

THE STATES assembled on Tuesday 2nd May 2017, at 09.30 a.m. under the Presidency of the Bailiff, William James Bailhache, Esquire.

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 Alan John Henry Maclean – en défaut (défaut raised at 9.47 a.m.) Senator Lyndon John Farnham – en défaut (défaut raised at 9.35 a.m.) Senator Sir Philip Martin Bailhache – en défaut (défaut raised at 11.16 a.m.) Senator Sarah Craig Ferguson – en défaut (défaut raised at 10.25 a.m.) Connétable Stephen William Pallett of St. Brelade – en défaut (défaut raised at 9.40 a.m.) Deputy Michael Roderick Higgins of St. Helier – en défaut (défaut raised at 2.03 p.m.) Deputy Roderick Gordon Bryans of St. Helier – en défaut

Prayers read by the Acting Dean of Jersey

#### Subordinate enactments tabled

The following enactments were tabled, namely -EU Legislation (Sanctions – Egypt) (Jersey) Order 2017. R&O.48/2017. Minister for External Relations. EU Legislation (Sanctions – North Korea) (Amendment No. 5) (Jersey) Order 2017. R&O.49/2017. Minister for External Relations. Motor Vehicles (Driving Licences) (Amendment No. 15) (Jersey) Order 2017. R&O.50/2017. Minister for Infrastructure. **Documents presented** Future Hospital Funding Strategy (P.130/2016) (as amended): third amendment P.130/2016. (P.130/2016 Amd.(3)) – second addendum. Amd.(3)Presented: 2nd May 2017. Add.(2). Corporate Services Scrutiny Panel. Draft The Law Society of Jersey (Amendment No. 4) Law 201- (P.136/2016): P.136/2016. comments. Com.

Presented: 28th April 2017. Corporate Services Scrutiny Panel.

E-Petitions (P.14/2017): comments. Presented: 28th April 2017. *Privileges and Procedures Committee.*  P.14/2017.

Com.

Draft States of Jersey (Amendment No. 9) Law 201- (P.18/2017) – amendment and second amendment (P.18/2017 Amd. and Amd.(2)) – addendum. Presented: 2nd May 2017. <i>Deputy A.D. Lewis of St. Helier.</i>	P.18/2017. Amd. and Amd.(2) Add.
States of Jersey Police: Annual Performance Report 2016. Presented: 20th April 2017. <i>Minister for Home Affairs</i> .	R.37/2017.
Jersey Advisory and Conciliation Service: Board Members' Report and Financial Statements for the year ended 31st December 2016. Presented: 20th April 2017. <i>Minister for Social Security.</i>	R.38/2017.
States of Jersey Law 2005: delegation of functions – Health and Social Services – Historic Abuse Redress Scheme. Presented: 20th April 2017. <i>Minister for Health and Social Services</i> .	R.39/2017.
Jersey Multi-Agency Public Protection Arrangements (JMAPPA) Annual Report 2016. Presented: 21st April 2017. <i>Minister for Home Affairs</i> .	R.40/2017.
Land Transactions under Standing Order 168(3) – (a) Le Port, La Grande Route des Mielles, St. Peter – lease of White Hut; (b) 12 Le Clos de l'Atlantique, Le Mont de la Pulente, St. Brelade, JE3 8HE – lease. Presented: 21st April 2017. <i>Minister for Infrastructure</i> .	R.41/2017.
Jersey Employment and Discrimination Tribunal: Annual Report 2016. Presented: 24th April 2017. <i>Minister for Social Security</i> .	R.42/2017.
Finance Law Delegation Report for the 6-month period ended 31st December 2016. Presented: 25th April 2017. <i>Minister for Treasury and Resources</i> .	R.43/2017.
Jersey Police Complaints Authority: report for 2016. Presented: 27th April 2017. <i>Minister for Home Affairs</i> .	R.44/2017.
Jersey Innovation Fund: review of ministerial responsibility following the C&AG Report of January 2017. Presented: 2nd May 2017. <i>Chief Minister</i> .	R.45/2017.
School Starting Age. Presented: 2nd May 2017. Education and Home Affairs Scrutiny Panel.	S.R.5/2017.

