

STATES OF JERSEY

OFFICIAL REPORT

WEDNESDAY, 4th NOVEMBER 2020

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[9:32]

The Roll was called and the Dean led the Assembly in Prayer.

PUBLIC BUSINESS – resumption

1. Draft Statistics and Census (Amendment of Law) (Jersey) Regulations 202- (P.115/2020)

The Bailiff:

We now resume Public Business. The next item is the Draft Statistics and Census (Amendment of Law) (Jersey) Regulations P.115, lodged by the Chief Minister. The main respondent for the purposes of this debate will be the chair of the Corporate Services Scrutiny Panel and I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Statistics and Census (Amendment of Law) (Jersey) Regulations. The States make these Regulations under Article 8(8) of the Statistics and Census (Jersey) Law 2018.

Senator J.A.N. Le Fondré:

Deputy Wickenden is acting a *rapporteur* on this proposition and the next one, the Appointed Day Act.

The Bailiff:

Deputy Wickenden is marked *excuse* I am afraid, Chief Minister. That is back to you.

1.1 Senator J.A.N. Le Fondré (The Chief Minister):

The proposition P.115, which is the Census Regulations. As Members are hopefully aware, the chief statistician has directed that we put a census in place for 2021. After various pieces of work that are outlined in the report, they have determined that there are 2 areas that need to be added to the Census Law. Essentially they are very straightforward. The areas or topics that need to be added are the person's general state of health and whether the person has a physical or mental disability or chronic illness. There are also 2 voluntary questions that are being added included in the census but because they are voluntary they are not formally added to the census schedule. That is broadly speaking it. It is a very simple proposition and all I can do is commend it to the Assembly.

The Bailiff:

Is the proposition seconded? [**Seconded**] Does any Member wish to speak on the proposition?

1.1.1 Senator K.L. Moore:

Simply to add that the Corporate Services Scrutiny Panel have considered this proposition and are in agreement with the Chief Minister.

The Bailiff:

Does any other Member wish to speak on the proposition? If no other Member wishes to speak, I close the debate, such that it is, and call on the Chief Minister to respond.

1.1.2 Senator J.A.N. Le Fondré:

I thank Senator Moore for her comments and I maintain the principles.

The Bailiff:

The principles are therefore adopted. Yes, we probably need to vote, do we not? It has already been a long week and I apologise. Very well, could the Greffier please put the voting link in the chat? It is there. I open the voting and ask Members to cast their votes in the normal way. If Members have

had the opportunity of casting their votes, I ask the Greffier to close the voting. The principles have been adopted:

POUR: 46		CONTRE: 0		ABSTAIN: 0
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator S.C. Ferguson				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Bailiff:

Does the Corporate Services Scrutiny Panel wish to call this matter in, Senator?

Senator K.L. Moore (Chair, Corporate Services Scrutiny Panel):

No, thank you.

The Bailiff:

Do you deal with the matter now in Second Reading, Chief Minister?

1.2 Senator J.A.N. Le Fondré:

Yes. Can I take the Articles *en bloc*?

The Bailiff:

Are the Articles seconded *en bloc*? **[Seconded]** Does any Member wish to speak on the Articles?

1.2.1 Senator S.W. Pallett:

Just extremely briefly. Article 1 deals with a new area where we are asking about people's general state of health. Just really a question around mental health. Could the Chief Minister confirm that, if we are going to ask people whether they are suffering from any mental disability or chronic illness, there is some explanation of how that information will be used, just to put people's minds at rest? Because I know it is an area that there is a lot of stigma still about and people that are providing this information do need to be comforted that their information is going to be used in a confidential way. I am sure it will be, but I just wanted to confirm that.

1.2.2 Deputy R.J. Ward of St. Helier:

I just had a question regards the collecting of data for people under the age of 16. Is that done by whoever is primary caregiver in the household? It just remains the question around gender identity being asked for and whether that is going to be determined by the person filling in the form or the individual themselves. You do go into a difficult area sometimes with young people who may be struggling with that sort of thing and just some clarity on that as well, leading on from Senator Pallett, which was a good point I think he made.

1.2.3 Deputy S.M. Wickenden of St. Helier:

I will just try to help out and answer some of the questions. Under-16, the adults tend to fill in these forms about these kind of things.

[9:45]

The reason the Stats Unit have put forward the gender identity as a voluntary is it is only if you feel like you are comfortable and that is what you want to put in that you can put in that information. The chief statistician and the Stats Jersey Unit are fully aware that it is a very sensitive area. That is why it is not a mandatory question because that would be ridiculous and that is why it is a voluntary question. The mental health and the form itself, the form does explain how data is used and what it cannot be used for. The law also is very explicit in how data can and cannot be used. So it will be made very, very clear on the form why this data is being collected, how it is being collected, and how the data will be used to give as much reassurance to people as possible, why it is done in this way.

The Bailiff:

Does any other Member wish to speak on the Articles in Second Reading? If no other Member wishes to speak, I close the debate and call upon the Chief Minister to respond.

1.2.4 Senator J.A.N. Le Fondré:

I thank the Deputy for his assistance. I do not think I need to particularly add any more. It is treated in the absolute most appropriate way in terms of how all our census information is used and individuals cannot be identified. In terms of the information, obviously that is publicised by the Census Department.

The Bailiff:

I ask the Greffier to put the voting link in the chat. I open the voting and ask Members to vote in the normal way. Members have had the opportunity of casting their votes. I ask the Greffier to close the voting. The regulations have been adopted in Second Reading:

POUR: 45		CONTRE: 0		ABSTAIN: 0
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator S.C. Ferguson				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Martin				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Bailiff:

Do you move the matter in Third Reading, Chief Minister?

Senator J.A.N. Le Fondré:

Yes.

