



**THE STATES assembled on Monday
9th April 2018, at 9.30 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 Sir Philip Martin Bailhache – en défaut (défaut raised at 10.07 a.m.)
Connétable Christopher Hugh Taylor of St. John – en défaut (défaut raised at 9.40 a.m.)
Deputy Stephen George Luce of St. Martin – excused attendance
Deputy Richard John Rondel of St. Helier – excused attendance (arrived in the Chamber at 3.36 p.m.)
Deputy Andrew David Lewis of St. Helier – en défaut
Deputy Murray Julian Norton of St. Brelade – excused attendance

Prayers

Tribute to the late Mr. Graham Thorne, former member of the States

The Bailiff paid tribute to the late Mr. Graham Douglas Thorne, former Deputy of St. Brelade.

The States observed one minute's silence as a mark of respect.

Subordinate enactments tabled

The following enactments were tabled, namely –

Road Works (Specified Road Works) (Jersey) Order 2018. <i>Minister for Infrastructure.</i>	R&O.24/2018.
EU Legislation (Sanctions – North Korea) (Amendment No. 2) (Jersey) Order 2018. <i>Minister for External Relations.</i>	R&O.34/2018.
EU Legislation (Sanctions – Central African Republic) (Amendment No. 4) (Jersey) Order 2018. <i>Minister for External Relations.</i>	R&O.35/2018.
Road Traffic (Public Parking Places – Charges) (Amendment No. 2) (Jersey) Order 2018. <i>Minister for Infrastructure.</i>	R&O.37/2018.
Motor Traffic (Taxi-Cabs – General) (Amendment No. 2) (Jersey) Order 2018. <i>Minister for Infrastructure.</i>	R&O.38/2018.
Road Traffic (Public Parking Places) (Amendment No. 13) (Jersey) Order 2018. <i>Minister for Infrastructure.</i>	R&O.39/2018.

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Road Traffic (Speed Limits) (Amendment No. 10) (Jersey) Order 2018. <i>Minister for Infrastructure.</i>	R&O.40/2018.
Petty Debts Court Rules 2018. <i>Superior Number of the Royal Court.</i>	R&O.41/2018.
Royal Court (Amendment No. 22) Rules 2018. <i>Superior Number of the Royal Court.</i>	R&O.42/2018.
Documents presented	
Future Hospital: Review of proposed site location and costs (P.37/2018) – comments. Presented: 6th April 2018. <i>Council of Ministers.</i>	P.37/2018. Com.
Draft Armed Forces (Vehicles and Roads – Amendments) (Jersey) Regulations 201- (P.40/2018): comments. Presented: 5th April 2018. <i>Education and Home Affairs Scrutiny Panel.</i>	P.40/2018. Com.
Draft Mental Health legislation (P.42/2018, P.43/2018, P.44/2018, P.45/2018, P.46/2018, P.47/2018, P.48/2018): comments. Presented: 6th April 2018. <i>Health and Social Security Scrutiny Panel.</i>	P.42/2018 through to P.48/2018. Com.
Retail tax: rescindment of States’ decision (P.62/2018) – comments. Presented: 6th April 2018. <i>Council of Ministers.</i>	P.62/2018. Com.
La Route de St. Aubin: installation of Pedestrian Crossings and reduction of speed limit (P.68/2018) – comments. Presented: 6th April 2018. <i>Minister for Infrastructure.</i>	P.68/2018. Com.
Election observers. Presented: 26th March 2018. <i>Privileges and Procedures Committee.</i>	R.33/2018.
Public Lotteries: report for 2017. Presented: 27th March 2018. <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	R.34/2018.
Jersey Electricity: Report and Accounts 2016 – Investment to Power a Sustainable Future. Presented: 27th March 2018. <i>Minister for Treasury and Resources.</i>	R.35/2018.
Jersey Electricity: Report and Accounts 2017 – Powering a Clean Low Carbon Future. Presented: 27th March 2018. <i>Minister for Treasury and Resources.</i>	R.36/2018.
Accounting Standards to be adopted for the States of Jersey’s Annual Financial Statements 2017. Presented: 28th March 2018. <i>Minister for Treasury and Resources.</i>	R.37/2018.

