



**THE STATES assembled on Wednesday
1st May 2019, at 09.30 a.m. under
the Presidency of the Bailiff,
Sir William James Bailhache.**

**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.**

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

Senator Ian Joseph Gorst – absent on States business
Deputy Michael Roderick Higgins of St. Helier – en défaut (défaut raised at 10.01 a.m.)

Prayers read by the Deputy Greffier of the States

Documents presented

Assessment of Mental Health Services (S.R.4/2019): response of the Minister for Health and Social Services. S.R.4/2019.
Presented: 1st May 2019. Res.
Minister for Health and Social Services.

Notification of lodged propositions

Draft Human Transplantation and Anatomy (Jersey) Law 2018 (Appointed Day) Act 201-. P.48/2019.
Lodged: 1st May 2019.
Minister for Health and Social Services.

Draft Human Transplantation and Anatomy (Jersey) Regulations 201-. P.49/2019.
Lodged: 1st May 2019.
Minister for Health and Social Services.

Draft Access to Justice (Jersey) Law 201- (P.23/2019)

THE STATES resumed consideration of the Draft Access to Justice (Jersey) Law 201- and adopted the principles.

Members present voted as follows –

POUR: 43

Senator L.J. Farnham
Senator S.C. Ferguson
Senator J.A.N. Le Fondré
Senator T.A. Vallois
Senator S.W. Pallett

CONTRE: 4

Deputy M.R. Higgins (H)
Deputy R. Labey (H)
Deputy S.M. Wickenden (H)
Deputy K.G. Pamplin (S)

ABSTAIN: 0

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 St. John
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B. 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 J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy I. Gardiner (H)

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Articles 1 to 23.

Members present voted as follows –

POUR: 41

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

CONTRE: 2

Deputy M.R. Higgins (H)
 Deputy K.F. Morel (L)

ABSTAIN: 0

Connétable of Grouville
 Connétable of St. John
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B. 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 J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

THE STATES noted that the Presiding Officer, in accordance with Standing Order 75(4), had granted permission for clerical errors within the draft to be amended, namely that –

In Article 4(4), for the words “to contrary” there should be substituted the words “to the contrary”;

In Article 7(12), for the words “this Article from and a reference” there should be substituted the words “this Article, and a reference”; and

In Article 10(2), for the reference to Article 18 there should be substituted a reference to Article 17.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Access to Justice (Jersey) Law 201-.

Members present voted as follows –

POUR: 42

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

CONTRE: 2

Deputy M.R. Higgins (H)
 Deputy R. Labey (H)

ABSTAIN: 0

Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B. 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 J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(a), Senator Kristina Louise Moore declared an interest and withdrew from the Chamber for the duration of the debate.

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(c), the Deputy of St. Mary declared an interest, but remained in the Chamber for the duration of the debate.

Changes in Presidency

The Bailiff retired from the Chamber prior to resumption of the consideration of the Draft Access to Justice (Jersey) Law 201- and the meeting continued under the Presidency of Dr. Mark Egan, Greffier of the States.

Investment Appraisal Board: 2 week notice period P.25/2019

THE STATES commenced consideration of a proposition of Deputy Jeremy Martin Maçon of St. Saviour entitled ‘Investment Appraisal Board: 2 week notice period’ (P.25/2019) and, adopting an amendment of Deputy Jeremy Martin Maçon of St. Saviour (P.25/2019 Amd.), agreed that for the words “Privileges and Procedures Committee, following consultation with the Council of Ministers, to bring forward amendments to the Standing Orders of the States of Jersey, for consideration by the Assembly no later than

4th June 2019,” there should be substituted the words “Council of Ministers to consult States Members on the appropriateness of”; and that for the words “until there has been a 2 week notification period, similar to that relating to property transactions” there should be substituted the words “for a period of time, or other appropriate safeguards that provide for democratic oversight of such expenditure allocations”.

THE STATES, adopting the proposition of Deputy Jeremy Martin Maçon of St. Saviour, as amended, requested the Council of Ministers to consult States Members on the appropriateness of introducing a mechanism whereby the Minister for Treasury and Resources would not implement any recommendations made by the Investment Appraisal Board, or by any other bodies for allocating money not otherwise allocated to a specific head of expenditure, for a period of time, or other appropriate safeguards that would provide for democratic oversight of such expenditure allocations.