The Bailiff:

Is it seconded for Third Reading? [**Seconded**] Does any Member wish to speak on the regulations in Third Reading? If no Member wishes to speak in Third Reading, I close the debate and ask the Greffier to post a vote into the chat. The link is there. I open the voting and ask Members to vote in the normal way. If Members need to vote in the chat then would they please now do so. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The regulations have been adopted in Third Reading:

POUR: 47		CONTRE: 0		ABSTAIN: 0
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator S.C. Ferguson				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				

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

2. Draft Census (Appointed Day) Act 202- (P.116/2020)

The Bailiff:

We now come on to P.116, which is the Draft Census (Appointed Day) Act. The main respondent for the purposes is the chair of the Corporate Services Scrutiny Panel. I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Census (Appointed Day) Act 202-. The States make this Act under Article 8(4) of the Statistics and Census (Jersey) Law 2018.

The Bailiff:

Is this you, Chief Minister, or Deputy Wickenden?

Senator J.A.N. Le Fondré:

It is Deputy Wickenden.

2.1 Deputy S.M. Wickenden (Assistant Chief Minister - *rapporteur*):

Under the Statistics and Census (Jersey) Law 2018, Statistics Jersey are required to take a census at intervals as directed by the chief statistician. Jersey has had a census every 10 years generally since 1821 and we are back at the 10-year mark. The last census started on 27th March 2011 and the chief statistician would like to start this census on 21st March 2021 to start it off. This is the Appointed Day Act that allows us to start the census on that point as per the law. With that, I propose the proposition.

The Bailiff:

Is the Appointed Day Act Seconded? [**Seconded**] Does any Member wish to speak?

2.1.1 Deputy J.M. Maçon of St. Saviour:

I just want to put on record my thanks to the chief statistician and his team who gave a thoroughly informative presentation about the census and everything that they are doing. That needs to be recognised. Also, what was interesting is how the timing of this was to do with the U.K. (United Kingdom) census to try to make sure that message gets out in a co-ordinated way. I thought that was very pragmatic. I just wanted to put that on record.

2.1.2 Deputy K.G. Pamplin of St. Saviour:

The Deputy of St. Saviour 1 in unison; I just wanted to echo what Deputy Maçon just said, to thank the chief statistician. But also add on the backdrop of the pandemic that he has our full support and that Islanders get behind him and his team for this very important date. That is all I wanted to say.

2.1.3 Senator S.C. Ferguson:

In fact we used to have census more frequently than 10 years. It was only in about 2005 or something that the Ministers at the time decided they had better uses for the census money and changed it to 10 years. I do wonder, with the rate of change in population that we have at the moment and the pressure

that this is giving us, and starting to put some sort of leverage and movement on a migration policy, perhaps we ought to bring it back to every 5 years so that we know where we are going. At the moment, I hear people talking of a level of population anything from 106,000 to 115,000. So I would like a little more accuracy a little more frequently. Perhaps this can be considered.

2.1.4 Senator S.W. Pallett:

Again briefly, my apologies that I could not attend the meeting where this question may have been answered, but we all hope that COVID is not going to rear its ugly head in too difficult a way, but if the date for the census was in any way threatened by a large outbreak of COVID, what processes have been put in place to deal with that and would the date of the census potentially be reviewed? Those are the 2 questions I have.

2.1.5 Deputy M. Tadier of St. Brelade:

It is right that the chief statistician gets some praise. It is a difficult area. Even the word “statistician” is quite difficult to pronounce, let alone the work that the chief statistician does. Senator Ferguson’s point about the census being more frequent may have merit, but I would simply add that we should not need to rely on a census to tell us what the current population is. In fact that is not the prime or even necessarily the secondary point of a census. The census obviously finds key information about the demographics. We should be able to know at any single point, from day to week to month to year, what the population is in Jersey. We should have systems in place to do that. It is probably not the exact debate in order to riposte those comments, nor for the wider debate to be had on the census itself. This is only an Appointed Day Act. But it is probably worth just putting those points on the record.

The Bailiff:

Does any Member wish to speak on the proposition? If no other Member wishes to speak, then I close the debate and call on Deputy Wickenden to respond.

2.1.6 Deputy S.M. Wickenden:

Thank you to the speakers. I will absolutely agree with Deputy Maçon and Deputy Pamplin about the great work that the team at Statistics Jersey has done, headed up by the chief statistician. The frequency of the date is set out in law that it is defined by the chief statistician. The chief statistician also collects data from many other sources, so it could be more frequent if we get the right data. Unfortunately, we do not have something all the time that tells us when people leave the Island. Some people leave the Island for a short period; some people leave for a medium or long period, and some people leave for good. But at the moment there is no way of knowing whether they are going to come back in a year or never come back again, come back in 5 years, or they come back in 6 months. So the statisticians try to use other data sources to find out that, Social Security and the like. So we do get a very good idea about the population. But, as Deputy Tadier said, the census is about a lot more than just collecting data on how many people live in the Island. The census takes place from March to the end of the year and the Statistics Jersey team spend a lot of time trying to make sure that as close to 100 per cent of the households have filled in the form as possible. It is done in as many different languages as is required. I want to thank them for the amazing work they do on this one. Senator Pallett, again, if there is a big outbreak, at first we have paper forms that go out, they have people on the phone, they have a digital form that we are going live. So the date is unlikely to change for an outbreak because the way of collecting the data can be done in so many different ways and it does go on until the end of the year. So I hope that gives Members comfort in how it works. I did do a presentation on this earlier last month but I know people are busy and maybe have not been able to make it. I am sure, if anyone has any real concerns, they could contact the chief statistician. But, with that, I put forward this Appointed Day Act for the vote.

The Bailiff:

I ask the Greffier to put the link into the voting box. The link is there. I open the voting and ask Members to vote in the normal way. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting.

