



**THE STATES assembled on Tuesday  
28th March 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 Philip Francis Cyril Ozouf – absent on States business  
Connétable Christopher Hugh Taylor of St. John – excused attendance (arrived in the Chamber at 11.25 a.m.)  
Deputy Carolyn Fiona Labey of Grouville – absent on States business  
Deputy Kristina Louise Moore of St. Peter – en défaut  
Deputy Richard John Rondel of St. Helier – ill  
Deputy Scott Michael Wickenden of St. Helier – absent on States business  
Deputy Murray Julian Norton of St. Brelade – ill  
Deputy Peter Derek McLinton of St. Saviour – excused attendance

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Prayers read by the Acting Dean of Jersey

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### **Westminster Terrorist Attack – Letter to Speaker of the House of Commons**

The Deputy Bailiff advised the Assembly that the Bailiff had sent a letter to the Speaker of the House of Commons, on behalf of all members and the people of Jersey, to convey sympathy following the terrorist attack at Westminster on 22nd March 2017.

### **Exhibition on History of the States Chamber**

The Deputy Bailiff advised the Assembly that an exhibition would be arranged by the States Greffe in June 2017 to mark the 130th anniversary of the opening of the States Chamber.

### **Filming in the Chamber**

THE STATES agreed that the media should be permitted to film the beginning of proceedings on Tuesday 18th April 2017 in order to obtain library footage for future use.

### **Subordinate enactments tabled**

The following enactments were tabled, namely –

Royal Court (Amendment No. 20) Rules 2017. R&O.36/2017.  
*Superior Number of the Royal Court.*

Road Traffic (Trinity) (Amendment No. 10) (Jersey) Order 2017. R&O.37/2017.  
*Minister for Infrastructure.*

### Documents presented

Draft Employment of States of Jersey Employees (Amendment No. 8) (Jersey) P.11/2017.  
Regulations 201- (P.11/2017): comments. Com.  
Presented: 27th March 2017.  
*Corporate Services Scrutiny Panel.*

Planning Committee Decisions 2016. R.29/2017.  
Presented: 21st March 2017.  
*Minister for the Environment.*

Review of Personal Tax (Stage 1) – Data Analysis. R.30/2017.  
Presented: 27th March 2017.  
*Minister for Treasury and Resources.*

Land Transactions under Standing Order 168(3) – Apartment No. 9, Maison d’Azette, R.31/2017.  
La Grande Route de la Côte, St. Clement – transfer of the Public’s flying-freehold  
ownership and cancellation of existing 99-year lease.  
Presented: 28th March 2017.  
*Minister for Infrastructure.*

### Notification of lodged propositions

States of Jersey Complaints Panel: appointment of members. P.20/2017.  
Lodged: 28th March 2017.  
*Privileges and Procedures Committee.*

### Written Questions

(see Official Report/Hansard)

- 1(175) 1. The Deputy of St. John asked a question of the Minister for Health and Social Services regarding the future delivery of hospital services.
- 1(176) 2. Deputy J.A. Hilton of St. Helier asked a question of the Minister for Health and Social Services regarding the independent audit of the quality of front-line practice and management in the Children’s Service.
- 1(177) 3. Deputy J.A. Hilton of St. Helier asked a question of the Minister for Social Security regarding the notification of asbestos-related diseases.
- 1(178) 4. Deputy J.A. Hilton of St. Helier asked a question of the Minister for Health and Social Services regarding mesothelioma and other asbestos-related diseases.
- 1(179) 5. The Deputy of St. Ouen asked a question of the Chief Minister regarding statistical information in respect of income equality.

- 1(181) 6. Deputy S.Y. Mézec of St. Helier asked a question of the Chief Minister regarding statistical evidence available in respect of relative low income.
- 1(182) 7. Deputy S.Y. Mézec of St. Helier asked a question of the Minister for Economic Development, Tourism, Sport and Culture regarding the impact of the Jersey Aircraft Registry on economic growth.
- 1(183) 8. Deputy S.Y. Mézec of St. Helier asked a question of the Chief Minister regarding the involvement of Ministers in addressing Freedom of Information requests.
- 1(184) 9. Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the impact of the Department's policies on households reliant upon Income Support.
- 1(185) 10. Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the prospect of a review of the Health Insurance Fund.
- 1(186) 11. Deputy G.P. Southern of St. Helier asked a question of the Minister for Housing regarding the choice-based lettings system.
- 1(187) 12. Deputy M.R. Higgins of St. Helier asked a question of H.M. Attorney General regarding the Human Rights compliance of Articles 8(3)(b) and 8(4)(b) of the States of Jersey Law 2005.
- 1(188) 13. Deputy M.R. Higgins of St. Helier asked a question of the Minister for Infrastructure regarding traffic data for certain roads in St. Helier.
- 1(189) 14. Deputy M.R. Higgins of St. Helier asked a question of the Minister for Economic Development, Tourism, Sport and Culture regarding the number of visitors seeking information before and after the creation of Visit Jersey.
- 1(190) 15. Deputy M.R. Higgins of St. Helier asked a question of the Chief Minister regarding employment levels at the Jersey Financial Services Commission.
- 1(191) 16. Deputy M.R. Higgins of St. Helier asked a question of the Minister for Economic Development, Tourism, Sport and Culture regarding entities registered with, or licensed by, the Gambling Commission.

