the new framework set out and the previous legislation made specific references to the structures of permitting and zones that existed within the Granville Bay Agreement. This is of course no longer the case because the Trade and Co-operation Agreement supersedes and we have to change that legislation. People might ask: "Well why did we not do this earlier?" Well, certainly we brought a previous amendment, I think Members will probably remember, just before the New Year. In fact we did, when we did the T.E.C.A., an amendment number 8, and this was, if you like, a stopgap. Basically all it said is where we can license E.U. vessels which we could not do under the law. We wanted to do it for years but we have never been able to do it; it is a stopgap. But of course, that was not enough, because what we had to then do was to work with all the officers. They would have had to work with Defra who have got the role under the U.K. of working out the agreements between the U.K. and the E.U. of how the licensing regime would work. We have had to have them on board with us as to how that would be done. That has taken some time and also the legal complexities have been huge. The law officers and the Law Drafting Department, I think they have done incredible work to get us to this point where we are able to discuss today, and hopefully approve, the detail of regulations and legal changes to allow us to do what we signed up to do. Of course, it does make the point of why we had to have the amnesty. We have been heavily criticised for why we needed an amnesty but we needed the time to do this. Just to clear one thing, there is mention, and the misleading bit, that the amnesty has been extended until June. That does not apply. It does not apply. That extension does not apply to the over-12-metres large boats that are fishing from the E.U. in our waters. There is a massive difference between the Jersey fleet, which is traditionally small and fitted vessels that are mostly fishing our in-shore waters around the reefs and the very large, powerful vessels, the over-12 metres ... and I sent around emails to Members trying to give them the extent of historic access to our waters which we know about and we recognised. So, I want to thank all the team: the marine resources people, the work with Defra and, I understand, Defra of course consulting with the E.U. as well. I am here today, and I am advised by my officers, that these rules here are consistent and thought to be the appropriate response to what we need to do. Now, a couple of things, Members might think: "Well, why are we using the European Union legislation implementation law to change the Jersey?" Well, because we have got to change both the law and the regulations. I can say a lot more about the licensing details, I think probably I will do that in response to questions, but I think the one difference between this piece of legislation that I am now proposing and the one we have just done before is that this is, if you like, our own design and we have had to take into account the whole, if you like, not just influence, it is structured entirely around the new agreement to deliver that. We have had the opportunity for the marine resources to brief the Scrutiny Panel on the underlying principles of the way in which licensing will work. There is a presentation here that I think I have got, which has not gone to all Members but it has gone to the Scrutiny Panel about the principles of that. I am looking forward to what the Connétable of Grouville will be saying on that in a moment. I will stop at that point and propose the principles.

The Bailiff:

Are the principles seconded? [**Seconded**] Does any Member wish to speak on the principles

5.1.1 The Deputy of St. Martin:

I was only waiting in case the Constable of Grouville wanted to say something but I just wanted to make a couple of points, if I may. The Minister of course will be getting my full support with this. We know how detailed and protracted trying to get this law together has been. It has taken law officers and members of the marine resources team an enormous amount of hard work. We have built up a wonderful team in marine resources over the last 6 years and they have put together a very extensive piece of work for us here. One question I have for the Minister is around zones. The

Minister and others will know that in the Granville Bay Agreement there were a number of zones on the chart, and I understand that that has been replaced with some sort of other system to do with time and effort. If the Minister could explain that in a little bit more detail, I would be grateful. But I would just refer Members at this early stage to Regulation 3, which I think sums up the whole of this large and extensive piece of work. Regulation 3 amends Article 7, which provides a power to the Minister for the Environment to restrict sea fishing in our territorial waters and I think that says it all. We will now have, the Minister will now have, the ability to manage Jersey's territorial waters from a sustainable point of view. I think that is absolutely essential and a wonderful thing to have.

5.1.2 Deputy R.J. Ward:

I was just going to ask the Minister, and I would support any move that gives the promise of a sustainable fishing industry in Jersey waters and protects fish stocks and the environment around our shores, I just wonder does the Minister envisage any knock-on effects in terms of access to other waters and wider waters beyond Jersey for our fishing industry? Are negotiations happening in regards those possible needs for licences, et cetera, et cetera, should the number of licences for boats outside Jersey be reduced? We know the way in which these negotiations can go at times and I just want some reassurances that that question is in hand.