Data Protection Authority: appointment of Chairman. Presented: 28th March 2018. <i>Chief Minister.</i>	R.38/2018.
Jersey Employment and Discrimination Tribunal: Annual Report 2017. Presented: 28th March 2018. <i>Minister for Social Security.</i>	R.39/2018.
Jersey Advisory and Conciliation Service: Board Members' Report and Financial Statements for the year ended 31st December 2017. Presented: 28th March 2018. <i>Minister for Social Security.</i>	R.40/2018.
Land Transactions under Standing Order 168(3) – Commercial Vehicle Site, La Collette, St. Helier – proposed 9-year lease. Presented: 4th April 2018. <i>Minister for Infrastructure.</i>	R.41/2018.
Control of Housing and Work (Jersey) Law 2012: Residential and Employment Status – Policy Guidance – March 2018. Presented: 5th April 2018. <i>Chief Minister.</i>	R.42/2018.
Commissioner for Standards: Investigation of Complaint of breaches of the Code of Conduct for Elected Members by Senator A.K.F. Green, M.B.E. and Deputy E.J. Noel of St. Lawrence. Presented: 6th April 2018. <i>Privileges and Procedures Committee.</i>	R.43/2018.
Commissioner for Standards: Investigation of Complaint of breach of the Code of Conduct for Elected Members by Deputy R.G. Bryans of St. Helier. Presented: 6th April 2018. <i>Privileges and Procedures Committee.</i>	R.44/2018.
States of Jersey Complaints Board: findings – complaint by Mr. X against the Minister for Education and the States Employment Board regarding the way in which a referral to the Disclosure and Barring Service was handled, following his dismissal from the Youth Service. Presented: 9th April 2018. <i>Privileges and Procedures Committee.</i>	R.45/2018.
Organ Donation Review. Presented: 27th March 2018. <i>Health and Social Security Scrutiny Panel.</i>	S.R.3/2018.
The Long-Term Care Scheme. Presented: 28th March 2018. <i>Health and Social Security Scrutiny Panel.</i>	S.R.4/2018.
Tertiary Education: Student Finance Proposals. Presented: 29th March 2018. <i>Education and Home Affairs Scrutiny Panel.</i>	S.R.5/2018.
Future Hospital Project Follow-up Report. Presented: 9th April 2018. <i>Chairmen's Committee.</i>	S.R.6/2018.

Migration Policy. S.R.7/2018.
 Presented: 9th April 2018.
Corporate Services Scrutiny Panel.

Notification of lodged propositions

Higher Education funding proposal (P.33/2018): amendment. P.33/2018.
 Lodged: 9th April 2018. Amd.
Senator P.F.C. Ozouf.

Draft Human Transplantation and Anatomy (Jersey) Law 201- (P.57/2018): P.57/2018.
 amendment. Amd.
 Lodged: 27th March 2018.
Minister for Health and Social Services.

Pedestrian Crossing outside La Moye School: petition (P.61/2018): amendment. P.61/2018.
 Lodged: 29th March 2018. Amd.
Minister for Infrastructure.

States Members' duties. P.71/2018.
 Lodged: 29th March 2018.
Privileges and Procedures Committee.

States of Jersey Development Company Limited: re-appointment of Non-Executive P.72/2018.
 Directors.
 Lodged: 4th April 2018.
Minister for Treasury and Resources.

Draft Income Support (Amendment No. 18) (Jersey) Regulations 201-. P.73/2018.
 Lodged: 9th April 2018.
Minister for Social Security.

Draft Financial Services Commission (Amendment No. 7) (Jersey) Law 201-. P.74/2018.
 Lodged: 9th April 2018.
Chief Minister.

Draft Proceeds of Crime (Amendment No. 3) (Jersey) Law 201-. P.75/2018.
 Lodged: 9th April 2018.
Chief Minister.

Withdrawal of lodged propositions

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

Draft Financial Services Commission (Amendment No. 7) (Jersey) Law 201-. P.63/2018.
 Lodged: 13th March 2018.
Chief Minister.

Draft Proceeds of Crime (Amendment No. 3) (Jersey) Law 201-. P.64/2018.
 Lodged: 13th March 2018.
Chief Minister.