### **Oral Questions**

*(see Official Report/Hansard)*

- 1(201) 1. Deputy S.Y. Mézec of St. Helier asked a question of the Minister for Social Security regarding the publication of a report on the potential impact of a significant rise in the minimum wage.
- 1(199) 2. Deputy G.P. Southern of St. Helier asked a question of the Minister for Health and Social Services regarding the impact on the transition to the new policy on delivery of personal care in the home of any failure by Family Nursing and Home Care and Health Care Assistants to reach agreement.
- 1(194) 3. Deputy M.R. Higgins of St. Helier asked a question of H.M. Attorney General regarding the bankruptcy provisions of Articles 8(3)(b) and 8(4)(b) of the States of Jersey Law 2005.
- 1(196) 4. Deputy J.A. Hilton of St. Helier asked a question of the Chief Minister regarding the prospective holding of a debate by the States Assembly following the publication of the report of the Independent Jersey Care Inquiry.
- 1(192) 5. The Deputy of St. Ouen asked a question of the Assistant Chief Minister regarding consultation on draft Regulations to be made under the Regulation of Care (Jersey) Law 2014.

- 1(195) 6. Deputy M.R. Higgins of St. Helier asked a question of the Chief Minister regarding the means available to the public to address excesses or misdemeanours of the Island's public servants and public bodies.
- 1(193) 7. The Deputy of St. Ouen asked a question of the Assistant Chief Minister regarding the statistical evidence available to support statements that relative low income had reduced.
- 1(200) 8. Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding figures showing the real-term reductions which had been made to Income Support components.
- 1(202) 9. Deputy S.Y. Mézec of St. Helier asked a question of the Minister for Economic Development, Tourism, Sport and Culture regarding actions to mitigate any loss of taxpayers' money, and the lessons learnt, in respect of the Jersey Aircraft Registry.

### **Oral Questions without notice**

*(see Official Report/Hansard)*

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

The Minister for External Relations answered questions without notice from members.

### **Statements on a matter of official responsibility**

*(see Official Report/Hansard)*

Deputy Jeremy Martin Maçon of St. Saviour made a statement on behalf of the Education and Home Affairs Scrutiny Panel regarding the Panel's report 'Tertiary Education: Student Finance' (S.R.2/2017).

### **Television Licence Fee: exemption for Jersey residents aged 75 and over P.117/2016**

THE STATES commenced consideration of a proposition of Deputy Montfort Tadier of St. Brelade entitled 'Television Licence Fee: exemption for Jersey residents aged 75 and over' (P.117/2016) and, adopting an amendment of Deputy Montfort Tadier of St. Brelade (P.117/2016 Amd.), agreed that –

- (1) Before the words "to request the Chief Minister" there should be inserted the following paragraph (a) with the existing paragraph renamed as paragraph (b) –

“(a) that the BBC should not charge over-75s living in Jersey for TV licences, in line with their proposed policy for UK residents;”.

- (2) In the newly designated paragraph (b), after the words "to enter into" there should be inserted the word "renewed" and for the words "January 2018" there should be substituted the words "September 2017".

THE STATES, resuming consideration of the proposition of Deputy Montfort Tadier of St. Brelade, as amended, rejected paragraph (a) of the proposition that the BBC should not charge over-75s living in Jersey for TV licences, in line with their proposed policy for U.K. residents.

Members present voted as follows –

**POUR: 19**

Senator S.C. Ferguson  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of St. John  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy of St. John  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy S.Y. Mézec (H)  
 Deputy S.M. Brée (C)  
 Deputy T.A. McDonald (S)  
 Deputy G.J. Truscott (B)

**CONTRE: 22**

Senator P.F. Routier  
 Senator A.J.H. Maclean  
 Senator I.J. Gorst  
 Senator L.J. Farnham  
 Senator P.M. Bailhache  
 Senator A.K.F. Green  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Connétable of St. Brelade  
 Connétable of Grouville  
 Connétable of Trinity  
 Deputy of Trinity  
 Deputy E.J. Noel (L)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy R.G. Bryans (H)  
 Deputy A.D. Lewis (H)  
 Deputy of St. Ouen  
 Deputy L.M.C. Doublet (S)  
 Deputy of St. Mary

**ABSTAIN: 0**

THE STATES acceded to a request by Deputy Montfort Tadier of St. Brelade, in accordance with Standing Order 69(4), that paragraph (b) of his proposition be withdrawn.