[10:00]

The Appointed Day Act has been adopted:

POUR: 47	CONTRE: 0	ABSTAIN: 0
Senator I.J. Gorst		
Senator L.J. Farnham		
Senator S.C. Ferguson		
Senator J.A.N. Le Fondré		
Senator T.A. Vallois		
Senator K.L. Moore		
Senator S.W. Pallett		
Senator S.Y. Mézec		
Connétable of St. Helier		
Connétable of St. Clement		
Connétable of St. Lawrence		
Connétable of St. Saviour		
Connétable of St. Brelade		
Connétable of Grouville		
Connétable of St. John		
Connétable of Trinity		
Connétable of St. Peter		
Connétable of St. Mary		
Connétable of St. Ouen		
Connétable of St. Martin		
Deputy J.A. Martin (H)		
Deputy G.P. Southern (H)		
Deputy of Grouville		
Deputy K.C. Lewis (S)		
Deputy M. Tadier (B)		
Deputy M.R. Higgins (H)		
Deputy J.M. Maçon (S)		
Deputy S.J. Pinel (C)		
Deputy of St. Martin		
Deputy of St. Ouen		
Deputy L.M.C. Doublet (S)		
Deputy R. Labey (H)		
Deputy S.M. Wickenden (H)		
Deputy of St. Mary		
Deputy G.J. Truscott (B)		
Deputy L.B.E. Ash (C)		
Deputy K.F. Morel (L)		
Deputy G.C.U. Guida (L)		
Deputy of St. Peter		
Deputy of Trinity		
Deputy M.R. Le Hegarat (H)		
Deputy S.M. Ahier (H)		
Deputy J.H. Perchard (S)		
Deputy R.J. Ward (H)		
Deputy C.S. Alves (H)		
Deputy K.G. Pamplin (S)		

3. Draft Income Tax (Amendment No. 46) (Jersey) Law 202- (P.118/2020)

The Bailiff:

We now come to the Draft Income Tax (Amendment No. 46) (Jersey) Law, P.118/2020, by the Minister for Treasury and Resources. The main respondent for the purposes of this debate is the chair of the Corporate Services Scrutiny Panel. I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Income Tax (Amendment No. 46) (Jersey) Law 202- A law to amend the Income Tax (Jersey) Law 1961 to remove the prior year basis method of paying income tax. The States, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following law.

3.1 Deputy S.J. Pinel of St. Clement (The Minister for Treasury and Resources):

At this time, two-thirds of Jersey taxpayers are paying off their 2019 tax bill and one-third are paying off their 2020 tax bill. At the end of this month, up to 8,000 self-employed people and pensioners are due to pay the balance of their 2019 bill, so-called payment on account taxpayers. We know many cannot afford to do so. We know many were unable to pay a first instalment of that bill earlier this year. This measure, if accepted, and if implemented immediately, will help those people immediately and another 23,000 or so employed people during 2021. I have become aware that there are around 500 so-called payments on account taxpayers who may not, as this amendment law is drafted, gain the benefits I intend them to receive. Although it may have been possible for the Comptroller of Revenue simply to handle that administratively, I have instructed officers to prepare an amendment to the Draft Finance Law, which I lodged on Monday, which will put this beyond doubt. If this measure is not adopted and implemented by *Acte Operatoire* today, about 8,000 payments on account taxpayers will be deprived of the opportunity to defer their November 2020 tax payment. Revenue Jersey will, in all likelihood, be overwhelmed by those thousands of taxpayers seeking assistance at an individual level. I know that all Members want to help reduce the pressures on Revenue Jersey, which is indeed currently having difficulty, both from the pressures of its transformation programme, as well as the extra work that the pandemic is causing. I have however made it clear, since the early spring, my intention to accelerate this work. The proposition stands on its own merits as a longer-term tax reform, something that the C.S.S.P.'s (Corporate Services Scrutiny Panel) own technical adviser has described as indisputable. If we take immediate action, however, it keeps people's money in their pockets for the next 3 years until 2024 when the Fiscal Policy Panel is expecting economic recovery to be underway. Our current situation, which we operate 2 different ways of paying taxes, arises from the introduction of I.T.I.S. (Income Tax Instalment Scheme) in 2006. Some Members will remember the problems associated with not having such a pay as you earn scheme before 2006. It was a time when many thrift clubs existed where Islanders could save towards their tax bill. In 2006, our predecessors eventually grasped the nettle and provided a payment scheme. Unfortunately, they did not grasp the nettle quite hard enough. From 2006 all new employees paid taxes as they earned, the current year basis of paying tax. All existing employees made monthly payments, which contributed towards their previous year's tax bill. Most jurisdictions historically had a P.Y.B. (prior year basis) system and most jurisdictions have now shifted to a C.Y.B. (current year basis) system. This includes making arrangements for the self-employed to pay more of their taxes on a current year basis. The Council of Ministers proposed in the 2020 Government Plan to consider options for bringing all taxpayers on to a current year payment basis. We envisaged aligning such a change with the introduction of independent taxation in 2022. Independent taxation will be much easier to administer on a current year basis but the 2 are not co-dependent. The problems that arise from the co-existence of prior year basis and current year basis are well understood by aficionados of tax, but less well by the general public. It is clear, even from