#### Notification of lodged propositions

Future Hospital Funding Strategy (P.130/2016) (as amended): second amendment (P.130/2016 Amd.(2)) – amendment. Lodged: 25th April 2017. <i>Minister for Treasury and Resources</i> .	P.130/2016. Amd.(2) Amd.
Future Hospital Funding Strategy (P.130/2016): fourth amendment. Lodged: 2nd May 2017. <i>Minister for Treasury and Resources</i> .	P.130/2016. Amd.(4)
Draft States of Jersey (Amendment No. 9) Law 201- (P.18/2017) – second amendment. Lodged: 19th April 2017. Deputy A.D. Lewis of St. Helier.	P.18/2017. Amd.(2)
Regulation of care workers' employment standards. Lodged: 20th April 2017. Deputy G.P. Southern of St. Helier.	P.29/2017.
Draft States of Jersey Police Force (Amendment No. 2) Law 201 Lodged: 21st April 2017. <i>Minister for Home Affairs</i> .	P.30/2017.
Draft EU Legislation (Information Accompanying Transfers of Funds) (Jersey) Regulations 201 Lodged: 25th April 2017. <i>Chief Minister</i> .	P.31/2017.

## Withdrawal of lodged propositions

THE STATES noted that, in accordance with Standing Order 34(1), the proposer of the following proposition lodged "au Greffe" had informed the Greffier of the States that it had been withdrawn –

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

#### Written Questions

(see Official Report/Hansard)

- 1(245) 1. Deputy P.D. McLinton of St. Saviour asked a question of the Minister for the Environment regarding steps being taken to encourage the use of sustainable energy sources.
- 1(246) 2. Deputy M. Tadier of St. Brelade asked a question of the Minister for Education regarding the capacity of Les Quennevais School.
- 1(247) 3. Deputy M. Tadier of St. Brelade asked a question of the Minister for Education regarding the capacity of Hautlieu School's sixth form.
- Deputy M. Tadier of St. Brelade asked a question of the Chief Minister regarding applications for Entitled status on hardship grounds.

- 1(249) 5. Deputy M. Tadier of St. Brelade asked a question of the Chief Minister regarding the prospect of introducing provisions to recognise 'no fault' divorces.
- 1(250) 6. The Deputy of St. John asked a question of the Minister for Health and Social Services regarding the prospect of 'health campus' services being delivered as part of the future Hospital.
- 1(251) 7. The Deputy of St. John asked a question of the Minister for Housing regarding monitoring of the application of the policy that rents in social housing would be charged at 90% of market rents.
- 1(252) 8. The Deputy of St. John asked a question of the Minister for Social Security regarding the impact on the Department's budget of the decision that rents in social housing would be charged at 90% of market rents.
- 1(253) 9. Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the income and employment of households in receipt of Income Support.
- 1(254) 10. Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the level of zero-hour jobs in the economy.
- 1(255) 11. The Connétable of St. Helier asked a question of the Minister for Infrastructure regarding liquid and solid waste charges levied on commercial entities.
- 1(256) 12. Deputy G.P. Southern of St. Helier asked a question of the Minister for Health and Social Services regarding the recruitment of qualified nurses and delivery of community care services.
- 1(257) 13. Deputy G.P. Southern of St. Helier asked a question of the Minister for Education regarding teachers engaged in teaching G.C.S.E., A.S. and A-Level subjects without a degree-level, or equivalent, qualification in the subject.
- <sup>1(258)</sup> 14. Deputy G.P. Southern of St. Helier asked a question of the Minister for Education regarding expenditure on the pupil premium.
- 1(260) 15. Deputy M.R. Higgins of St. Helier asked a question of H.M. Attorney General regarding Human Rights audits of Jersey's courts and tribunals.
- 1(261) 16. Deputy M.R. Higgins of St. Helier asked a question of H.M. Attorney General regarding provision within Jersey's court and justice system for 'equality of arms' in Human Rights terms.
- 1(262) 17. Deputy M.R. Higgins of St. Helier asked a question of H.M. Attorney General regarding the Human Rights compatibility of the Centeniers' role in the Magistrate's Court and at Parish Hall Inquiries.
- 1(264) 18. Deputy M.R. Higgins of St. Helier asked a question of the Minister for Health and Social Services regarding services for orthopaedic patients and those with back-pain problems.

## **Oral Questions**

(see Official Report/Hansard)

- 1(269) 1. Deputy A.D. Lewis of St. Helier asked a question of the Minister for Infrastructure regarding consultation in respect of proposed changes to the location of sewage treatment equipment within the Department's complex at Bellozanne.
- 1(265) 2. Deputy R. Labey of St. Helier asked a question of the Chief Minister regarding the cost of engaging Ramsay Jones in respect of public relations advice and training relating to the Independent Jersey Care Inquiry's findings.

