



**THE STATES assembled on Tuesday  
6th June 2017, at 09.30 a.m. under  
the Presidency of the Deputy Bailiff,  
Timothy John Le Cocq, Esquire.**

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

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

Senator Alan John Henry Maclean – excused attendance (arrived in the Chamber at 3:17 p.m.)  
Senator Lyndon John Farnham – en défaut (défaut raised at 9.37 a.m.)  
Senator Sir Philip Martin Bailhache – absent on States business  
Connétable Deidre Wendy Mezbourian of St. Lawrence – ill  
Connétable Sadie Anthea Le Sueur-Rennard of St. Saviour – en défaut (défaut raised at 9.57 a.m.)  
Deputy Kevin Charles Lewis of St. Saviour – ill  
Deputy Montfort Tadier of St. Brelade – en défaut (défaut raised at 9.37 a.m.)  
Deputy Edward James Noel of St. Lawrence – en défaut  
Deputy Richard John Rondel of St. Helier – ill  
Deputy Louise Mary Catherine Doublet of St. Saviour – en défaut (défaut raised at 9.37 a.m.)

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Prayers read by the Acting Dean of Jersey

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### **London Terrorist Attack – Minute’s Silence**

The Deputy Bailiff advised the Assembly that a minute’s silence would be observed to express sympathy for those who had been killed in, or affected by, the terrorist attack in London on 3rd June 2017. The minute’s silence was observed at 11.00 a.m.

### **Subordinate enactments tabled**

The following enactments were tabled, namely –

Road Traffic (Public Parking Places) (Miscellaneous Amendments No. 4) (Jersey) Order 2017. <i>Minister for Infrastructure.</i>	R&O.54/2017.
Road Traffic (Public Parking Places) (Rue des Prés Trading Estate Car Park) (Jersey) Order 2017. <i>Minister for Infrastructure.</i>	R&O.55/2017.
Road Traffic (Rue des Prés Trading Estate) (Jersey) Order 2017. <i>Minister for Infrastructure.</i>	R&O.56/2017.

**Documents presented**

La Collette Low Rise Development: protection of existing amenity space and trees – direction to Andium Homes Ltd. (P.22/2017) – comments. Presented: 2nd June 2017. <i>Council of Ministers.</i>	P.22/2017. Com.
Disability Strategy for Jersey. Presented: 26th May 2017. <i>Council of Ministers.</i>	R.57/2017.
Land Transactions under Standing Order 168(3) – 1st Floor, International House, 41 The Parade, St. Helier – lease. Presented: 26th May 2017. <i>Minister for Infrastructure.</i>	R.58/2017.
Land Transactions under Standing Order 168(3) – Field 87, Le Champ de Girard, Les Quennevais, La Rue Carrée, St. Brelade – proposed freehold acquisition. Presented: 31st May 2017. <i>Minister for Infrastructure.</i>	R.60/2017.
Jersey Financial Services Commission: Annual Report and Accounts 2016. Presented: 5th June 2017. <i>Chief Minister.</i>	R.61/2017.
Land Transactions under Standing Order 168(3) – (a) Apartment No. 5, Block H, Les Quennevais Park, St. Brelade – transfer of the Public’s flying-freehold ownership and cancellation of existing 99-year lease; (b) Liberté House, 19–23 La Motte Street, St. Helier – 9-year lease; (c) transfer of La Rue Voisin, St. Brelade, to the Parish of St. Brelade, and ratification of boundary; (d) Grève de Lecq Tower, St. Ouen – 9-year lease. Presented: 5th June 2017. <i>Minister for Infrastructure.</i>	R.62/2017.
States Employment Board: combined Annual Report 2015/2016. Presented: 6th June 2017. <i>States Employment Board.</i>	R.63/2016.
Channel Islands Financial Ombudsman – Annual Report 2016. Presented: 6th June 2017. <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	R.64/2017.
Channel Islands Competition and Regulatory Authorities: Annual Report 2016. Presented: 6th June 2017. <i>Chief Minister.</i>	R.65/2017.
2017 Electoral Reform. Presented: 5th June 2017. <i>Corporate Services Scrutiny Panel.</i>	S.R.6/2017.
Tertiary Education: Student Finance (S.R.2/2017) – response of the Minister for Treasury and Resources. Presented: 2nd June 2017. <i>Minister for Treasury and Resources.</i>	S.R.2/2017. Res.