Written Questions*(see Official Report/Hansard)*

- WQ.69/2018** 1. The Minister for Education tabled an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the Nursery Education Fund.
- WQ.70/2018** 2. The Minister for Infrastructure tabled an answer to a question asked by the Connétable of St. Helier regarding the letting of Warwick Farm.
- WQ.71/2018** 3. The Minister for External Relations tabled an answer to a question asked by Deputy L.M.C. Doublet of St. Saviour regarding the Convention on the Elimination of Discrimination Against Women.
- WQ.72/2018** 4. The Chairman of the States Employment Board tabled an answer to a question asked by Deputy L.M.C. Doublet of St. Saviour regarding public sector pay for men and women.
- WQ.73/2018** 5. The Minister for Education tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the education of carers in the Island who are children.
- WQ.74/2018** 6. The Minister for Health and Social Services tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the number and type of carers in the Island.
- WQ.75/2018** 7. The Minister for Health and Social Services tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding policy in respect of primary care.
- WQ.76/2018** 8. H.M. Attorney General tabled an answer to a question asked by Senator P.F.C. Ozouf regarding the appropriateness of introducing a 'Magnitsky Act' in Jersey.
- WQ.77/2018** 9. The Minister for Treasury and Resources tabled an answer to a question asked by Senator P.F.C. Ozouf regarding the funding of the new hospital project.
- WQ.78/2018** 10. The Minister for Treasury and Resources tabled an answer to a question asked by Senator P.F.C. Ozouf regarding estimated Income Tax receipts for 2017.
- WQ.79/2018** 11. The Minister for Treasury and Resources tabled an answer to a question asked by Senator P.F.C. Ozouf regarding the taxation of mutual organisations.

The Bailiff, in accordance with Standing Order 12(4)(b), ruled that the answer tabled to the question asked by Senator Philip Francis Cyril Ozouf (WQ.78/2018) contravened Standing Order 12(2A) and directed the Minister for Treasury and Resources to submit an answer that did not contravene the Standing Order.

Oral Questions*(see Official Report/Hansard)*

- OQ.59/2018** 1. Senator S.C. Ferguson asked a question of the Minister for Treasury and Resources regarding the prospect of lending artwork stored in the basement of Cyril Le Marquand House to Jersey Heritage.
- OQ.63/2018** 2. Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Economic Development, Tourism, Sport and Culture regarding grants to small businesses in order that they might comply with the Discrimination (Disability) Regulations.

- OQ.61/2018** 3. Deputy G.P. Southern of St. Helier asked a question of the Minister for Education regarding the Jersey Early Learning Literacy Years (J.E.L.L.Y.) club programme for under-threes.
- OQ.64/2018** 4. Senator P.F.C. Ozouf asked a question of the Chief Minister regarding the independent assessment of the Jersey Competition Regulatory Authority.
- OQ.65/2018** 5. Senator P.F.C. Ozouf asked a question of the Minister for Economic Development, Tourism, Sport and Culture regarding the administration by Locate Jersey of applications for high-value residency from so-called Russian ‘oligarchs’.
- OQ.60/2018** 6. Senator S.C. Ferguson asked a question of the Assistant Chief Minister regarding the information about individuals to be contained in the Yoti app.
- OQ.62/2018** 7. Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the impact of increasing the length of time someone should pay contributions to become entitled to parental benefits.

Oral Questions without notice

(see Official Report/Hansard)

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

The Minister for Home Affairs answered questions without notice from members.

Statements on a matter of official responsibility

(see Official Report/Hansard)

The Chairman of the Health and Social Security Scrutiny Panel made a statement regarding the Panel’s report, ‘The Long-Term Care Scheme’ (S.R.4/2018).

The Chief Minister made a statement regarding the implementation of ‘United Nations Convention on the Rights of the Child: Compliance of Draft Laws and Training of States of Jersey Employees’ (P.63/2017).

Arrangement of public business for the present meeting

THE STATES, adopting the proposition of Senator Philip Francis Cyril Ozouf, agreed in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of the amendment of Senator Philip Francis Cyril Ozouf (P.33/2018 Amd.) to the proposition of the Council of Ministers entitled ‘Higher Education funding proposal’ (P.33/2018) in order that it might be debated at the present meeting.