- 1(273) 3. Deputy S.Y. Mézec of St. Helier asked a question of the Chief Minister regarding measures to ensure the evidence received by the Independent Jersey Care Inquiry would remain publicly accessible and complete.
- Deputy G.P. Southern of St. Helier asked a question of the Minister for Health and Social Services regarding the Minister's assessment of whether health and safety concerns arose in relation to the delivery of home care.
- 1(271) 5. Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Home Affairs regarding the prospect of action being taken to stop the service known as 'Jersey Lifts'.
- Deputy M. Tadier of St. Brelade asked a question of the Minister for the Environment regarding the money to be raised annually from the proposed infrastructure levy.
- 1(266) 7. The Connétable of St. Helier asked a question of the Minister for Infrastructure regarding 'cover and treat' odour mitigation technology to be used in the proposed sewage treatment works in Bellozanne Valley.
- 1(267) 8. Deputy J.A. Martin of St. Helier asked a question of the Chief Minister regarding the impact of the United Kingdom's decision to leave the European Union on the development of a new population policy by the Council of Ministers.
- 1(272) 9. Deputy M. Tadier of St. Brelade asked a question of the Minister for Infrastructure regarding targets for vehicular traffic reduction.
- <sup>1(268)</sup> 10. Deputy J.A. Martin of St. Helier asked a question of the Chief Minister regarding the implementation of 'States' approval of Assistant Ministers' appointments' (P.53/2016).
- 1(275) 11. Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding zero-hour contracts.

# **Oral Questions without notice**

(see Official Report/Hansard)

The Minister for Economic Development, Tourism, Sport and Culture answered questions without notice from members.

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

#### Arrangement of public business at the present meeting

THE STATES noted that the Minister for Treasury and Resources had informed the Greffier, in accordance with Standing Order 30(2), that his propositions entitled 'Future Hospital Funding Strategy' (P.130/2016), as amended, and 'Draft Public Finances (Amendment No. 5) (Jersey) Law 201-' (P.15/2017), would be deferred from the present meeting to 23rd May 2017.

## Statements on a matter of official responsibility

(see Official Report/Hansard)

The Minister for Health and Social Services made a statement regarding advice received from Jersey's Misuse of Drugs Advisory Council.

The Chairman of the Education and Home Affairs Scrutiny Panel made a statement regarding the Panel's report, 'School Starting Age' (S.R.5/2017).

The Chief Minister made a statement regarding 'Jersey Innovation Fund: review of ministerial responsibility following the C&AG Report of January 2017' (R.45/2017).

## Draft The Law Society of Jersey (Amendment No. 4) (Jersey) Law 201- P.136/2016

THE STATES resumed the second reading of the Draft The Law Society of Jersey (Amendment No. 4) (Jersey) Law 201-, following the referral of the Draft Law to the Corporate Services Scrutiny Panel on 14th February 2017, in accordance with Standing Order 72(1), and adopted Articles 1 to 25.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled The Law Society of Jersey (Amendment No. 4) (Jersey) Law 201-.

## States of Jersey Complaints Panel: appointment of members P.20/2017

THE STATES commenced consideration of a proposition of the Privileges and Procedures Committee entitled 'States of Jersey Complaints Panel: appointment of members' (P.20/2017) and, in accordance with Article 5(2) of the Administrative Decisions (Review) (Jersey) Law 1982, appointed the following persons as members of the States of Jersey Complaints Panel, from whom members of Complaints Boards could be drawn, for a period of 5 years –

Mrs. Susan Cuming Mr. Gavin M. Fraser Mr. David Greenwood Dr. Gwyn Llewellin.

## E-Petitions P.14/2017

THE STATES commenced consideration of a proposition of Deputy Scott Michael Wickenden of St. Helier entitled 'E-Petitions' (P.14/2017) and, adopting the proposition, agreed that a system for enabling people to petition the Assembly by electronic means should be introduced and requested the Privileges and Procedures Committee to bring forward specific proposals for an e-petitioning scheme, including any necessary Standing Orders changes, before the end of 2017.

Members present voted as follows –

# **POUR: 47**

CONTRE: 0

ABSTAIN: 0

Senator P.F.C. Ozouf Senator A.J.H. Maclean Senator I.J. Gorst Senator L.J. Farnham Senator P.M. Bailhache Senator A.K.F. Green Senator S.C. Ferguson Connétable of St. Helier 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 Connétable of Grouville Connétable of St. John Connétable of Trinity Deputy J.A. Martin (H) Deputy G.P. Southern (H) Deputy of Grouville Deputy J.A. Hilton (H) Deputy J.A.N. Le Fondré (L) Deputy of Trinity Deputy K.C. Lewis (S) Deputy M. Tadier (B) Deputy E.J. Noel (L) Deputy of St. John Deputy M.R. Higgins (H) Deputy J.M. Maçon (S) Deputy S.J. Pinel (C) Deputy of St. Martin Deputy of St. Peter Deputy R.J. Rondel (H) Deputy S.Y. Mézec (H) Deputy A.D. Lewis (H) Deputy of St. Ouen Deputy L.M.C. Doublet (S) Deputy R. Labey (H) 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)

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

THE STATES commenced consideration of the Draft States of Jersey (Amendment No. 9) Law 201- and adopted the principles.