Tertiary Education: Student Finance (S.R.2/2017) – response of the Chief Minister.  
Presented: 6th June 2017.  
*Chief Minister.* S.R.2/2017.  
Res.(2)

Tertiary Education: Student Finance (S.R.2/2017) – response of the Minister for Education.  
Presented: 6th June 2017.  
*Minister for Education.* S.R.2/2017.  
Res.(3)

### Notification of lodged propositions

States of Jersey Police Non-Contributory Pension Scheme: payment of widows' pensions.  
Lodged: 25th May 2017.  
*States Employment Board.* P.44/2017.

Draft Income Support (Amendment No. 16) (Jersey) Regulations 201-.  
Lodged: 30th May 2017.  
*Minister for Social Security.* P.45/2017.

Draft Waste Management (Amendment No. 2) (Jersey) Regulations 201-.  
Lodged: 30th May 2017.  
*Minister for the Environment.* P.46/2017.

Draft Counter-Terrorism and Security (Miscellaneous Amendments) (Jersey) Law 201-.  
Lodged: 1st June 2017.  
*Minister for Home Affairs.* P.47/2017.

Jersey Ethical Care Charter.  
Lodged: 6th June 2017.  
*Deputy G.P. Southern of St. Helier.* P.48/2017.

Draft Dormant Bank Accounts (Jersey) Law 2017 (Appointed Day) Act 201-.  
Lodged: 6th June 2017.  
*Chief Minister.* P.49/2017.

Draft Amendment (No. 32) of the Standing Orders of the States of Jersey.  
Lodged: 6th June 2017.  
*Privileges and Procedures Committee.* P.50/2017.

Draft Armed Forces (Offences and Jurisdiction) (Jersey) Law 201-.  
Lodged: 6th June 2017.  
*Minister for Home Affairs.* P.51/2017.

Draft Criminal Procedure (Bail) (Jersey) Law 201-.  
Lodged: 6th June 2017.  
*Minister for Home Affairs.* P.52/2017.

Draft Control of Housing and Work (Amendment of Law – Annual Charges) (Jersey) Regulations 201-.  
Lodged: 6th June 2017.  
*Chief Minister.* P.53/2017.

**Arrangement of business at the present meeting**

THE STATES, approving a proposition of the Connétable of St. Helier, agreed that his proposition entitled 'La Collette Low Rise Development: protection of existing amenity space and trees – direction to Andium Homes Ltd.' (P.24/2017) would be taken as the last item of public business at the present meeting.

**Appointment of member of the Privileges and Procedures Committee**

In accordance with Standing Order 122, the Connétable of St. Clement, Chairman of the Privileges and Procedures Committee, nominated Deputy Scott Michael Wickenden of St. Helier as a member of the Privileges and Procedures Committee who was a Minister or Assistant Minister.

There being no other Ministers or Assistant Ministers nominated, the Deputy Bailiff declared that Deputy Scott Michael Wickenden of St. Helier had been duly elected as a member of the Privileges and Procedures Committee.