Members present voted as follows –

POUR: 27

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator S.C. Ferguson
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Ouen

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Senator A.J.H. Maclean
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)

ABSTAIN: 0

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

Higher Education funding proposal P.33/2018

THE STATES commenced consideration of a proposition of the Council of Ministers entitled ‘Higher Education funding proposal’ (P.33/2018) and, adopting an amendment of Senator Philip Francis Cyril Ozouf (P.33/2018 Amd.), agreed that –

In paragraph (a), for the words “a new” there should be substituted the words “an interim” and, after the words “accompanying this proposition”, there should be inserted the words “, for any students either currently in higher education or commencing higher education in the next 3 academic years with the Scheme to run for the duration of their studies”;

In paragraph (c), after the words “accompanying this proposition” there should be inserted the words “, subject to paragraph (a)”;

In paragraph (c) the full stop should be substituted by the words “; and” and, after paragraph (c), there should be inserted new paragraph (d) –

“(d) that the Council of Ministers should review the interim Scheme and bring forward proposals for a permanent scheme as part of the next Medium Term Financial Plan, having regard to the recommendations contained in the Scrutiny Report ‘Tertiary Education: Student Finance Proposals’ (S.R.5/2018) and any new policy proposals announced in the United Kingdom.”.

Members present voted as follows –

POUR: 33

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Senator S.C. Ferguson
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Ouen

CONTRE: 12

Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Connétable of St. Peter
 Connétable of Grouville
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy M. Tadier (B)
 Deputy R.G. Bryans (H)

ABSTAIN: 0

Connétable of St. Brelade	Deputy S.Y. Mézec (H)
Connétable of St. Martin	Deputy S.M. Bree (C)
Connétable of St. Saviour	
Connétable of St. John	
Connétable of Trinity	
Deputy of Grouville	
Deputy J.A. Hilton (H)	
Deputy of Trinity	
Deputy K.C. Lewis (S)	
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. Peter	
Deputy of St. Ouen	
Deputy L.M.C. Doublet (S)	
Deputy R. Labey (H)	
Deputy S.M. Wickenden (H)	
Deputy T.A. McDonald (S)	
Deputy of St. Mary	
Deputy G.J. Truscott (B)	
Deputy P.D. McLinton (S)	

THE STATES, having resumed consideration of the proposition of the Council of Ministers, as amended, adopted the proposition and agreed –

- (a) the introduction of an interim Higher Education Student Grant Scheme, as set out in the report accompanying the proposition, for any students either currently in higher education or commencing higher education in the next 3 academic years with the Scheme to run for the duration of their studies;
- (b) the removal of the Higher Child Allowance from the year of tax assessment 2019;
- (c) the transitional arrangements as set out in the report accompanying the proposition, subject to paragraph (a); and
- (d) that the Council of Ministers should review the interim Scheme and bring forward proposals for a permanent scheme as part of the next Medium Term Financial Plan, having regard to the recommendations contained in the Scrutiny Report ‘Tertiary Education: Student Finance Proposals’ (S.R.5/2018) and any new policy proposals announced in the United Kingdom.

Members present voted as follows –

POUR: 45

CONTRE: 0

ABSTAIN: 0

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
 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 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 R.G. Bryans (H)
Deputy of St. Peter
Deputy R.J. Rondel (H)
Deputy S.Y. Mézec (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 T.A. McDonald (S)
Deputy of St. Mary
Deputy G.J. Truscott (B)
Deputy P.D. McLinton (S)

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(b), the Connétable of St. Helier declared an interest, but remained in the Chamber for the duration of the debate on the proposition of the Council of Ministers entitled ‘Higher Education funding proposal’ (P.33/2018).

Changes in Presidency

The Bailiff retired from the Chair during consideration of the proposition of the Council of Ministers entitled ‘Higher Education funding proposal (P.33/2018) and the meeting resumed following the lunch adjournment under the Presidency of the Deputy Bailiff.

Future Hospital: Review of proposed site location and costs P.37/2018

THE STATES commenced consideration of a proposition of the Connétable of St. John entitled ‘Future Hospital: Review of proposed site location and costs’ (P.37/2018).

THE STATES acceded to a request of the Connétable of St. John, in accordance with Standing Order 69(4) that paragraph (b) of his proposition be withdrawn.

THE STATES, adopting a proposition of Senator Philip Francis Cyril Ozouf, agreed, in accordance with the provisions of Standing Order 84, that the debate on the proposition of the Connétable of St. John be put to the vote.