Members present voted as follows -

Deputy G.P. Southern (H)

POUR: 25	CONTRE: 21	ABSTAIN: 1
Senator P.F. Routier Senator P.F.C. Ozouf	Senator A.J.H. Maclean Senator S.C. Ferguson	Deputy J.A.N. Le Fondré (L)
Senator I.J. Gorst	Connétable of St. Peter	
Senator L.J. Farnham	Connétable of St. Mary	
Senator P.M. Bailhache	Connétable of St. Ouen	
Senator A.K.F. Green	Connétable of St. Martin	
Connétable of St. Helier	Connétable of St. Saviour	
Connétable of St. Clement	Connétable of Grouville	
Connétable of St. Lawrence	Connétable of St. John	
Connétable of St. Brelade	Connétable of Trinity	

Deputy J.A. Martin (H)

- Deputy J.A. Hilton (H) Deputy of Trinity Deputy M. Tadier (B) Deputy E.J. Noel (L) Deputy M.R. Higgins (H) Deputy S.J. Pinel (C) Deputy of St. Martin Deputy of St. Peter Deputy S.Y. Mézec (H) Deputy A.D. Lewis (H) Deputy L.M.C. Doublet (S) Deputy M.J. Norton (B) Deputy G.J. Truscott (B) Deputy P.D. McLinton (S)
- Deputy of Grouville Deputy K.C. Lewis (S) Deputy of St. John Deputy J.M. Maçon (S) Deputy of St. Ouen Deputy R. Labey (H) Deputy S.M. Wickenden (H) Deputy S.M. Bree (C) Deputy T.A. McDonald (S) Deputy of St. Mary

THE STATES was informed by the Chairman of the Corporate Services Scrutiny Panel that, in accordance with the provisions of Standing Order 72(1), his Panel wished to scrutinise the draft legislation.

## Arrangement of public business for future meetings

THE STATES commenced consideration of a proposition of Deputy John Alexander Nicholas Le Fondré of St. Lawrence, Chairman of the Corporate Services Scrutiny Panel, that the second reading of the Draft States of Jersey (Amendment No. 9) Law 201- should be deferred until the meeting on 4th July 2017 and, adopting an amendment of Deputy Andrew David Lewis of St. Helier, agreed that the continuation of the second reading of the draft Law should be deferred until 6th June 2017.

Members present voted as follows -

## **POUR: 33**

Senator P.F. Routier Senator P.F.C. Ozouf 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. Mary Connétable of St. Ouen Connétable of St. Brelade Connétable of St. Martin Connétable of St. Saviour Connétable of Grouville Connétable of Trinity Deputy of Grouville Deputy J.A. Hilton (H) Deputy of Trinity Deputy M. Tadier (B) Deputy E.J. Noel (L) Deputy M.R. Higgins (H) Deputy S.J. Pinel (C) Deputy of St. Martin Deputy of St. Peter

**CONTRE: 9** 

**ABSTAIN: 0** 

Senator S.C. Ferguson Connétable of St. Lawrence Connétable of St. John Deputy J.A. Martin (H) Deputy J.A.N. Le Fondré (L) Deputy J.M. Maçon (S) Deputy R. Labey (H) Deputy S.M. Bree (C) Deputy T.A. McDonald (S) 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) –