**Written Questions**

*(see Official Report/Hansard)*

- 1(308) 1. Deputy G.P. Southern of St. Helier asked a question of the Minister for Housing regarding an update on information presented in 'Housing Strategy: Consultation Document – October 2015' (R.116/2015).
- 1(309) 2. Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the impact of public sector pay policies and claims.
- 1(310) 3. Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the prospect of additional support for recipients of Income Support who cannot find employment.
- 1(311) 4. Deputy M.R. Higgins of St. Helier asked a question of H.M. Attorney General regarding the duties and roles of the Law Officers in relation to Ministers, members and the Assembly and potential conflicts between any of these 3 groups.
- 1(313) 5. Deputy M.R. Higgins of St. Helier asked a question of the Chief Minister regarding the decision to withdraw 'Future Hospital Funding Strategy' (P.130/2016), as amended.
- 1(314) 6. Deputy M.R. Higgins of St. Helier asked a question of the Chief Minister regarding the application of collective responsibility to decisions of the Council of Ministers.
- 1(315) 7. Deputy M.R. Higgins of St. Helier asked a question of the Minister for Treasury and Resources regarding progress in the provision of new headquarters for the Jersey Sea Cadets.
- 1(316) 8. Deputy G.P. Southern of St. Helier asked a question of the Minister for Health and Social Services regarding measures under consideration in light of the continuing absence of a resolution to the dispute between care staff and the management of Family Nursing and Home Care.
- 1(317) 9. Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding statistics in respect of the number of care workers arriving in the Island since 2012.
- 1(318) 10. Deputy R. Labey of St. Helier asked a question of the Minister for Infrastructure regarding consultations, reviews and studies undertaken since 1977 in respect of Fort Regent.

**Oral Questions***(see Official Report/Hansard)*

- 1(324) 1. Deputy J.A. Martin of St. Helier asked a question of the Chief Minister regarding the decision to re-appoint Senator P.F.C. Ozouf as Assistant Chief Minister.
- 1(334) 2. The Connétable of St. John asked a question of the Assistant Minister for Treasury and Resources regarding the timeline followed for introducing short-term borrowing as an option for funding the Future Hospital.
- 1(330) 3. Senator S.C. Ferguson asked a question of the Chief Minister regarding changes which had been made to the structure or workings of the Economics Unit.
- 1(332) 4. Deputy L.M.C. Doublet of St. Saviour asked a question of the Chief Minister regarding the publication of his response to 'Tertiary Education: Student Finance' (S.R.2/2017) and the work of the Ministerial Sub-Committee tasked with finding a solution to the problems of financing students.
- 1(307) 5. The Deputy of Grouville asked a question of the Assistant Minister for Treasury and Resources regarding the disposal of properties by the States of Jersey Development Company.
- 1(329) 6. Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the policy in respect of pay offers to the public sector workforce.
- 1(320) 7. Deputy R. Labey of St. Helier asked a question of the Assistant Minister for Treasury and Resources regarding whether South Hill and St. Saviour's Hospital had been subsumed into the portfolio of the States of Jersey Development Company.
- 1(322) 8. The Deputy of St. Ouen asked a question of the Minister for Social Security regarding whether the proposed increase in the adult component of Income Support would alleviate the financial hardship of persons unable to work through illness or disability.
- 1(331) 9. Deputy M. Tadier of St. Brelade asked a question of the Minister for Health and Social Services regarding the Minister's assessment of the appropriateness of the use of zero-hour contracts and of payment only for contact time for care workers employed by providers on the Approved Provider Framework.
- 1(328) 10. Deputy J.A.N. Le Fondré of St. Lawrence asked a question of the Chief Minister regarding the Chief Minister's support of the decision to withdraw 'Future Hospital Funding Strategy' (P.130/2016), as amended.
- 1(335) 11. Deputy M. Tadier of St. Brelade asked a question of the Minister for Social Security regarding the implications for the Minister's Department of a U.K. employment ruling on 28th October 2016, on the employment status of Uber drivers.
- 1(321) 12. Deputy R. Labey of St. Helier asked a question of the Minister for Economic Development, Tourism, Sport and Culture regarding the decision not to 'go it alone' with the proposed Jersey-Guernsey passenger-only ferry link.
- 1(336) 13. Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the extent to which the proposals in the 'Draft Income Support (Amendment No. 16) (Jersey) Regulations 201-' (P.45/2017) addressed the recommendation in paragraph 20 of the Scrutiny Report 'Living on Low Income' (S.R.4/2016) relating to the 'benefit trap'.
- 1(333) 14. Deputy L.M.C. Doublet of St. Saviour asked a question of the Minister for Home Affairs regarding whether any changes were under consideration to the Island's drugs policy following the publication of 'Cannabis: the Evidence for Medical Use' (known as the 'Barnes Report').

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

The Minister for Housing answered questions without notice from members.