Members present voted as follows –

POUR: 26

Senator P.F.C. Ozouf
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Connétable of St. Peter
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Saviour
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)
 Deputy S.Y. Mézec (H)
 Deputy of St. Ouen
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy S.M. Bree (C)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy P.D. McLinton (S)

CONTRE: 16

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator S.C. Ferguson
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Martin
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy J.A.N. Le Fondré (L)
 Deputy K.C. Lewis (S)
 Deputy of St. John
 Deputy M.R. Higgins (H)
 Deputy T.A. McDonald (S)

ABSTAIN: 0

THE STATES, having resumed consideration of the proposition of the Connétable of St. John, rejected the proposition to note the recommendation of an independent planning inspector that the planning application for the new General Hospital should be refused, and the Minister for the Environment's subsequent decision to refuse that application, and to refer to their Act dated 1st December 2016, which approved in principle the site location for the new General Hospital, and to their Act dated 13th December 2017, which approved the Preferred Scheme contained within the Future Hospital Outline Business Case, and –

- (a) to request the Chief Minister, in consultation with the Minister for the Environment and the Minister for Treasury and Resources, to appoint an independent team of advisers, including a Planning Inspector, to –
 - (i) conduct a review of the proposed site location for the new General Hospital in the light of the decision to refuse planning permission, including identifying any additional information now required for this purpose;
 - (ii) report by 1st September 2018 on the suitability of the proposed site location, given the new circumstances which have arisen because of the refusal of planning permission, in comparison to –
 - (A) a site on the Waterfront, including the Esplanade;

- (B) St. Saviour's Hospital;
 - (C) the Overdale Hospital site;
 - (D) land at Warwick Farm; and
 - (E) any other sites considered by the independent team to be suitable; and
- (iii) report by 1st September 2018 on the estimated cost and timescale for the development of a new General Hospital on each site set out in paragraph (a)(ii); and
- (b) to request the Minister for Treasury and Resources to present a report to the States detailing the costs so far incurred by the Future Hospital project and any contracts currently signed.

Members present voted as follows –

POUR: 19

Senator P.M. Bailhache
 Senator S.C. Ferguson
 Connétable of St. Saviour
 Connétable of St. John
 Connétable of Trinity
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy J.A.N. Le Fondré (L)
 Deputy K.C. Lewis (S)
 Deputy of St. John
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.Y. Mézec (H)
 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)

CONTRE: 25

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator A.K.F. Green
 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 Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy S.J. Pinel (C)
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy P.D. McLinton (S)

ABSTAIN: 0

Immigration (Biometric Registration) (Jersey) Order 2018: extension to Jersey by Order in Council P.41/2018

THE STATES, adopting a proposition of the Chief Minister, signified, pursuant to Article 31 of the States of Jersey Law 2005, that they agreed that a request be made to Her Majesty in Council for the making of an Order in Council that would extend to Jersey, with appropriate modifications –

- (a) sections 5 to 15, and 61, of the UK Borders Act 2007; and
- (b) sections 9, 12(4), 13, 14, 77 of, and Schedule 2 to, the Immigration Act 2014,

as summarised in the Chief Minister's Report attached to the Proposition.

Members present voted as follows –

POUR: 32

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator S.C. Ferguson
 Connétable of St. Helier
 Connétable of St. Clement
 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 of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy K.C. Lewis (S)
 Deputy of St. John
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)
 Deputy S.Y. Mézec (H)
 Deputy of St. Ouen
 Deputy S.M. Bree (C)
 Deputy T.A. McDonald (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)

Income Support Medical Appeal Tribunal: appointment of member P.52/2018

THE STATES, adopting a proposition of the Minister for Social Security, appointed, in accordance with Article 9 of the Income Support (Jersey) Law 2007, and further to a process overseen by the Jersey Appointments Commission, Dr. Benjamin John Griffiths, Medical Practitioner, as a member of the Income Support Medical Appeal Tribunal for a term of 5 years.

