



**THE STATES assembled on Tuesday
18th June 2013, at 09.30 a.m. under
the Presidency of the Bailiff,
Sir Michael Birt.**

**His Excellency the Lieutenant Governor,
General Sir John McColl, K.C.B., C.B.E., D.S.O.
was present.**

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

Connétable Daniel Joseph Murphy of Grouville – ill
Deputy Judith Ann Martin of St. Helier – en défaut
Deputy Geoffrey Peter Southern of St. Helier – en défaut (défaut raised at 9.39 a.m.)

Prayers

Connétable of St. Clement – anniversary

Senator Paul Francis Routier, M.B.E. advised the Assembly that the Connétable of St. Clement had now completed 30 continuous years as a States Member and thanked him on behalf of the States for his services to the Assembly.

Subordinate enactments tabled

The following enactments were tabled, namely –

Diseases of Animals (Bees) (Jersey) Order 2013. <i>Minister for Planning and Environment.</i>	R&O.74/2013.
Misuse of Drugs (Miscellaneous Amendments) (No. 3) (Jersey) Order 2013. <i>Minister for Health and Social Services.</i>	R&O.75/2013.
Community Provisions (Restrictive Measures – Belarus) (Amendment No. 9) (Jersey) Order 2013. <i>Deputy Chief Minister, for and on behalf of Chief Minister.</i>	R&O.76/2013.
Community Provisions (Restrictive Measures – Libya) (Amendment No. 15) (Jersey) Order 2013. <i>Deputy Chief Minister, for and on behalf of Chief Minister.</i>	R&O.77/2013.
Motor Traffic (Cabs – Fares and Charges) (Amendment No. 4) (Jersey) Order 2013. <i>Minister for Transport and Technical Services.</i>	R&O.78/2013.
Road Traffic (St. Clement) (Amendment No. 22) (Jersey) Order 2013. <i>Minister for Transport and Technical Services.</i>	R&O.79/2013.

Triathlon (Jersey) Order 2013. R&O.80/2013.
Minister for Transport and Technical Services.

Documents presented or laid

Organisations receiving grants of over £100,000: 2011 Accounts. R.55/2013.
 Presented: 7th June 2013.
Minister for Treasury and Resources.

States of Jersey Law 2005: delegation of functions – Planning and Environment – R.56/2013.
 revised delegations June 2013.
 Presented: 11th June 2013.
Minister for Planning and Environment.

Land Transactions under Standing Order 168(3) – R.57/2013.
 (a) Shop B Les Jardins du Soleil, First Tower, St. Helier – lease;
 (b) Beaumont Tower Land, St. Aubin’s Bay Promenade, St. Peter – sale;
 (c) V12A Victoria Pier – lease;
 (d) N35 New North Quay – lease.
 Presented: 12th June 2013.
Minister for Treasury and Resources.

Employment Forum’s recommendation on the qualifying period for protection against R.58/2013.
 unfair dismissal.
 Presented: 14th June 2013.
Minister for Social Security.

Jersey Community Relations Trust: Annual Report 2012. R.59/2013.
 Presented: 14th June 2013.
Minister for Home Affairs.

Jersey Financial Services Commission: Annual Report 2012. R.60/2013.
 Presented: 18th June 2013.
Minister for Economic Development.

Budget Management Report for the period ended 31st December 2012. R.61/2013.
 Presented: 18th June 2013.
Minister for Treasury and Resources.

States of Jersey Financial Report and Accounts 2012. R.62/2013.
 Presented: 18th June 2013.
Minister for Treasury and Resources.

Pension Increase Debt: options for early repayment. R.63/2013.
 Presented: 18th June 2013.
Minister for Treasury and Resources.

Land Transactions Under Standing Order 168(3) – Southwood, 30/31 Belmont Road, R.64/2013.
 St. Helier – lease.
 Presented: 18th June 2013.
Minister for Treasury and Resources.

Minister for External Relations. S.R.9/2013.
Presented: 13th June 2013.
Corporate Services Scrutiny Panel.