The Bailiff:

Does any other Member wish to speak on the principles? If no other Member wishes to speak on the principles, then I close the debate and call upon the Minister to respond.

5.1.3 Deputy J.H. Young:

Again, really excellent questions. Obviously, the power that I am seeking today, of course, the licensing will be delegated to our marine resources team. We have got excellent scientists and a team, I think, of highly praised ... and I have certainly spoken to the U.K. Secretary of State, that is George Eustice, about sea fisheries. I have also spoken to the Deputy Minister, Victoria Prentis, and they have both said to me they have got absolute confidence in the quality, ability and capability of our ability to manage our waters. I have got ourselves without interference from the United Kingdom because obviously if we were not to do that then we would expect, I think, under the Fisheries Management Agreement with the U.K., is that they would call us to task. That has never been necessary, our record has been exemplary, and that applies to Jersey. It does not apply to all Crown Dependencies; I will let Members know which ones another day. But Jersey, they have given me that confidence, and so that is why our team have, if you like, an open channel of communication with Defra scientists. Also, Members will be surprised at this, they have an excellent relationship with the French maritime scientists, but they have differences of agreement. Of course, the whole thing is, is that the whole arrangement is so different in France, there are so many different parties, so many different positions to be made, that obviously messages get confused, so I feel very confident of the proposal they have put. Certainly, Jersey fishing, of course all of our fishing, our own boats, we have to apply these rules in a non-discriminatory way and it has to be based on the science. Those are 2 fundamental principles of the T.E.C.A. and non-discriminatory means that our own Jersey boats will have to be subject to this licensing arrangement. Right up front, of course, is the question of the various métiers and species that they are fishing for, so there will be métier species-based fishing endorsements for the 8 key métiers. Of course for use of a métier, for example, dredging for scallops, a vessel will need to demonstrate a track record. A number of endorsements issued will initially be fixed to limit effort to ensure that the level of fishing effort does not exceed what it was on 1st January 2021, and that will prevent E.U. boats from expanding into new fishing métiers. Now this is the system that is already in use in Normandy so it will not be new to French vessels. It will apply to Jersey vessels but will not affect the way they currently fish, clearly because they have already got established track records of what they were doing. Then there will be conditions attached, permit numbers, daily weight catch, fishing periodically, closed zones and all this type of thing, and all that

sits above, as well as the size limits and so on. Members, there will be measures to minimise bycatch, mortality, in my words, fishing regulations are huge. Now this is Deputy Luce's key point, that there originally was a plan to use the formal zones, the management zones, which were shown on the previous chart. I did circulate this around earlier, a chart of the various sea areas that were historically grown up under the Bay of Granville Agreement where access is limited to certain areas for certain boats.

[12:15]

The recommendation I have had, I can only apologise to Members, I do not have the full details of that, I only received that information this week, is that it is proposed that rather than limiting French vessels to zones, we would do it on historic days at sea. It seems to be this whole question of vessel number of days at sea seems to be the key indicator of managing a fishery. So, for example, I think I sent around to you an email that I had had from the marine resources team estimating the number of days at sea on an average by French vessels. At the moment, it is 2,400 fishing days by French vessels per annum, and our annual fleet total is around 3½ fishing days between our fleet, so there is roughly equivalence there, number of days at sea. The big difference, of course, is our fleet are small boats using low-impact gear, mainly static boats, fishing brown crab, fishing lobsters, whelking and there is not a great deal of dredging effort where of course dredging and trawling we see from the French vessels, so managing those métiers and managing those endorsements on the licences the way the team plan to do that. There are a lot of choppy waters ahead, I think, in terms of implementing this, but the agreement is quite clear, we have to have sustainable fisheries. Right up the front of the T.E.C.A., this is not just about numbers, it is about maintaining the quality of the seas and quality of the marine environment, and that obligation goes to every party in that agreement, and so those principles are based on the science. Thankfully, the States did approve very substantial resources which the marine resources have got for scientific work which is well in progress at the moment to provide the evidence base required. So, I am grateful for Deputy Luce's comments because he absolutely is so right; it is a major, major issue. Also, Deputy Ward spoke; his question was really: what negotiations and the number of licences, and I think it was probably aimed at the E.U. situation, the E.U. boats. It is a fact that there were many more E.U. boats licensed by the French than have accessed our waters historically ever and under the agreement they have to produce evidence. At the moment, we have had evidence of 36 of those vessels out of the several hundred which qualify. We have another 12 which we believe will do but we have not got the full evidence yet, and so there is work to do. This may explain, to be frank, the tensions that exist underlying this, but the T.E.C.A. is clear, there is a qualifying period of a track record and there has to be evidence of that to secure a Jersey licence. If a boat over 12 metres fishes in our waters without a licence, then they will be doing it contrary to the rules of their country, whether it is ours or anybody else, and I do not believe there will be no way that any Jersey boat would put itself in that situation. Sustainable fishing, hopefully that answers what Deputy Ward was saying, that is the whole point about the agreement, that is the whole point why we are doing this. There will be changes. We will have to justify every step of the way changes. It will not be instant, we have to work with the seasons, we have to work prior notice. The Marine Resources Panel is there and obviously we will have to make sure that we have a proper process of engagement of consultation with our French neighbours, albeit that we make the decisions now. I am waiting to see because that issue, at the moment, is not clear of what the structures are to do that with the E.U., mainly I think because of the tensions that exist internationally over the whole agreement anyway and so on. I forget where I was now. I think I was hopefully responding to the First Reading item, so can I propose First Reading?