**Draft Referendum (Jersey) Law 201- P.4/2017**

THE STATES commenced consideration of the Draft Referendum (Jersey) Law 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 Articles 1 to 24 and Schedule 1.

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

**Draft Employment of States of Jersey Employees (Amendment No. 8) (Jersey) Regulations 201-P.11/2017**

THE STATES commenced consideration of the Draft Employment of States of Jersey Employees (Amendment No. 8) (Jersey) Regulations 201- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 to 4.

THE STATES, in pursuance of Article 42 of the Employment of States of Jersey Employees (Jersey) Law 2005, made Regulations entitled the Employment of States of Jersey Employees (Amendment No. 8) (Jersey) Regulations 2017.

**Arrangement of public business for future meetings**

THE STATES rejected a proposition of Senator Alan John Henry Maclean that the start of the Assembly's next meeting be moved to Wednesday 19th April 2017.

Members present voted as follows –

**POUR: 16**

Senator P.F. Routier  
 Senator A.J.H. Maclean  
 Senator I.J. Gorst  
 Senator P.M. Bailhache  
 Senator A.K.F. Green  
 Connétable of St. Helier  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Deputy J.A. Hilton (H)  
 Deputy of Trinity  
 Deputy E.J. Noel (L)  
 Deputy of St. John  
 Deputy J.M. Maçon (S)  
 Deputy S.J. Pinel (C)  
 Deputy R.G. Bryans (H)  
 Deputy A.D. Lewis (H)

**CONTRE: 18**

Senator S.C. Ferguson  
 Connétable of St. Clement  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of Trinity  
 Deputy J.A. Martin (H)  
 Deputy K.C. Lewis (S)  
 Deputy M.R. Higgins (H)  
 Deputy S.Y. Mézec (H)  
 Deputy of St. Ouen  
 Deputy S.M. Brée (C)  
 Deputy T.A. McDonald (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)

**ABSTAIN: 0**

THE STATES agreed the following arrangement of public business for future meetings proposed, as amended, by the Chairman of the Privileges and Procedures Committee in accordance with the provisions of Standing Order 88(3) –

**18th April 2017**

Future Hospital Funding Strategy (as amended). Lodged: 30th November 2016. <i>Minister for Treasury and Resources.</i>	P.130/2016.
Parish Rates: payment by the States of Jersey. Lodged: 21st February 2017. <i>Connétable of St. Helier.</i>	P.12/2017.
Draft Public Elections (Amendment of Law) (Jersey) Regulations 201-. Lodged: 21st February 2017. <i>Comité des Connétables.</i>	P.13/2017.
Draft Public Finances (Amendment No. 5) (Jersey) Law 201-. Lodged: 7th March 2017. <i>Minister for Treasury and Resources.</i>	P.15/2017.
JT (Jersey) Limited: administrative charges. Lodged: 9th March 2017. <i>Deputy G.P. Southern of St. Helier.</i>	P.16/2017.

Draft Main Roads (Classification) (No. 29) (Jersey) Act 201-. P.17/2017.  
Lodged: 13th March 2017.  
*Minister for Infrastructure.*

Jersey Financial Services Commission: re-appointment of Commissioner. P.19/2017.  
Lodged: 15th March 2017.  
*Chief Minister.*

### **2nd May 2017**

Draft The Law Society of Jersey (Amendment No. 4) Law 201-. P.136/2016.  
Lodged: 20th December 2016.  
*Chief Minister.*

E-Petitions. P.14/2017.  
Lodged: 1st March 2017.  
*Deputy S.M. Wickenden of St. Helier.*

Draft States of Jersey (Amendment No. 9) Law 201-. P.18/2017.  
Lodged: 14th March 2017.  
*Privileges and Procedures Committee.*

States of Jersey Complaints Panel: appointment of members. P.20/2017.  
Lodged: 28th March 2017.  
*Privileges and Procedures Committee.*

### **23rd May 2017**

Parish Rates: payment by the States of Jersey. P.12/2017.  
Lodged: 21st February 2017.  
*Connétable of St. Helier.*

### **6th June 2017**

Draft Bank Depositors Compensation (Jersey) Law 201-. P.135/2016.  
Lodged: 20th December 2016.  
*Chief Minister.*

### **20th June 2017**

Millennium Town Park: additional open space and public parking. P.123/2016.  
Lodged: 22nd November 2016.  
*Connétable of St. Helier.*

THE STATES rose at 4.41 p.m.

**DR. M. EGAN**

*Greffier of the States*