the current public debate, that we have at least successfully raised awareness that two-thirds of Islanders have a latent tax liability, which for many will hit them when they retire and they need to pay tax on their last full year's employment income from a lower pension income. Our tax system is, in a number of places, archaic. This is certainly one of those places. If a current year basis woman marries a prior year basis man, the couple become a prior year basis taxpayer. A current year basis employee will become a prior year basis pensioner, because all pensioners currently pay taxes on the prior year basis. A prior year basis employee who leaves Jersey to work in the U.K. will immediately pay as they earn in the U.K. but still be paying a P.Y.B. debt in Jersey. A P.Y.B. person who retires off-Island could face particular difficulties, which Deputy Young has recently raised with me and which I look to alleviate in the further work we will be doing in this field. A prior year basis taxpayer who has faced a reduced income in 2020 is still paying taxes on higher income earned in 2019. Worse still, if they have not reported that drop in 2020 income and accepted a higher I.T.I.S. effective rate, then they will be underpaying their 2019 tax bill. This needs to change. This proposition, if accepted, will ensure that everyone in Jersey is paying their taxes on the same basis and paying as they earn. I have accelerated this work and I am asking this Assembly to support immediate action with good reason. Paying taxes on the prior year basis is most problematic for those whose financial circumstances change significantly. 2020 has of course seen the biggest changes in Islanders' financial circumstances that we have seen in our lifetimes. If we make this change now, and I accept that we have done this work at speed, but certainly not in haste, then prior year basis employees who have faced reduced income in 2020 will, in most cases, enjoy I.T.I.S.-effective rates in 2021 than they otherwise might, leaving more money in their pockets. Our self-employed people who are all effectively prior year basis taxpayers will be relieved of the obligation to make a payment in November 2020 towards the larger profits they in most cases made in 2019. This includes the 500 or so taxpayers I mentioned earlier where I will make additional provision. We estimate we will be leaving around £18 million in aggregate in the pockets of prior year basis taxpayers, primarily as a financial support to them to help them recover from the lockdown. Perhaps also as an economic stimulus. The survey, which we conducted from 3rd August to 2nd September, garnered over 2,300 responses. The results have been published. A majority, 52 per cent, said they supported making this change. Predictably, the survey tells us that most would rather not pay their 2019 tax bill at all. We debated that in-committee on 20th October. Accepting that this is not a realistic option, most people seem to be saying that they would want at least 10 years to pay off their 2019 tax bill. I proposed a freeze as part of this proposition. In focus groups held during October and in discussion with the Scrutiny Panel and others, we have established even greater flexibility would be helpful. I accept this proposition has divided opinion. I believe making this change now is in the best interests of all those Islanders who have suffered financially from the lockdown. I recognise that many people have not been financially affected and many of those do see this proposition as being asked to contribute some of their taxes sooner than they otherwise might. They are right. If they can afford to do it, I am asking them to do so, for the benefit of the less well-off and to help Jersey manage its way through these difficult times. Last week I published my draft proposals for the payment of the 2019 tax bill. These proposals were developed following focus groups that were held during October and further refined following our in-committee debate on 20th October, in which Members raised similar concerns to those raised by the focus groups. I am prepared to keep listening to suggestions for further improvements and the payment options will only be finalised over the coming months after which I will lodge draft regulations for debate early in 2021. I have listened to those concerns and have so far expressed, and I believe responded, fairly. As a result, my proposals offer far more flexibility than I had originally proposed. If my proposition is adopted today, I intend to provide those affected with 2 core options, both of which provide a significant amount of time over which the 2019 liability can be repaid. The first option is for taxpayers to sign up to a fixed payment plan starting in 2025. This would also give taxpayers the option of starting payments in 2022 if they could afford to do so. The 2019 bill would not need to be paid in full until 2042. In most cases, therefore, I expect taxpayers will have a full 20 years over which to spread out their payments. Revenue Jersey

will normally expect people to pay one-twentieth of their liability annually from 2022 or one-seventeenth from 2025. To provide even greater flexibility, I expect taxpayers using the fixed payment plan to be able to pay more quickly if they wish or to be able to apply for a payment holiday in tougher times. If this option is implemented, it is unlikely that the affordability test, which was originally proposed in an earlier consultation, may be needed. Although Revenue Jersey would be able to consider financial hardship on a case-by-case basis as they currently do. The second option is proposed largely in greater consideration of the circumstances of those bringing up a family. Here I wish to thank Deputy Morel for bringing this case to our attention. I have been challenged a number of times, particularly about the financial impact on those in the broad age band of 35 to 55, those who often have large outgoings, whether that is early years childcare costs, large rents or mortgage repayments, or funding their children's university education. Under the second option, taxpayers could use existing arrangements or put in place new arrangements to pay the 2019 liability when they reach the States pension age. The early findings emerging from the focus group sessions highlighted to me just how prepared financially some taxpayers are in Jersey. Therefore, those who prudently have plans already in place will still be able to execute those plans. In most cases I expect the finances to come from a pension pot from which a tax-free lump sum can be taken at retirement. Those who wish to put in place new arrangements along these lines, rather than signing up to the fixed payment plan, would be able to do so. I believe that together these 2 options should provide States Members with the sufficient clarity and comfort they have rightly sought in the lead-up to this debate. That said, I would ask Members to remember that this debate is about the principle of moving all taxpayers to a current year basis for the reasons set out in my report. If we pass this proposition today, and give it immediate effect by *Acte Operatoire*, then many Islanders will immediately financially benefit from keeping money in their pockets. It will reduce the financial stresses on many Islanders, of whom may not yet have realised the implications of what reduced income during 2020 will have on their 2021 I.T.I.S.-effective rates. They will most likely go up if we do not provide this easement. The exact detail of payment options is for future debate on draft regulations. Despite the unprecedented impact on our economy, it is the case that some prior year basis taxpayers' incomes have increased in 2020. The move to current year basis would necessarily result in increased I.T.I.S.-effective rates for them. I want to assure States Members that those whose incomes have increased during the pandemic would be able to spread out the increased rate over a longer period than usual in order that they are not unduly affected by the proposals.

[10:15]

I have asked the Comptroller to review whether his existing legal powers in this regard are sufficient. If they are not, then draft regulations will extend them further. In conclusion, this is a significant reform of Jersey's tax system. I believe it is the right thing to do in principle as a precursor to introducing independent taxation and as a significant simplification of an archaic tax system. If it is done now and brought into force today by *Acte Operatoire* then we will also be delivering financial support to many of those Islanders who have suffered financially during the pandemic. We will be helping our tax officers to administer the dreadful impacts of COVID on people's tax positions and we will be providing a clear future income stream to help manage the additional costs we have incurred on behalf of Islanders to support them through the pandemic. As I mentioned earlier, the exact detail of payment options is for further debate on draft regulations. As a reminder, this proposition is just to agree the legislation amendment to move prior year basis taxpayers to current year basis taxpayers from 2021. It is long overdue. I ask Members to support the proposition.