Members present voted as follows –

POUR: 45

Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 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 St. John
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (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 of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B. 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)

CONTRE: 2

Deputy S.M. Wickenden (H)
 Deputy K.F. Morel (L)

ABSTAIN: 0

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

Changes in Presidency

Dr. Mark Egan, Greffier of the States, retired from the Chair during consideration of the proposition of Deputy Jeremy Martin Maçon of St. Saviour entitled 'Investment Appraisal Board: 2 week notice period' (P.25/2019) and the meeting continued under the Presidency of the Bailiff.

Jersey Police Complaints Authority: re-appointment of members P.32/2019

THE STATES, adopting a proposition of the Minister for Home Affairs entitled 'Jersey Police Complaints Authority: re-appointment of members' (P.32/2019), re-appointed, in accordance with Article 2 of, and the Schedule to, the Police (Complaints and Discipline) (Jersey) Law 1999, Mr. Graeme Marett and Mrs. Diana Taylor-Cox as members of the Jersey Police Complaints Authority for a period of 3 years.

Members present voted as follows –

POUR: 46

CONTRE: 0

ABSTAIN: 0

Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 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 St. John
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy J.M. Maçon (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 J.H. Young (B)
 Deputy L.B. 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 J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

Beaulieu Convent School Limited: provision of a loan P.26/2019

THE STATES, adopting a proposition of the Minister for Treasury and Resources entitled ‘Beaulieu Convent School Limited: provision of a loan’ (P.26/2019) –

- (a) authorised the grant of a loan to Beaulieu Convent School Limited for the purpose of investment in capital projects and to increase the school’s capacity and facilities; and
- (b) agreed that the loan should not exceed £7.3 million, should bear interest at a fixed rate of 4.25% per annum, and should be repayable over a period not exceeding 20 years on terms to be agreed with the Treasurer of the States.

Members present voted as follows –

POUR: 45

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 St. Brelade
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)

CONTRE: 2

Deputy G.P. Southern (H)
 Deputy S.M. Ahier (H)

ABSTAIN: 0

Deputy J.M. Maçon (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 J.H. Young (B)
Deputy L.B. 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 J.H. Perchard (S)
Deputy R.J. Ward (H)
Deputy C.S. Alves (H)
Deputy K.G. Pamplin (S)
Deputy I. Gardiner (H)

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(c), Senator John Alexander Nicholas Le Fondré, Deputy Graham John Truscott of St. Brelade and the Deputy of St. John declared an interest which was not financial, and remained in the Chamber for the duration of the debate on the proposition of the Chief Minister.

Climate change emergency: actions to be taken by the Government of Jersey P.27/2019

THE STATES, commencing consideration of a proposition of Deputy Robert James Ward of St. Helier entitled 'Climate change emergency: actions to be taken by the Government of Jersey' (P.27/2019), commenced consideration of an amendment of the Minister for the Environment (P.27/2019 Amd.).

Changes in Presidency

The Bailiff retired from the Chamber during consideration of the proposition of Deputy Robert James Ward of St. Helier entitled 'Climate change emergency: actions to be taken by the Government of Jersey' (P.27/2019) and the meeting continued under the presidency of Dr. Mark Egan, Greffier of the States. The Bailiff returned to the Chamber during consideration of the same proposition and the meeting continued under his Presidency.

Adjournment

THE STATES, adopting a proposition of the Deputy of Trinity, adjourned, having agreed to reconvene on Wednesday 27th March 2019, to continue consideration of the proposition of Deputy Robert James Ward of St. Helier entitled 'Climate change emergency: actions to be taken by the Government of Jersey' (P.27/2019), and its associated amendment, and other outstanding items of public business.

Members present voted as follows –

POUR: 31

Senator L.J. Farnham
 Senator J.A.N. Le Fondré
 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 St. John
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 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 S.M. Wickenden (H)
 Deputy G.J. Truscott (B)
 Deputy L.B. Ash (C)
 Deputy K.F. Morel (L)
 Deputy G.C.U. Guida (L)
 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)

CONTRE: 16

Senator S.C. Ferguson
 Senator K.L. Moore
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy M. Tadier (B)
 Deputy J.M. Maçon (S)
 Deputy of St. Martin
 Deputy R. Labey (H)
 Deputy of St. Mary
 Deputy J.H. Young (B)
 Deputy of St. Peter
 Deputy J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)

ABSTAIN: 0

THE STATES rose at 5.32 p.m.

L.-M. HART

Deputy Greffier of the States