The Bailiff:

Yes, you can indeed. I will ask the Greffier to put a voting link into the chat. I open the voting and ask Members to vote. If Members have had the opportunity of casting their votes, then I ask the Greffier to close the voting. The principles have been adopted.

POUR: 41	CONTRE: 0	ABSTAIN: 1
Senator I.J. Gorst		Deputy G.J. Truscott (B)
Senator S.C Ferguson		
Senator J.A.N. Le Fondré		
Senator T.A. Vallois		
Senator K.L. Moore		
Senator S.W. Pallett		
Senator S.Y. Mézec		
Connétable of St. Helier		
Connétable of St. Lawrence		
Connétable of St. Saviour		
Connétable of Grouville		
Connétable of Trinity		
Connétable of St. Peter		
Connétable of St. Ouen		
Connétable of St. Martin		
Connétable of St. John		
Deputy J.A. Martin (H)		
Deputy G.P. Southern (H)		
Deputy of Grouville		
Deputy K.C. Lewis (S)		
Deputy M.R. Higgins (H)		
Deputy S.J. Pinel (C)		
Deputy of St. Martin		
Deputy of St. Ouen		
Deputy L.M.C. Doublet (S)		
Deputy R. Labey (H)		
Deputy S.M. Wickenden (H)		
Deputy of St. Mary		
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 Trinity		
Deputy of St. John		
Deputy M.R. Le Hegarat (H)		
Deputy S.M. Ahier (H)		
Deputy R.J. Ward (H)		
Deputy C.S. Alves (H)		
Deputy K.G. Pamplin (S)		

The Bailiff:

Connétable of Grouville, does your panel wish to call this in?

The Connétable of Grouville: (Environment, Housing and Infrastructure Scrutiny Panel):

No, we do not want to call it in, thank you.

The Bailiff:

How do you wish to deal with the matter in Second Reading, Minister?

5.2 Deputy J.H. Young:

Members have been very patient with me. I think the easiest thing to do, if I can put part 1 *en bloc* separately because part 1, I think, are changes to the actual Sea Fisheries (Jersey) Law, if I could do that first. There are a number of regulations which need to be in the law, first part first. I think I will leave it at that, so propose part 1 *en bloc*.

The Bailiff:

Very well, you wish to propose these in separate blocks and you wish to propose Part 1 first?

Deputy J.H. Young:

Yes, I would like to take Part 1 and Part 2 separately, so I am just proposing Part 1 for a start.

The Bailiff:

You are proposing part 1, yes, that is perfectly all right. Is part 1 seconded? **[Seconded]** Does any Member wish to speak on part ... Deputy of Grouville, is your question of the Solicitor General?

The Deputy of Grouville:

No, it is probably not a question, it is just some points I would like to make in the debate.

The Bailiff:

Well, then do you wish to speak now in connection with part 1 in Second Reading or is it relating to something else?