£200,000 Grant to Film Company (P.A.C.2/2013): response of the Minister for P.A.C.2/2013.
Economic Development. Res.
Presented: 7th June 2013.
Minister for Economic Development.

£200,000 Grant to Film Company (P.A.C.2/2013): response of the States Employment P.A.C.2/2013.
Board. Res.(2)
Presented: 7th June 2013.
States Employment Board.

Notification of lodged propositions

Draft Public Finances (Amendment No. 4) (Jersey) Law 201-. P.73/2013.
Lodged: 6th June 2013.
Minister for Treasury and Resources.

Referendum on States reform: outcome. P.74/2013.
Lodged: 6th June 2013.
Senator B.I. Le Marquand.

Draft States of Jersey (Transfer of Functions No. 6) (Economic Development and P.75/2013.
Treasury and Resources to Chief Minister) (Jersey) Regulations 201-.
Lodged: 6th June 2013.
Chief Minister.

Committee of Inquiry into Historical Abuse: appointment of Chairman. P.76/2013.
Lodged: 14th June 2013.
Chief Minister.

Draft Security Interests (Jersey) Law 2012 (Appointed Day) Act 201-. P.77/2013.
Lodged: 18th June 2013.
Minister for Economic Development.

Draft States of Jersey Police Force Law 2012 (Appointed Day) Act 201-. P.78/2013.
Lodged: 18th June 2013.
Minister for Home Affairs.

Written Questions

(see Official Report/Hansard)

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the proposed electricity sub-station at Westmount.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding emissions from compressed air powered vehicles.

The Minister for Health and Social Services tabled an answer to a question asked by Senator S.C. Ferguson regarding suicide rates.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the re-introduction of hospital prescription charges.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the high cost of accessing primary health care through G.P.s.

The Minister for Home Affairs tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the arrest of members of the public for planning infractions.

The Minister for Home Affairs tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding investigations into historic abuse.

The Minister for Housing tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the re-registration of lodging houses.

H.M. Attorney General tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the impact of the Referendum on St. Helier voters.

Oral Questions

(see Official Report/Hansard)

Deputy J.H. Young of St. Brelade asked a question of the Minister for Planning and Environment regarding complaints received from members of the public alleging maladministration.

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Planning and Environment regarding the emissions from compressed air vehicles.

The Connétable of St. Helier asked a question of the Minister for Planning and Environment regarding the listing of St. Helier's parks.

The Connétable of St. John asked a question of the Chief Minister regarding the rationale and criteria for sending Jersey delegations to U.K. party political conferences.

Deputy T.M. Pitman of St. Helier asked a question of the Chief Minister regarding the Assistant Minister with responsibility for External Affairs reading confidential documents in public.

The Connétable of St. Mary asked a question of the Minister for Education, Sport and Culture regarding the development of a language immersion school in Jersey.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Minister for Health and Social Services regarding the evaluation of new management positions.

Deputy J.A.N. Le Fondré of St. Lawrence asked a question of the Chief Minister regarding the terms of reference for the Dame Heather Steel investigation into the Korris review.

Deputy M. Tadier of St. Brelade asked a question of the Chief Minister regarding aggressive tax planning.

Senator S.C. Ferguson asked a question of the Minister for Treasury and Resources regarding the imposition of Goods and Services Tax on aircraft fuel.

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the exact terms of the Organisation for Economic Co-operation and Development (OECD) agreement on tax information exchange.

Deputy M.R. Higgins of St. Helier asked a question of H.M. Solicitor General regarding the accountability of the Chief Officer and Deputy Chief Officer of the States of Jersey Police.

Deputy M.R. Higgins of St. Helier asked a question of the Chief Minister regarding grounds for instant dismissal for gross misconduct for public sector employees.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Chief Minister regarding an independent inquiry into allegations that the Assistant Minister for External Relations obtained and read in public confidential documents associated with the suspension of the Dean.

Deputy T.M. Pitman of St. Helier asked a question of H.M. Solicitor General regarding the Court's powers to ensure that full indemnities awarded to members of the public at the conclusion of a court case were enforced.