The Minister for Social Security answered questions without notice from members.

**Changes in Presidency**

The Deputy Bailiff retired from the Chamber prior to the period of questions without notice to the Minister for Housing and Mrs. L.-M. Hart, Deputy Greffier of the States, assumed the Presidency. The Deputy Bailiff returned to the Chamber during the same period of questions without notice and the meeting continued under his Presidency.

**Urgent Oral Question***(see Official Report/Hansard)*

Deputy Russell Labey of St. Helier asked the following question of the Chief Minister which the Deputy Bailiff had allowed in accordance with Standing Order 15 relating to urgent oral questions –

“Notwithstanding the autonomy of the Independent Jersey Care Inquiry to make its own arrangements, is the Chief Minister satisfied that the timetable of events on the day of publication of the committee's findings, as outlined in an email to interested parties late yesterday afternoon, gives members of the press a fair and appropriate opportunity to adequately report on the Inquiry's conclusions?”

**Draft EU Legislation (Information Accompanying Transfers of Funds) (Jersey) Regulations 201-P.31/2017**

THE STATES commenced consideration of the Draft EU Legislation (Information Accompanying Transfers of Funds) (Jersey) Regulations 201- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 to 6 and the Schedule.

Members present voted as follows –

**POUR: 39**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator I.J. Gorst  
 Senator L.J. Farnham  
 Senator A.K.F. Green  
 Senator S.C. Ferguson  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of St. Saviour

**CONTRE: 1**

Deputy G.P. Southern (H)

**ABSTAIN: 0**

Connétable of Grouville  
 Connétable of St. John  
 Connétable of Trinity  
 Deputy J.A. Martin (H)  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy of St. John  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy R.G. Bryans (H)  
 Deputy of St. Peter  
 Deputy S.Y. Mézec (H)  
 Deputy A.D. Lewis (H)  
 Deputy of St. Ouen  
 Deputy L.M.C. Doublet (S)  
 Deputy S.M. Wickenden (H)  
 Deputy S.M. Bree (C)  
 Deputy M.J. Norton (B)  
 Deputy T.A. McDonald (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy P.D. McLinton (S)

THE STATES, in pursuance of Article 2 of the European Union Legislation (Implementation) (Jersey) Law 2014, made Regulations entitled the EU Legislation (Information Accompanying Transfers of Funds) (Jersey) Regulations 2017.

### **Draft States of Jersey (Amendment No. 9) Law 201- P.18/2017**

THE STATES resumed the second reading of the Draft States of Jersey (Amendment No. 9) Law 201-, following the referral of the Draft Law to the Corporate Services Scrutiny Panel on 2nd May 2017, in accordance with Standing Order 72(1), and adopted Article 1.

Members present voted as follows –

#### **POUR: 17**

Senator P.F. Routier  
 Senator A.K.F. Green  
 Connétable of St. Clement  
 Connétable of St. Mary  
 Connétable of St. Brelade  
 Deputy J.A. Hilton (H)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy R.G. Bryans (H)  
 Deputy of St. Peter  
 Deputy S.Y. Mézec (H)  
 Deputy A.D. Lewis (H)  
 Deputy of St. Ouen  
 Deputy S.M. Wickenden (H)

#### **CONTRE: 13**

Connétable of St. Peter  
 Connétable of St. Ouen  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of St. John  
 Connétable of Trinity  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy of St. John  
 Deputy J.M. Maçon (S)  
 Deputy T.A. McDonald (S)  
 Deputy G.J. Truscott (B)

#### **ABSTAIN: 0**

Deputy S.M. Bree (C)  
Deputy M.J. Norton (B)  
Deputy of St. Mary

THE STATES commenced consideration of Articles 2 and 3 and rejected paragraph 1 of an amendment of Deputy Andrew David Lewis of St. Helier (P.18/2017 Amd.(2)) that, for Articles 2 and 3, there be substituted the following Articles –

**“2 Article 1 amended**

In Article 1(1) in the definition “elected member” the word “Senator,” shall be deleted.