The Bailiff:

Is the proposition seconded? [**Seconded**]

3.1.1 Connétable K. Shenton-Stone of St. Martin:

I am speaking from the States Chamber, somewhat concerned that this Assembly is again debating incomplete legislation. We are being presented with what is in essence a principles paper and those detailed regulations were promised before the debate, they were not forthcoming. I would draw your attention to key finding 2 of our Scrutiny report that: “The principle that the amendment could be considered without regulations is difficult to understand, given the significant impact for two-thirds of taxpayers.” Instead of the detailed regulations, we are expected to change the basis of taxation for 66 per cent of taxpayers based on a hastily produced last-minute proposal, 30th October, that is a dramatic U-turn from the Minister in relation to the payment proposals initially mooted. This seems to highlight the last-minute and clumsy nature of this proposition and that the basic groundwork was clearly not carried out before this proposition was brought to the Assembly. The revised suggestions, and at this stage that is all they are, suggestions, are welcome. As is the fact that the Minister for Treasury and Resources has clearly listened to further feedback. But we all know too well the possible adverse consequences of relying on verbal assurances and last-minute drafted communications. It is unclear from the revised statements made what the effect of these new ideas will have on any economic stimulus. At first sight, for many taxpayers, they are being offered better terms than they already have. There is no detail that Revenue Jersey, who we all know is struggling to produce a service fit for purpose, will be able to cope with these changes. With anything to do with tax, the devil is in the detail. We do not have the detail. We need this detail. I also understand that there is some disquiet with the tax professional community that there could be a detrimental impact on certain current year taxpayers due to the law drafting. If this has not already been raised with the Comptroller and Minister for Treasury and Resources then it will be shortly. I am therefore in a dilemma. Do I support a draft law that is clearly incomplete, as I have been promised beneficial changes, though there is no way that these can have been researched fully in such a short period of time? I have no guarantee that the regulations will echo what, as I understand, the position to be as the information provided is so scant. Or do I vote against the proposition in the hope that a future proposition will be brought before this Assembly that is complete? If I can ask for assurances from the Minister for Treasury and Resources, and I really need that assurance, that the final regulations will not be any worse for taxpayers than the proposition presented on 30th October 2020; that these proposals are presented in good time and are complete for debate; that any technical anomalies that require change are changed; and confirmation that Revenue Jersey have the resources, capability and systems to deal with these changes efficiently, then I will reluctantly support the proposition as I appreciate that time is of the essence. Can I expect these assurances? Please can the Treasurer address this in her summing up. Finally, may I say how dismaying it is to be debating incomplete propositions with no detailed regulations presented by the Council of Ministers and I do expect better?

3.1.2 Deputy S.M. Ahier of St. Helier:

The proposal itself has merit and the rationale for implementing a move to current year basis tax for all Islanders is accepted. But the haste with which this proposal has been brought does not inspire confidence. A considered approach would require 2 to 3 years of work, including the design of a new I.T. (information technology) system and thereafter to stress test it properly, which could take up to a year by itself. But if this proposition is passed today it will put pressure on the department and it will be the staff who will be left to pick up the pieces. There are doubts as to whether the department has the capacity at the present time to oversee a smooth transition. If indeed the department does lack the requisite resources, this could precipitate a major upheaval, which may well interfere with normal tax collection. The acceleration of the proposal was originally presented as a fiscal stimulus targeted at those who had suffered an income reduction due to the lockdown. It was subsequently suggested that the reform was necessary to address the COVID deficit. But the decision to extend the repayment period to 20 years casts doubt on this explanation. It seems to me that once again the changes we need to see are being initiated in the wrong order. In this instance, the introduction of independent taxation for married couples should have preceded this change to avoid

technical challenges in the future. It seems to me that the driving force behind this confusion is a great deal of unnecessary pressure to implement several changes in a very short space of time, which is, as our Corporate Services Scrutiny Panel tax adviser has described it, a high-risk strategy. I feel that insufficient time has gone into planning this proposal and I strongly urge the Minister to consider more realistic timeframes going forward.

3.1.3 Connétable M.K. Jackson of St. Brelade:

As intimated by previous speakers, it concerns me that there has been little consultation with those in offices and businesses throughout the Island that have, as their duties, the obligation to collect the I.T.I.S. payments. Lack of resource in the Tax Office will lead to muddle and confusion at that end, and that has been the case quite regularly in a lot of offices. It is easy to make these changes from within, the Minister for Treasury and Resources is empowered to do this, but the consequences need to be thought through. I suggest I would like to hear from her in her summing up how that is proposed to be organised.

3.1.4 Deputy G.P. Southern of St. Helier:

What an interesting proposition. Let us take a look at it and ask some questions about what is being proposed and what that might mean to our taxpaying voters. The first question is this proposal is described as produced at speed, which is the polite way of saying it is rushed. It certainly is rushed. We have seen it is still in flux almost on the last few weeks, change after change after change. So it has certainly been rushed and certainly the Tax Department should not, I do not think, be making rushed changes, even in response to the pandemic. Secondly, is it fair? Well it only applies to previous year taxpayers, about two-thirds of income taxpayers, and it does not apply to current year based taxpayers. So it certainly discriminates against one group over another, because what we are doing is setting up different rules for each. So I do not believe - although it is represented as fair - it is fair. The question must be, if we have a problem that we need to raise funds for, why are we raiding this particular pot, the hidden tax pot, of prior year taxpayers, and not some wider taxation measure, which could spread the load more evenly? I think that is a possibility. Also, this is presented as in principle, so if we vote for this today then we can go and create something down the line, which does what we want, with all the bells and whistles on it. No. We should not be going there. We should not be accepting it in principle on the basis that it will all work out on the night in 2 years' time and we will be hunky-dory. We should never accept that from a Minister. So what I would like to do is to take Members through some questions I have asked of the Tax Department and see what you make of them. Because I think they are truly horrific in terms of the fairness issue. I must praise the Tax Department for the 9 questions I asked, I think they are fairly comprehensive and complex, but I got an answer back in 2 days. So they are to be praised indeed. I wish every department were as prompt in responding to Back-Benchers' questions as this department was. So thank you very much, Treasurer, on behalf of your department. So my questions were, question one: "What is the total borrowing we have taken on due to the COVID-19 crisis?" The answer: "The only borrowing facility taken out by the Minister for Treasury and Resources is the £500 million revolving credit facility with a consortium of 5 local banks. As at today, this facility remains undrawn, but plans for the utilisation of the facility are detailed in the Government Plan and also in P.118 and for the establishment and funding of the Fiscal Stimulus Fund." So nothing committed yet, we are still looking at this 2-year revolving credit facility. I asked: "What are the terms, long and short term, under which these loans are made?" "The R.C.F. (revolving credit facility) is initially available for a period of 2 years until May 2022. There is an option to extend the facility by a further 2 years if it is required." That is very clear, not used yet, and there is an option to extend, but it is a 2-year loan. I ask: "What costs repayments are entailed in the period to 2025 and then in the period longer term to 2035 of P.Y.B./C.Y.B. proposals are adopted or not?" The answer: "The annual financing costs of proposed borrowing are incorporated within the Government Plan and are as per the figures in your question 7." I will go to question 7 in a minute: "These costs relate purely to the repayment of