Deputy M. Tadier of St. Brelade asked a question of the Chief Minister regarding action undertaken to assess whether Jersey's limited involvement in Associated British Foods avoidance of tax via subsidiaries based in the Island constituted 'aggressive tax avoidance'.

Deputy J.H. Young of St. Brelade asked a question of the Minister for Planning and Environment regarding the delegation of powers to officers to enter into planning obligation agreements which require land transactions and monies to be paid.

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding an investigation into the use of zero hours contracts across the Island.

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Education, Sport and Culture answered questions without notice from members.

The Minister for Health and Social Services answered questions without notice from members.

Statements on a matter of official responsibility

(see Official Report/Hansard)

The Minister for Social Security made a statement regarding proposals for the long-term care scheme.

The Chief Minister made a statement regarding discussions with the Prime Minister of the United Kingdom.

Draft Wills and Successions (Amendment No. 2) (Jersey) Law 201- P.38/2013

THE STATES commenced consideration of the Draft Wills and Successions (Amendment No. 2) (Jersey) Law 201- and adopted the principles.

Members present voted as follows –

POUR: 38

Senator P.F. Routier
 Senator A. Breckon
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of Trinity
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy of St. Ouen
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy G.C.L. Baudains (C)
 Deputy of St. John
 Deputy J.P.G. Baker (H)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)

CONTRE: 5

Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy T.M. Pitman (H)
 Deputy J.M. Maçon (S)
 Deputy J.H. Young (B)

ABSTAIN: 0

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 11 and the Schedule.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Wills and Successions (Amendment No. 2) (Jersey) Law 201-.

Members present voted as follows –

POUR: 39

Senator P.F.C. Ozouf
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy of St. Ouen
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy G.C.L. Baudains (C)
 Deputy of St. John
 Deputy J.P.G. Baker (H)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)

CONTRE: 4

Connétable of St. John
 Deputy of Grouville
 Deputy J.M. Maçon (S)
 Deputy J.H. Young (B)

ABSTAIN: 1

Senator S.C. Ferguson

Approval of the Memorandum of Understanding between the Government of Jersey and Her Majesty's Revenue and Customs of the United Kingdom of Great Britain and Northern Ireland relating to co-operation in tax matters P.55/2013

THE STATES approved the Memorandum of Understanding between the Government of Jersey and Her Majesty's Revenue and Customs of the United Kingdom of Great Britain and Northern Ireland relating to co-operation in tax matters, as set out in the Appendix to the report of the Chief Minister dated 18th April 2013.

Draft Taxation (Implementation) (Disclosure Facility) (Jersey) Regulations 201- P.56/2013

THE STATES commenced consideration of the Draft Taxation (Implementation) (Disclosure Facility) (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 3 and the Schedule.

THE STATES, in pursuance of Article 2 of the Taxation (Implementation) (Jersey) Law 2004, and following the decision of the States, taken on the day these Regulations were made, to adopt P.55/2013, made Regulations entitled Taxation (Implementation) (Disclosure Facility) (Jersey) Regulations 2013.

Arrangement of public business for future meetings

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) –

2nd July 2013

Committee of Inquiry: costs for local businesses. P.31/2013.
Lodged: 25th February 2013.
Senator A. Breckon.

Chief Minister and Chairman of Comité des Connétables: monthly meetings. P.51/2013.
Lodged: 16th April 2013.
Deputy M. Tadier of St. Brelade.

Chief Minister and Chairman of Comité des Connétables: monthly meetings P.51/2013.
(P.51/2013) – comments. Com.
Presented: 13th May 2013.
Comité des Connétables.

Chief Minister and Chairman of Comité des Connétables: monthly meetings P.51/2013.
(P.51/2013) – comments. Com.(2).
Presented: 13th May 2013.
Council of Ministers.

Draft Succession to the Crown (Jersey) Law 201-. P.57/2013.
Lodged: 8th May 2013.
Chief Minister.