**3 Article 2 amended**

In Article 2(1) –

- (a) the words “8 Senators, elected as provided by this Law;” shall be deleted;
- (b) for the number “29” there shall be substituted the number “32”.

**4 Article 4 amended**

In Article 4 –

- (a) paragraph (1) shall be deleted; and
- (b) in paragraph (4) for the words “remain 29” there shall be substituted the words “be 32”.

**5 Article 5 amended**

- (1) In the heading to Article 5 and in paragraphs (1) and (3) of that Article, the words “Senators and” in each place shall be deleted.
- (2) In Article 5(2) the words “Senator or” shall be deleted.

**6 Article 6 amended**

- (1) In the heading to Article 6 the words “Senators and” shall be deleted.
- (2) Paragraph (1) of Article 6 shall be deleted.
- (3) In Article 6(3) for the words “paragraphs (1) and (2)” there shall be substituted the words “paragraph (2)”.

**7 Article 7 amended**

- (1) In the heading to Article 7 the words “Senator or” shall be deleted.
- (2) In Article 7(1) the words “a Senator or” shall be deleted.
- (3) In paragraphs (2) and (3) of Article 7 the words “Senator or” shall be deleted in each place in which they occur.

**8 Article 8 amended**

- (1) In the heading to Article 8 the words “Senator or” shall be deleted.
- (2) In paragraphs (1) and (2) of Article 8 the words “Senator or” in each place shall be deleted.

**9 Article 9 amended**

In Article 9(1) the words “Senator or” shall be deleted.



**10 Article 11 amended**

In Article 11 the words “Senators and” shall be deleted.

**11 Article 12 amended**

In the heading to Article 12 and in paragraph (1) of that Article, the words “Senator or” in each place shall be deleted.

**12 Article 13 amended**

(1) In the heading to Article 13 and in paragraphs (1) and (5) of that Article, the words “Senator or” in each place shall be deleted.

(2) Paragraph (6) of Article 13 shall be deleted.

**13 Article 14 amended**

In Article 14 the words “Senator or” shall be deleted.

**14 Article 21 amended**

In Article 21(2) the words “Senator or” shall be deleted.”.

Members present voted as follows –

**POUR: 19**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator I.J. Gorst  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of St. Mary  
 Connétable of St. Brelade  
 Deputy G.P. Southern (H)  
 Deputy J.A. Hilton (H)  
 Deputy M. Tadier (B)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy R.G. Bryans (H)  
 Deputy of St. Peter  
 Deputy S.Y. Mézec (H)  
 Deputy A.D. Lewis (H)  
 Deputy of St. Ouen  
 Deputy M.J. Norton (B)  
 Deputy P.D. McLinton (S)

**CONTRE: 24**

Senator A.J.H. Maclean  
 Senator L.J. Farnham  
 Senator A.K.F. Green  
 Senator S.C. Ferguson  
 Connétable of St. Peter  
 Connétable of St. Ouen  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of St. John  
 Connétable of Trinity  
 Deputy J.A. Martin (H)  
 Deputy of Grouville  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy of St. John  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy R. Labey (H)  
 Deputy S.M. Wickenden (H)  
 Deputy S.M. Bree (C)  
 Deputy T.A. McDonald (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)

**ABSTAIN: 0**

Following the rejection of paragraph 1 of the amendment of Deputy Andrew David Lewis of St. Helier (P.18/2017 Amd.(2)), the Presiding Officer informed the Assembly that the remaining paragraphs of the same amendment were deemed to have been withdrawn.

**Changes in Presidency**

The Deputy Bailiff retired from the Chamber during consideration of paragraph 1 of the amendment of Deputy Andrew David Lewis of St. Helier to the Draft States of Jersey (Amendment No. 9) Law 201- (P.18/2017 Amd.(2)), and Dr. M. Egan, Greffier of the States, assumed the Presidency.

**Adjournment**

THE STATES adjourned, having agreed to reconvene on Wednesday 7th June 2017 to continue consideration of the Draft States of Jersey (Amendment No. 9) Law 201- and other outstanding items of public business.

THE STATES rose at 5.30 p.m.

**L.-M. HART**

*Deputy Greffier of the States*