5.2.1 The Deputy of Grouville:

No, I would like to speak now. With regard to 3, Article 7, powers to restrict, in particular 3(b), I think that is the numbering, it is quite confusing. Sorry, Article 7(b), powers to restrict, and in particular to do with the overall length. As the Minister and Members will be aware, our fleet is predominantly a 12-metre fleet and I would like to know if we are going to impose powers to restrict the length of boats fishing in our waters, and I sincerely hope we do restrict it to 12 metres, how much notice we have to give to vessels that are over 12 metres. Because if this is a long, protracted affair, then larger vessels could do an awful lot of damage in our marine environment. But also if we are going to create a restriction with regards to our fleet, those members who operate vessels over the 12 metres, what provision will be made for them? That is my first question. The second was to do with the question I posed in the earlier debate to the Solicitor General with regard to illegal fishing. I am not entirely sure where this fits in this debate so I will make these comments now. I asked if there was an obligation with the ... if we could impose or obligate the landing of fish caught in our waters to be landed in Jersey. The purpose I asked that ... and the Minister made a point that we can no longer discriminate between fishermen and what jurisdiction they are from. However, with regard to the fish caught in our waters, there is discrimination because if a French vessel lands fish elsewhere then those fish are treated as if they are French. But if there is a requirement that the fish have got to

be landed in Jersey first, having been caught in our waters, then those fish are deemed as non-E.U. fish, it is quite a complicated affair; therefore, all the fish would be treated the same that are caught in our waters. So I would like to know, the Solicitor General said that the Article previously did not provide, but my question is, could we oblige all fish caught in our waters to be landed here first before being shipped to whatever market? Thank you.

The Bailiff:

Does any other Member wish to speak on part 1? If no other Member wishes to speak on part 1, then I close the debate on that part and call upon the Minister to respond.

5.2.2 Deputy J.H. Young:

I thank the Deputy of Grouville for her questions, both extremely good questions. The Deputy will know, I think, that we do have 2 Jersey boats with Jersey licences who are over 12 metres and they of course at the present time have conditions attached to those Jersey licences which require them to expire at the end of 10 years. The reason why is because the marine resources team, the advice I have had is that we need to reduce that fishing effort and that métier was sustainable because where our stocks are we have heard scallops are healthy, our lobsters are declining, brown crab is declining, seriously declining, I think, and our whelk fishery is not healthy either. Obviously, I will have to arrange to circulate more details about that but that is my understanding of where things are. So, we are trying, there is no question, there is a need to have conservation measures in place to make our fishing effort, bring it more into line with a sustainable fishery overall; let us take in the big picture. Now, obviously the question has arisen: what do we do about licences for over-12-metre French boats? What conditions would be applied? Because I can see a situation where it would not be consistent. There are lots of issues there and so what I have asked the officers to do is to have a look at this. It is not a question I can give you the answers now, I am sorry to the Deputy, but we do accept it is an issue; we have got to find a resolution to it. Because it is true, underlying this is the fishing boats, they have a value, and they have a value principally because of their licences and obviously when the licensing decisions are very relevant to that.

[12:30]

So, I think I am going to have to take a rain-check and agree for the officers to talk to the Deputy because I think the Deputy has a particular interest in that matter and we have spoken on it before. I cannot answer definitively now, I am sorry. On the other question, probably I am going to have to give a similar answer but perhaps a bit more, I certainly heard the arguments put strongly before the Deputy put, that there is inconsistency at least or discrimination that E.U. boats taking produce out of Jersey seas and then landing them into the E.U., they are effectively exporting. Therefore, that export, it is argued, should be subject to customs rules and all the rules of that. That is a situation that sits outside of the marine resources team and within the Home Affairs and Defence Committee but I recognise that were we to start, were we to go that route now, I think it would run the risk of immediate complications with the French and also create a very, very substantial liability of work in Jersey. So I think that is something we will have to look at. I am sorry, I cannot give definitive answers, but I will make sure the Deputy receives follow-ups on that. Hopefully, that deals with part 1; if I can ask for the vote on part 1.

The Bailiff:

You can. I will ask the Greffier to place a link into the voting box and I open the voting. Senator Ferguson, you have asked to speak. I am assuming that you wish to speak on part 2 or part 3 because I had already closed the debate on part 1.