the interest over the period of the Government Plan and do not include any capital repayment. The Council of Ministers intends to finalise its medium-term debt strategy for inclusion within the Government Plan 2022 to 2025. We cannot comment on costs out to 2035 until the medium-term strategy is agreed.”

[10:30]

So there we have, in a nutshell, the costs relate only to the payment of interest, just servicing the loan, there is no repayment of the loan itself. The Council of Ministers has not finalised its medium-term strategy, this is coming down the road, this is 2 years away: “We cannot comment on costs out to there until the medium-term strategy is agreed”. So we are setting the path out there, there is only one way to go, and it has not yet been agreed. So, to go to my question 7, and here comes some of the nub. Question 7: “Repayments on the revolving credit facility are given as £3.7 million, £7.1 million, £8.7 million and £7.8 million, for the period 2021 to 2024. Is this simply to service the loan or is the variation due to some other changes and, if so, what?” the answer from the Tax Department: “These are the estimated financing costs over the period of the Government Plan. They combine the interest costs arising from the utilisation of the R.C.F. and high-level estimates of the cost of servicing a medium-term debt strategy, which the Council of Ministers will bring forward for inclusion in the Government Plan 2022 to 2025.” So there we have it. We do not have the new medium-term debt strategy; we do not know what that looks like. But we estimate that it will not cost more than £8.7 million in a year to service. So we are looking at a 2-stage process, one now, one in the future 2 years down the line, which will cost something in the order of £7 million or £8 million to service. We are committing ourselves to that route now if we vote for this proposition. I think the key question, I ask: “How much does the P.Y.B. generate in a year under the current ‘when you cease working you pay’ terms? So what is the status now? How does this break down for an average individual and how many taxpayers does this normally involve?” The answer comes: “Under current arrangements, when you retire you stop paying by I.T.I.S. If you are P.Y.B., this means you are very likely to have an outstanding tax liability from the year before and will have paid nothing towards the tax bill in the year in which you retire. It would not be unreasonable to assume that these 2 combined represent one whole year’s worth of tax. It is expected that retiring individuals pay that tax within legislated timeframes. But in cases of hardship within one year or so of retiring, we have flexibility.” We are aware that we pay tax a year behind, prior, but we know that we can go in and have our individual circumstances taken into consideration. That is what I expect from my tax man. That is what I think people who are on P.Y.B. expect of their tax man. Listen to this then: “There are around 18,500 P.Y.B. individuals between the ages of 40 to 64. Meaning approximately 740 P.Y.B. taxpayers will retire each year on average. The current average tax liability of those P.Y.B. taxpayers aged 60 to 64 is about £11,200.” Do the calculation, 740 taxpayers retiring each year, each of them owing perhaps something in the order of £11,200, multiply the 2, how much does that generate on the current basis now, annually, towards the tax bill. The answer is £8.5 million. £8.5 million, how does that compare with the cost of serving the facility that we already have, which is a maximum of £8.7 million? If we continue with what we have, which requires admittedly some labour to adjust individual taxpaying bills, and the possibility of going in and seeing a human being and not a computer, to adjust your payments, to make sure it is affordable, as we expect now, or have done. Then we raise £8.5 million, which is surely enough to service any loan. But what we are saying is this massive change must take place in order to service these loans. The case is not made, £8.5 million comes in on the current system. Back to my questions. Question 5: “What would be the expected annual yield from compulsory repayment over the proposed 10-year period starting in 2025?” Between me asking these questions about a week ago and the current proposal, that 10-year period has now become 20 years. How much extra tax would be due from the average taxpayer? We have the answer: “The Minister has published her proposals for payment of the 2019 liability. The proposal permits a longer period of repayment, 20 years, from 2022. Or wait until retirement providing they have a plan in place. Also, there is no requirement to state how you will repay until

2025. For illustrative purposes only, if the 2019 liability was spread out evenly between P.Y.B. taxpayers over a 20-year period, it would equate to an additional payment of £44 per month.” So a 20-year period in which you might be paying something like £44 per month extra taxation, £10,000 or £530 per year, £10,000 per person over this 20-year period. Is that a bell? The new rules are in.

The Bailiff:

Yes, you have one minute left.

Deputy G.P. Southern:

May I finish my speech?

The Bailiff:

If it takes only one minute, yes.

Deputy G.P. Southern:

I see, we are playing hardball, are we?

The Bailiff:

No, Deputy, these are the rules the Assembly has adopted. Nobody made a request ...

Deputy M. Tadier:

Can I have a point of order please?

The Bailiff:

Yes, a point of order.

Deputy M. Tadier:

When we passed this 15-minute rule, we were told there would be discretion from the chairman of P.P.C. and that somebody who was in full flow, who clearly felt passionate and it was an area of their expertise, would be allowed to speak. Now I am going to speak but I do not intend to speak for more than 5 minutes probably. You can hold me to that. I quite happily donate some of my time to Deputy Southern. But even without that the principle that it was supposed to be a guiding rule and that people should not be getting cut off at the knees when they clearly have things that they need to say. Otherwise that is a fundamental hindrance of democracy.

The Bailiff:

That, I am afraid, Deputy, was a point to be made at the debate when the States adopted these particular rules.

Deputy M. Tadier:

It was made.