Members present voted as follows –

POUR: 34

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 Senator P.F.C. Ozouf
 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. 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 of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy K.C. Lewis (S)
 Deputy of St. John
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)
 Deputy S.Y. Mézec (H)
 Deputy of St. Ouen
 Deputy S.M. Bree (C)
 Deputy T.A. McDonald (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)

Social Security Medical Appeal Tribunal: appointment of member P.53/2018

THE STATES, adopting a proposition of the Minister for Social Security, appointed, in accordance with Article 34 of the Social Security (Jersey) Law 1974, and further to a process overseen by the Jersey Appointments Commission, Dr. Benjamin John Griffiths, Medical Practitioner, as a member of the Social Security Medical Appeal Tribunal for a term of 5 years.

Members present voted as follows –

POUR: 35

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 Senator P.F.C. Ozouf
 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 of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy K.C. Lewis (S)
 Deputy of St. John
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)
 Deputy S.Y. Mézec (H)
 Deputy of St. Ouen
 Deputy S.M. Bree (C)
 Deputy T.A. McDonald (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)

Draft Capacity and Self-Determination (Amendment) (Jersey) Law 201- P.42/2018

THE STATES commenced consideration of the Draft Capacity and Self-Determination (Amendment) (Jersey) Law 201- and adopted the principles.

Members present voted as follows –

POUR: 32

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 Senator P.F.C. Ozouf
 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. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Connétable of Trinity
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 Deputy J.M. Maçon (S)

Deputy S.J. Pinel (C)
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy S.Y. Mézec (H)
 Deputy of St. Ouen
 Deputy S.M. Bree (C)
 Deputy T.A. McDonald (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)

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 and 2.

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

Draft Capacity and Self-Determination (Capacity and Liberty – Assessors) (Jersey) Regulations 201-P.43/2018

THE STATES commenced consideration of the Draft Capacity and Self-Determination (Capacity and Liberty – Assessors) (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.

Members present voted as follows –

POUR: 34

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 Senator P.F.C. Ozouf
 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. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Connétable of Trinity
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy R.G. Bryans (H)

Deputy of St. Peter
 Deputy S.Y. Mézec (H)
 Deputy of St. Ouen
 Deputy S.M. Wickenden (H)
 Deputy S.M. Bree (C)
 Deputy T.A. McDonald (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)

THE STATES, in pursuance of Articles 40(3), 44(8) and 69 of the Capacity and Self-Determination (Jersey) Law 2016, made Regulations entitled the Capacity and Self-Determination (Capacity and Liberty – Assessors) (Jersey) Regulations 2018.

Draft Capacity and Self-Determination (Independent Capacity Advocates) (Jersey) Regulations 201-P.44/2018

THE STATES commenced consideration of the Draft Capacity and Self-Determination (Independent Capacity Advocates) (Jersey) Regulations 201- and adopted the principles.

Members present voted as follows –

POUR: 36

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 Senator P.F.C. Ozouf
 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. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Connétable of Trinity
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 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 R.G. Bryans (H)
 Deputy of St. Peter
 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 T.A. McDonald (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)

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 10.

THE STATES, in pursuance of Articles 40(3), 44(8) and 69 of the Capacity and Self-Determination (Jersey) Law 2016, made Regulations entitled the Capacity and Self-Determination (Independent Capacity Advocates) (Jersey) Regulations 2018.

Draft Capacity and Self-Determination (Supervision of Delegates etc.) (Jersey) Regulations 201-P.45/2018

THE STATES commenced consideration of the Draft Capacity and Self-Determination (Supervision of Delegates etc.) (Jersey) Regulations 201- and adopted the principles.

Members present voted as follows –

POUR: 37

CONTRE: 0

ABSTAIN: 0

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
 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. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Connétable of Trinity
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 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 R.G. Bryans (H)
 Deputy of St. Peter
 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 T.A. McDonald (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)

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 23.

THE STATES, in pursuance of Articles 33, 36, and 69 of the Capacity and Self-Determination (Jersey) Law 2016, made Regulations entitled the Capacity and Self-Determination (Supervision of Delegates etc.) (Jersey) Regulations 2018.

Draft Mental Health (Guardianship) (Jersey) Regulations 201- P.46/2018

THE STATES commenced consideration of the Draft Mental Health (Guardianship) (Jersey) Regulations 201- and adopted the principles.

Members present voted as follows –

POUR: 39

CONTRE: 0

ABSTAIN: 0

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
 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. 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. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 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 R.G. Bryans (H)
 Deputy of St. Peter
 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 T.A. McDonald (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)

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.