Ratification of the Convention between Jersey and the Grand Duchy of Luxembourg for P.58/2013.
the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to
Taxes on Income and on Capital.
Lodged: 21st May 2013.
Chief Minister.

Draft Taxation (Double Taxation) (Amendment No. 2) (Jersey) Regulations 201-. P.59/2013.
Lodged: 21st May 2013.
Chief Minister.

Historic buildings in Pitt Street and Dumaresq Street: request to Minister for Planning and Environment. P.60/2013.
Lodged: 29th May 2013.
Connétable of St. Helier.

Draft Amendment (No. 21) of the Standing Orders of the States of Jersey. P.65/2013.
Lodged: 3rd June 2013.
Privileges and Procedures Committee.

Island Plan Review. P.71/2013.
Lodged: 4th June 2013.
Deputy J.H. Young of St. Brelade.

16th July 2013

Draft Security Interests (Amendment of Law) (Jersey) Regulations 201-. P.61/2013.
Lodged: 31st May 2013.
Minister for Economic Development.

Draft Trusts (Amendment No. 6) (Jersey) Law 201-. P.62/2013.
Lodged: 31st May 2013.
Minister for Economic Development.

Draft Social Housing (Transfer) (Jersey) Law 201-. P.63/2013.
Lodged: 31st May 2013.
Minister for Housing.

Victoria and George V Cottage Homes (Repeal of General Principles). P.44/2013.
Lodged: 28th March 2013.
Minister for Housing.

Victoria and George V Cottage Homes (Repeal of General Principles) (P.44/2013): P.44/2013.
amendment. Amd.
Lodged: 3rd May 2013.
Deputy G.P. Southern of St. Helier.

Draft States of Jersey (Amendment No. 7) Law 201-. P.64/2013.
Lodged: 3rd June 2013.
Privileges and Procedures Committee.

Draft Income Support (Amendment No. 9) (Jersey) Regulations 201-. P.66/2013.
Lodged: 4th June 2013.
Minister for Social Security.

Draft States of Jersey (Minister for External Relations) (Jersey) Regulations 201-. P.67/2013.
Lodged: 4th June 2013.
Chief Minister.

Draft Dwelling-Houses (Rent Control) (Standard Tenancy Agreement) (Amendment) P.68/2013.
(Jersey) Regulations 201-.
Lodged: 4th June 2013.
Minister for Housing.

- Draft Firearms (Amendment No. 3) (Jersey) Law 201-. P.69/2013.
Lodged: 4th June 2013.
Minister for Home Affairs.
- Draft Loi (201-) (Amendement) sur la Voirie. P.70/2013.
Lodged: 4th June 2013.
Comité des Connétables.
- Hospital Outpatients: re-introduction of prescriptions charges. P.72/2013.
Lodged: 4th June 2013.
Minister for Health and Social Services.
- Draft Public Finances (Amendment No. 4) (Jersey) Law 201-. P.73/2013.
Lodged: 6th June 2013.
Minister for Treasury and Resources.
(Cannot be debated until 18th July 2013)
- Referendum on States reform: outcome. P.74/2013.
Lodged: 6th June 2013.
Senator B.I. Le Marquand.
- Draft Security Interests (Jersey) Law 2012 (Appointed Day) Act 201-. P.77/2013.
Lodged: 18th June 2013.
Minister for Economic Development.
- Draft States of Jersey (Transfer of Functions No. 6) (Economic Development and P.75/2013.
Treasury and Resources to Chief Minister) (Jersey) Regulations 201-.
Lodged: 6th June 2013.
Chief Minister.
(Cannot be debated until 18th July 2013)
- Committee of Inquiry into Historical Abuse: appointment of Chairman. P.76/2013.
Lodged: 14th June 2013.
Chief Minister.
- Draft States of Jersey Police Force Law 2012 (Appointed Day) Act 201-. P.78/2013.
Lodged: 18th June 2013.
Minister for Home Affairs.

THE STATES rose at 3.25 p.m.

M.N. DE LA HAYE

Greffier of the States