The Bailiff:

Yes, and the States of course voted that there would be time limits placed. The position is that, unless someone is identified as being the prime responder or has made a request to the Presiding Officer in advance that they may wish to speak for longer so it can be considered, then the rules applying do simply stand. But in the minute that the Deputy is still speaking, I will look again at the provisions, the guidance, and see what might be said. Perhaps we will pause for a second.

Connétable S.A. Le Sueur-Rennard of St. Saviour:

Could Deputy Labey not help us at all?

The Bailiff:

No, I am afraid not, Connétable, it is a matter for the Presiding Officer. I am reviewing as we speak.

Deputy G.P. Southern:

If it is helpful, I have 2 more, only 2 more, question and answers to finish my argument. The argument is left sitting there unfinished for the moment and has little meaning unless I can finish with the last 2 question and answers because they clear up what is likely to happen.

The Bailiff:

Can I remind Members that at the beginning of the Public Business yesterday I reminded Members then that the 15-minute system applied and obtained for the purposes of these debates. I note what you say, Deputy Southern. I also note that there is some flexibility for the Presiding Officer where there is a technically complex point or where it is a particularly emotive matter. I do not think tax reform, it is capable of being an emotive matter, but certainly I would not go under that heading. There are some technically complex arguments. I will allow an extra minute on top of the minute, if you can finish in 2 minutes please.

Deputy G.P. Southern:

That is a very serious task but I will try. So my question 8 then: “If this short-term loan were converted to something longer term, what would the repayments, interest payments, look like?” “If the R.C.F. were to be converted into longer-term borrowing, it would most likely take the form of a public-rated sterling bond, similar to that which we have for affordable housing. Such bonds have annual serving costs, coupon payments, which are driven predominantly by the maturity date of the bond. At the present time, we are modelling these costs at a rate of 2.75 for longer-term debt, 30 years-plus. Therefore for every £100 million borrowed there is an annual coupon payback of £2.75 million.” So that means we could borrow up to £300 million or £400 million on the back of leaving the current system alone. Finally, the political question: “Why can we not behave like a normal country and borrow and service the loan for as long as we like, or is this a function of the sinking fund to keep the P.Y.B. funds until we are ready?” The answer is: “Having assessed our immediate requirements as part of managing Government response to the pandemic, the R.C.F. was considered to be the most appropriate and flexible borrowing option for the short term. The immediate future remains highly uncertain. Ministers are therefore proposing the use of this short-term debt facility ahead of further action to reduce the debt level before it is replaced by the medium-term facilities.” Again this 2-pronged attack. “As already mentioned, the Council of Ministers intends to finalise its medium debt strategy for inclusion in the Government Plan 2022 to 2025 to coincide with the expiry date of the revolving credit facility once the States Assembly has agreed the budget for our hospital.”

[10:45]

So it is possible to vote this out and not change the current terms, under which we are all operating, of prior year tax and still remain fair to everybody. If we must tax extra, why is there not a fixed charge or a charge that applies to all taxpayers?

The Bailiff:

Deputy, I must ask you to draw to a close.

Deputy G.P. Southern:

Thank you, I have just finished.

The Bailiff:

A remarkable achievement. That was 2 minutes, 10 seconds, and so thank you very much for that, so 10 seconds over in the circumstances.

3.1.5 Deputy M. Tadier:

I have to admit that has now left me with a bitter taste in my mouth. This is not a criticism of you, you have been given the role as the Presiding Officer to enforce Standing Orders. I do not think this is what we were sold in the previous debate. It does have an effect on this debate and what I might say. This is a particularly technical debate. It is not necessarily the most riveting but it is one that has caused a lot of heat and light. Clearly, Deputy Southern is one Member who has done a lot of research in this area. I do not think we have heard fully necessarily in the way he wanted to expound all of his arguments and it is not edifying for the Assembly and for democracy in Jersey. That is perhaps more for the chairman of P.P.C. (Privileges and Procedures Committee) to note. I would have hoped there would be more flexibility. So notwithstanding that, I do nonetheless try and stick to my 5 minutes that I put myself under, notwithstanding everything that Deputy Southern said because I think all those questions need to be answered. The devil is in the detail I think and if the answers have not been given to all of those questions, the Minister for Treasury and Resources does need to answer them. I would like to bring it back to the principles and I could quite easily stand up if I wanted to or sit down as I am at the moment and fabricate some argument to criticise the Minister if I felt like it. I think that there are some elements in the wider society and in this Assembly who are perhaps doing that because the basic principle of what the Minister for Treasury and Resources is trying to do here is correct. It is to be praised because, essentially, this is about tax which is due already and it is about how and when it is paid. The argument about unfairness, well, it cuts both ways because if you are on a prior year tax basis, that means, at some point, you were given one-year tax free and so you were getting an advantage when other people who were on current year were not getting that advantage so it just means that you are paying that back at some point. We have all been faced with this issue because it has been around for a long time. The Minister has identified that one of those issues is when people come to retirement, they get hit for a big tax bill at a point when many new pensioners will see their income reduced so they will not necessarily have the wherewithal to pay for that. If we just left it as it currently is without doing anything, in a few years' time, I think many of those critics will be saying: "Why did the Minister at the time not do something about it when she or another Minister could?" This really is about grasping the nettle and I think it is absolutely right that she has reconsidered the time period in which people can pay because being asked to pay perhaps within a few years is not realistic for a lot of people. I also do not think we need to get hung up on what the money is used for. Taxpayers' money is used for all sorts of things and it is the Government, with the approval of the States of course, to decide how that money is spent and whether it is ring-fenced or not. It is kind of academic I think whether it goes to service a debt from COVID, whether it goes to pay for roads, whether it goes to pay for a school or a new cycle path. It all comes out in the mix. I am not saying that there are not elements of all of these things and government spending and government borrowing need to be scrutinised. Of course they need to be scrutinised at the right time but I think it needs to be decoupled from this. I do need to say that there has been an element of populism, especially in the media from people who have very little to add in terms of constructive politics in terms of their vision for what they want to see and address the real issues in Jersey society. If some of those people spent as much effort addressing the real issues about the unfairness in our tax system because they say: "This is unfair" but really the unfairness is in our tax system which is that we charge some people 26 per cent tax while we charge other people 20 per cent tax and charge other people 1 per cent tax but only on their declared income and then we charge them 0 per cent on the rest of their income. So we have a completely unfair system. We still charge people tax on their non-disposable income so there are lots of people in Jersey who, at the end of the year, do not have any money left to show because they have paid all their money on the cost of living, including very high rents which we are still getting to grips with and which we need to empower the Minister for Children and Housing to deal with as an Assembly. Other people of course are paying 20 per cent rate of tax on money, which is disposable anyway, so it is a very unfair system. I would like to see all that energy from the populist commentators out there focus on addressing the real issues because, unfortunately for them, we do need a government, we do need to have taxation and we do need to spend to have a civilised society. I think this is not the proposition for them to