Senator S.C. Ferguson:

No problem, it is just a question which I can bring in anywhere all the way through to part 3.

The Bailiff:

Very well, Senator, you can deal with that in the next section if you wish to do so. If Members have had the opportunity of casting their votes on part 1, I ask the Greffier to close the voting. Part 1 has been adopted.

POUR: 41		CONTRE: 0		ABSTAIN: 1
Senator I.J. Gorst				Deputy of Grouville
Senator L.J. Farnham				
Senator S.C Ferguson				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Connétable of St. John				
Deputy J.A. Martin (H)				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
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 Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				

Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

Do you propose parts 2 and 3 together; 3 is only the citation at the end, is it not?

5.3 Deputy J.H. Young:

Yes, please, Sir. Parts 2 and 3 together and I will do the same, if I may, please, and propose them and deal with questions.

The Bailiff:

Are Parts 2 and 3 seconded? **[Seconded]** Does any Member wish to speak on anything in parts 2 or 3 in Second Reading? Senator Ferguson, did you wish to raise your question now?

5.3.1 Senator S.C. Ferguson:

I do not seem to have found it, I may have missed it, what is the sort of level of cost of a licence?

The Bailiff:

I am afraid, we can hardly hear anything that you are saying, Senator, there is a lot of interference as you are speaking. Is it possible to adjust something at your end for clarity?

Senator S.C. Ferguson:

I just wondered what the sort of level of cost of a licence is because I do not seem to have found it anywhere in the papers; I may have missed it.

The Bailiff:

Connétable of St. Saviour, I see you have asked a question but in fact this is your opportunity to speak. Of course, you can ask a question within your speech if you wish to do so.

5.3.2 The Connétable of St. Saviour:

I just wanted a little information. What has gone through is pretty good, and it will not please everybody. As we know, everyone here, to please everybody is an impossible task. But also do we have a vessel that can patrol the boats, that can patrol the sea area ...

The Bailiff:

I am sorry, I am afraid we cannot hear you very well, Connétable. Was it: do we have a vessel that will patrol the area, is that what you have asked?

The Connétable of St. Saviour:

Yes, to make sure that no one is fishing illegally.

The Bailiff:

To make sure no one is fishing illegally. Does any other Member wish to speak on parts 2 and 3 in Second Reading? If no other Member wishes to speak on parts 2 and 3 in Second Reading, then I close the debate and call upon the Minister to respond.

5.3.3 Deputy J.H. Young:

I will tackle the second question first. Yes, I am very pleased to report that, for a week or so we have had the Fisheries patrol boat, Norman Le Brocq, back. It went away for the winter. The States

approved money in the Government Plan for its refit and re-equipping with marine electronics, so, yes, that is really good news. The one thing that I have asked for is that clearly the marine resources team are going to need to spend more days at sea. In recent years, I think it is true to say, that when resources were short, that reduced. We have now reversed that and we have been given approval to recruit additional crew to enable rostering of that vessel to keep it at sea a lot longer. We have also got a vastly more improved R.I.B. (Rigid Inflatable Boat), which is the little boat that gets launched off the back. It should improve the effectiveness, speed up things and safety and so on. The marine electronics, they apparently are, I am told, in the order of a magnitude above what they were before to allow us to do all the things that we need to do in terms of monitoring and so on, computers on board and all sorts of things like that. But of course there is no substitute for an outstanding team; we are so lucky to have this team of people. There is a bit of a problem at the moment, obviously with COVID. A decision was made, we cannot ask our guys and girls if we have them, I do not know if we have them, to go on board French boats with COVID at the moment but I think we will just have to keep close to that. But the marine systems, certainly the evidence, where I think we have got to get a lot more evidence, is that we have not had the catch data that we should get from the boats. I mentioned that earlier, is that there was an issue of difference, if you like, between information from the French scientists and ours and predominantly that is around the data. There are major differences in that data and the declarations and so on. But the issue now is clear, we are entitled to that catch data under the new scheme, under the new licensing, so I think that will help us with that. Sorry, I think there was another question. Yes, Senator Ferguson, I am going to have to apologise. Senator Ferguson, I do apologise, I do not have the information on licence fees. I will get it to you, I will circulate it around. Jersey boats of course are well-used to licence fees. I have got some figures in my head but I do not want to get them wrong. What I do not know what we have done yet, is what fees we will be charging French vessels; again, I will have to advise Members about that and take advice. Thank you. Could I propose 2 and 3 together?