# 23rd May 2017

Future Hospital Funding Strategy (as amended). Lodged: 30th November 2016.	P.130/2016. (re-issue (2))
Minister for Treasury and Resources.	(10 15500 (2))
Future Hospital Funding Strategy (P.130/2016): second amendment. Lodged: 4th April 2017. <i>Minister for Treasury and Resources.</i>	P.130/2016. Amd.(2).
Future Hospital Funding Strategy (P.130/2016): second amendment (P.130/2016 Amd.(2)) – amendment. Lodged: 25th April 2017. <i>Minister for Treasury and Resources</i> .	P.130/2016. Amd.(2). Amd.
Future Hospital Funding Strategy (P.130/2016): third amendment. Lodged: 4th April 2017. <i>Corporate Services Scrutiny Panel.</i>	P.130/2016. Amd.(3)
Future Hospital Funding Strategy (P.130/2016): third amendment (P.130/2016 Amd.(3)) – addendum. Presented: 13th April 2017. <i>Corporate Services Scrutiny Panel.</i>	P.130/2016. Amd.(3). Add.
Future Hospital Funding Strategy (P.130/2016) (as amended): third amendment (P.130/2016 Amd.(3)) – second addendum. Presented: 2nd May 2017. <i>Corporate Services Scrutiny Panel</i> .	P.130/2016. Amd.(3). Add.(2).
Future Hospital Funding Strategy (P.130/2016): third amendment (P.130/2016 Amd.(3)) – comments. Presented: 13th April 2017. <i>Minister for Treasury and Resources</i> .	P.130/2016 Amd.(3). Com.
Future Hospital Funding Strategy (P.130/2016): fourth amendment. Lodged: 2nd May 2017. <i>Minister for Treasury and Resources.</i>	P.130/2016. Amd.(4).
Parish Rates: payment by the States of Jersey. Lodged: 21st February 2017. <i>Connétable of St. Helier</i> .	P.12/2017.

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Draft Public Finances (Amendment No. 5) (Jersey) Law 201 Lodged: 7th March 2017. <i>Minister for Treasury and Resources</i> .	P.15/2017.
Draft Public Finances (Amendment No. 5) (Jersey) Law 201- (P.15/2017): amendment. Lodged: 18th April 2017. <i>Minister for Treasury and Resources</i> .	P.15/2017. Amd.
Jersey Sport: establishment. Lodged: 31st March 2017. Minister for Economic Development, Tourism, Sport and Culture.	P.21/2017.
Standing Orders: Answers to Questions. Lodged: 10th April 2017. Deputy G.P. Southern of St. Helier.	P.25/2017.
Immigration (Amendment) (Jersey) Order 2017: extension to Jersey by Order in Council. Lodged: 11th April 2017. <i>Chief Minister</i> .	P.26/2017.
Jersey Employment and Discrimination Tribunal: appointment of Chairman and members. Lodged: 18th April 2017. <i>Minister for Social Security</i> .	P.28/2017.
Regulation of care workers' employment standards. Lodged: 20th April 2017. Deputy G.P. Southern of St. Helier.	P.29/2017.
<u>6th June 2017</u>	
Draft States of Jersey (Amendment No. 9) Law 201 Lodged: 14th March 2017. <i>Privileges and Procedures Committee</i> .	P.18/2017.
Draft States of Jersey (Amendment No. 9) Law 201- (P.18/2017) – amendment. Lodged: 18th April 2017. Deputy A.D. Lewis of St. Helier.	P.18/2017. Amd.
Draft States of Jersey (Amendment No. 9) Law 201- (P.18/2017) – second amendment. Lodged: 19th April 2017. Deputy A.D. Lewis of St. Helier.	P.18/2017. Amd.(2)
Draft States of Jersey (Amendment No. 9) Law 201- (P.18/2017) – amendment and second amendment (P.18/2017 Amd. and Amd.(2)) – addendum. Presented: 2nd May 2017. <i>Deputy A.D. Lewis of St. Helier.</i>	P.18/2017. Amd. and Amd.(2). Add.
La Collette Low Rise Development: protection of existing amenity space and trees – direction to Andium Homes Ltd. Lodged: 31st March 2017. <i>Connétable of St. Helier</i> .	P.22/2017.

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Draft Income Support (Amendment No. 15) (Jersey) Regulations 201 Lodged: 3rd April 2017. <i>Minister for Social Security</i> .	P.23/2017. (re-issue)
Chief Minister: term limit. Lodged: 6th April 2017. Senator S.C. Ferguson.	P.24/2017.
Channel Islands Lottery: allocation of proceeds from 2016. Lodged: 18th April 2017. Minister for Economic Development, Tourism, Sport and Culture.	P.27/2017.
Draft States of Jersey Police Force (Amendment No. 2) Law 201 Lodged: 21st April 2017. <i>Minister for Home Affairs</i> .	P.30/2017.
Draft EU Legislation (Information Accompanying Transfers of Funds) (Jersey) Regulations 201 Lodged: 25th April 2017. <i>Chief Minister</i> .	P.31/2017.
<u>20th June 2017</u>	
Millennium Town Park: additional open space and public parking. Lodged: 22nd November 2016. <i>Connétable of St. Helier.</i>	P.123/2016.

THE STATES rose at 5.51 p.m.

L.-M. HART

Deputy Greffier of the States