THE STATES, in pursuance of Articles 30, 32 and 94 of the Mental Health (Jersey) Law 2016, made Regulations entitled the Mental Health (Guardianship) (Jersey) Regulations 2018.

Draft Mental Health (Independent Mental Health Advocates) (Jersey) Regulations 201- P.47/2018

THE STATES commenced consideration of the Draft Mental Health (Independent Mental Health Advocates) (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 12.

THE STATES, in pursuance of Articles 79 and 94 of the Mental Health (Jersey) Law 2016, made Regulations entitled the Mental Health (Independent Mental Health Advocates) (Jersey) Regulations 2018.

Members present voted as follows –

POUR: 37

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 Senator P.F.C. Ozouf
 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. Mary
 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. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 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 R.G. Bryans (H)

Deputy of St. Peter
 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 T.A. McDonald (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)

Draft Mental Health and Capacity (Consequential Amendment and Transitional Provision) (Jersey) Regulations 201- P.48/2018

THE STATES commenced consideration of the Draft Mental Health and Capacity (Consequential Amendment and Transitional Provision) (Jersey) Regulations 201- and adopted the principles.

Members present voted as follows –

POUR: 39

CONTRE: 0

ABSTAIN: 0

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
 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. 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. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 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 R.G. Bryans (H)
 Deputy of St. Peter
 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 T.A. McDonald (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)

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 66.

THE STATES, in pursuance of Article 94 of the Mental Health (Jersey) Law 2016 and Article 69 of the Capacity and Self-Determination (Jersey) Law 2016, made Regulations entitled the Mental Health and Capacity (Consequential Amendment and Transitional Provision) (Jersey) Regulations 2018.

Arrangement of public business for the present meeting

THE STATES, adopting a proposition of Senator Andrew Kenneth Francis Green, M.B.E., agreed that it would consider the Draft Capacity and Self-Determination (Jersey) Law 2016 (Appointed Day) Act 201- and the Draft Mental Health (Jersey) Law 2016 (Appointed Day) Act 201- as the next items of public business.

Draft Capacity and Self-Determination (Jersey) Law 2016 (Appointed Day) Act 201- P.65/2018

THE STATES, in pursuance of Article 73 of the Capacity and Self-Determination (Jersey) Law 2016, made an Act entitled the Capacity and Self-Determination (Jersey) Law 2016 (Appointed Day) Act 2018.

Members present voted as follows –

POUR: 39

CONTRE: 0

ABSTAIN: 0

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
 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. 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. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 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 R.G. Bryans (H)
 Deputy of St. Peter
 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 T.A. McDonald (S)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)

Draft Mental Health (Jersey) Law 2016 (Appointed Day) Act 201- P.66/2018

THE STATES, in pursuance of Article 98 of the Mental Health (Jersey) Law 2016, made an Act entitled the Draft Mental Health (Jersey) Law 2016 (Appointed Day) Act 2018.

Members present voted as follows –

POUR: 38

CONTRE: 0

ABSTAIN: 0

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
 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. Martin
 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 K.C. Lewis (S)
 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 R.G. Bryans (H)
 Deputy of St. Peter
 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 T.A. McDonald (S)
Deputy of St. Mary
Deputy G.J. Truscott (B)

Arrangement of public business for the present meeting

THE STATES, adopting a proposition of Senator Philip Francis Cyril Ozouf, agreed to consider the proposition of the Minister for Economic Development, Tourism, Sport and Culture entitled 'Jersey Consumer Council: appointment of Chairman' (P.67/2018) as the first item of public business on 10th April 2018.

THE STATES, adopting the proposition of Deputy Michael Roderick Higgins of St. Helier, agreed in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of the proposition of Deputy Michael Roderick Higgins of St. Helier entitled 'La Route de St. Aubin: installation of Pedestrian Crossings and reduction of speed limit' (P.68/2018), in order that it might be debated at the present meeting.

THE STATES noted that the Chief Minister had informed the Greffier, in accordance with Standing Order 30(2), that the Draft International Co-operation (Protection from Liability) (Jersey) Law 201- would be deferred from the present meeting to 26th June 2018.

Adjournment

THE STATES adjourned, having agreed to reconvene on Tuesday 10th April 2018 to continue consideration of the outstanding items of public business.

THE STATES rose at 8.11 p.m.

L.-M. HART

Deputy Greffier of the States