The Bailiff:

Indeed. I ask the Greffier to put a voting link into the chat. I open the voting and ask Members to vote. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. Parts 2 and 3 have been adopted in Second Reading.

POUR: 40	CONTRE: 0	ABSTAIN: 0
Senator I.J. Gorst		
Senator L.J. Farnham		
Senator S.C Ferguson		
Senator J.A.N. Le Fondré		
Senator T.A. Vallois		
Senator S.W. Pallett		
Senator S.Y. Mézec		
Connétable of St. Helier		
Connétable of St. Lawrence		
Connétable of St. Saviour		
Connétable of Grouville		
Connétable of Trinity		
Connétable of St. Peter		
Connétable of St. Mary		
Connétable of St. Ouen		
Connétable of St. Martin		

Connétable of St. John				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
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 Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

Do you propose the matter in Third Reading?

5.4 Deputy J.H. Young:

Sorry, habit, I pressed the wrong button, I do apologise. I will get used to this hopefully. If we keep our infection numbers low, we can all be back together, which one looks forward to. I really must praise the work done. The marine resources team, the officers, the States lawyers, the Attorney General and so on. Coming on top of Brexit, to have to come up with these really challenging legal frameworks in such a short time is phenomenal and I feel very privileged as Minister to inherit that. There are tough issues ahead, there is no question. There are going to be, as the Connétable of St. Saviour said, issues. We will have to deal with them as we come to them but at least we have got a sound, legal framework. Obviously, we will maintain the relationships with the Defra because there are bodies such as the specialised committees for fishing which are going to oversee this agreement where you have to have that chain of communication and dialogue on that. Of course, at the moment, everybody will know that because the E.U. has not ratified the treaty, is that those specialised committees, I understand, are not yet meeting. There will be a period, I think, of things to be sorted out but I think today is a very, very good day. I should perhaps mention that everything I said relates to the over-12-metre boats with the amnesty ending on 30th April. We have agreed to extend the amnesty until 30th June for those smaller boats which are more what you might call an artisan type of fishing métier, which is very much like our own little boats who perhaps fish around the reefs who

do not have the sophistication of the vessel-management systems and so on, to give us that evidence, and obviously they will need to be allowed a little bit more time. I do not think that is going to be a significant problem because our fishermen have always said that they want to enable that to happen. I think, just to say those thanks, and thanks for Members for making it easy for me to deal with these pretty contentious and complex pieces of legislation. Thank you very much. I make the Third Reading.

The Bailiff:

Is the matter seconded for Third Reading? [**Seconded**]

5.4.1 The Deputy of St. Martin:

I just want to speak very briefly to endorse everything the Minister has just said. In my 10-plus years in the Assembly, fishing is the most complicated thing that I have ever had to try to deal with, dealing with the French, whether that is national or local, domestic, with Guernsey, with the U.K. and of course within our own fishing fleet itself there will be always a number of different opinions, and we have heard a lot of those over the last few months. But the Minister is absolutely right, this is an extensive and outstanding piece of work that we have in front of us today and I only just want to agree with the Minister and thank the team at marine resources and also those specialists within the law officers' department who have come forward with this work. For a small team, it is a major undertaking to do something like this and I would just like to thank them on my behalf.

5.4.2 The Deputy of Grouville:

In the Third Reading, I would just like to encourage the Minister to take up the 2 issues I have mentioned, in particular the one where our fishermen are discriminated.

[12:45]

They are discriminated in the fact that our catches are deemed as non-E.U. and therefore when landing in France have to go through an awful lot more paperwork than our French counterparts and that can be for the fish caught in our waters. So I would urge him to take this up and have a look at it; likewise, with the point that Senator Ferguson raised about the fishing licences and the fees. Again, it is discriminatory because the foreign vessels, I do not believe, are charged. Certainly, if they are charged for licences, then they get substantial assistance from the E.U. to help them pay for it. At the moment there is not a level playing field, so if he is going to say that this is non-discriminatory and he cannot discriminate, he needs to look at those issues.

The Bailiff:

Does any other Member wish to speak in Third Reading? If no other Member wishes to speak in Third Reading, then I close the debate and call upon the Minister to respond.

5.4.3 Deputy J.H. Young:

I thank very much Deputy Luce for his very kind words and I am sure the team will very much appreciate it. I know of course Deputy Luce has much longer experience in fishing matters than me and so his words carry very, very big weight with me. I am relatively new to this but I certainly will do my best. Also, I know my Assistant Minister, Deputy Guida, he chairs the Marine Resources Panel and we both have good relations with the different parts of our fishing community. There are disagreements within and our chart is still to carry on. Of course, what I will be doing, and, frankly, it is always difficult under our new government structure when responsibilities are split, so I do not have responsibilities for economic aid or economic support for the fishing industry to help them achieve that transition. But I certainly will take this as a mandate from States to be communicated to the Minister for Economic Development, Tourism, Sport and Culture and his Assistant Ministers to back up their officers with the work they are doing and convert the work that is going into systems of financial support. The one issue which I think I can, which will fall under my Ministry - sorry,

the Minister for the Environment; it is not mine personally - is the fees. I will certainly undertake to give full and thorough consideration to that issue and I am sure we will be coming back to them through the appropriate processes. I am not sure whether fees are defined by order or what they are but I am sure there needs to be political input. On the first point that the Deputy of Grouville said about the fair treatment of our produce from our boats being landed into France is treated as a third country, whereas the E.U. boats extracting produce from our seas landed into France counts as E.U.'s and therefore there are customs issues, I will certainly take that as a mandate from today's agreement of these regulations to the Brexit ministerial group, where, not just the Minister for Economic Development, Tourism, Sport and Culture attends but the Chief Minister, the Minister for External Relations and Financial Services and the Minister for Treasury and Resources, who has responsibility for customs. I will make sure that issue is on our agenda and taken up by them. That is the best I can do on those points there; they are all good points. I propose the Third Reading.

The Bailiff:

I ask the Greffier to put a vote into the link. I open the voting and I ask Members to vote. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The regulations have been adopted in Third Reading.

POUR: 41	CONTRE: 0	ABSTAIN: 0
Senator I.J. Gorst		
Senator L.J. Farnham		
Senator J.A.N. Le Fondré		
Senator T.A. Vallois		
Senator K.L. Moore		
Senator S.W. Pallett		
Senator S.Y. Mézec		
Connétable of St. Helier		
Connétable of St. Lawrence		
Connétable of St. Saviour		
Connétable of Grouville		
Connétable of St. Peter		
Connétable of St. Mary		
Connétable of St. Ouen		
Connétable of St. Martin		
Connétable of St. John		
Deputy J.A. Martin (H)		
Deputy of Grouville		
Deputy K.C. Lewis (S)		
Deputy M.R. Higgins (H)		
Deputy S.J. Pinel (C)		
Deputy of St. Martin		
Deputy of St. Ouen		
Deputy L.M.C. Doublet (S)		
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 Trinity			
Deputy of St. John			
Deputy M.R. Le Hegarat (H)			
Deputy S.M. Ahier (H)			
Deputy R.J. Ward (H)			
Deputy C.S. Alves (H)			
Deputy K.G. Pamplin (S)			
Deputy I. Gardiner (H)			

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

The Bailiff:

That concludes Public Business for this meeting. I now invite the chair of P.P.C. (Privileges and Procedures Committee) to propose the arrangement for Public Business at future meetings.

6. Deputy C.S. Alves (Chair, Privileges and Procedures Committee):

There has been one change to the Arrangement of Public Business from what was listed on the Consolidated Order Paper and that is the Draft Road Traffic (No. 68) (Jersey) Regulations 202-, that is P.39/2021, which has been lodged and the regulations have been listed for debate on 8th June. There are no other changes and the next meeting on 11th May should not be as long as this week's meeting. So, with that change, I propose the Arrangement of Public Business for Future Meetings.

The Bailiff:

Do any Members have any observations on the arrangement for future meetings? Then that is adopted and that concludes the business of the Assembly and we stand adjourned until the Liberation Day meeting on 9th May.

ADJOURNMENT

[12:49]