take their anxieties out on on the system. This is a proposition which should be supported in principle and if there are arguments to be made about the granular detail, that is absolutely right that they are made and it is scrutinised properly but this is a good proposition. It needs to be done. If you had a private debt such as a phone bill, *et cetera*, you would not expect for them to give you 20 years to pay off your debts and I think we should be thanking the Minister for Treasury and Resources in this case. I am not going to praise her on everything, by the way. We still have fundamental differences that I will criticise her on but that is politics but this is not one of them.

The Bailiff:

Thank you very much, Deputy. Before moving on, as the last minute or 2 showed the first exercise by the Presiding Officer and the system of the new 15-minute restriction, could I remind Members that when P.109 was adopted, it was adopted with an appendix, which was the guidance on the exercise of discretion. If any Members would wish to refer to that, then it might be helpful in the future when Members are seeking to speak for a longer period because that affords the Presiding Officer the ability to consider a request which is indeed provided for within the guidance. Thank you very much. Then we come to the Deputy of St. Mary.

3.1.6 Deputy D. Johnson of St. Mary:

The Minister will be pleased to note that my question is a very basic one and one which I am sure she will have no difficulty in answering. While I appreciate we are discussing P.118, it does relate to the options referred to in R.122 and it is very basic. The second option has been interpreted by one of my constituents as meaning that, on reaching retirement age, he will be obliged to pay the outstanding 2019 liability in full. That is not my own interpretation. I believe that option one remains as an alternative but would she kindly confirm that in summing-up?

3.1.7 Deputy R.J. Ward:

I would like to speak for a number of reasons. They are really questions. I can understand why this is necessary for those who have been through a difficult income stream this year with COVID. I am at an age where I am looking ahead to hopefully retiring and being able to live on my income and facing a tax bill so I suppose I declare that as an interest, as many of us will. The options that come with this, in which it does seem the detail is not there in terms of regulations, I do feel uneasy about going with the principles before the regulations. I think the principle is right but I would feel better if the regulations were there and we were absolutely certain about them. I am happier with the fact that there are many more repayment options including - and perhaps the Minister can confirm this - leaving it until the time when you retire if you want to take that option. The repayment over 20 years, for example, I was concerned about myself thinking how I was going to address that issue. There are some other principle points and I would like to say thank you to Deputy Southern. I do not entirely agree with him on this and we can do that. We have discussions and I see his point but it is forensic speech, which is what it was, and the detail of it needs to be complimented because he has taken the time to prepare. I will not go back over the debate over the 15 minutes but that is why I think there is an issue there and I think we should praise people who take the time to do that. If you do not want to listen to them, that is your issue and not theirs. I think we need to do that particularly in an area like this. I would like some reassurances. I would utterly oppose and I would bring any proposition or amendment I can for any reductions for early repayment because they are both intrinsically unfair and they are punitive towards those with the lowest incomes in our community. Throughout my time in this Assembly and throughout my time, however long that will be, I will stand for the rights of those on the lowest income as well who struggle. We need to ensure there is a safety net for people. In terms of 20 years of repaying the tax and the use of this tax money, I agree with Deputy Tadier on one very important area. I think it may have been a mistake - and I am not a tax specialist - to ring-fence this for COVID in the way that we have and then come up with the changes in terms of the fluidity of the ways in which it can be paid back. It does open up that decision

to be a target for those who want to say: “You do not have a purpose for this apart from just raising more revenue.” I think that is the issue that needs to be addressed and if that issue can be addressed, I think it will improve both the image and the perception of this with the public, and I think that is a really important thing that we have to do. The other area for me in terms of repayment is, I have to say, the ability of the Tax Office to perform this function. I am concerned about the well-being of those working in the Tax Office and the pressure we may be putting those people under. **[Approbation]** We have to look after our workforce. We have to look after our public sector. They face so much criticism but it is not a fashionable job to do tax, but when I rang up the other day to try and sort my tax out and I got through, I got an incredibly helpful individual who was pleasant, polite and managed to help me out the way I wanted to be and I understood it. I will be honest with you, understanding my own tax is not the strongest point in my life and I have a degree in science so lord help people who try to do it themselves. I would like to thank Deputy Alves for explaining it to me. There are issues that have to be faced and we cannot just go headfirst into these principles without addressing those concerns. It is, in the end, about trust. It is about trust that if we adopt a principle, the regulations that go with this principle are fair, workable and I suppose the phrase is “do what it says on the tin” and perform in the way that we want to and we can get them to work with the resources we have in the department that has to do that, and those are the big issues for me. At this point in time, I am minded to support this because it does support those who have had a difficult year and it does give the options for those age groups from the age of 30 to 50. It is a difficult time with the cost of bringing up children. I have been there myself and I know how incredibly expensive it is. I hope my daughter is listening. I think that we do need to support and ensure that there is a reassurance there for those groups in our society. If that happens, I think this will be a successful thing to do and it will be accepted. Again, I think a good point was made by Deputy Tadier about those who are perhaps political commentators who find easier targets and will expose them because they have the voice to do that. It does not add to our discussions I think at times but we need to be prepared for it. With that, that is all I would say. That was 5 minutes, 35 seconds.

The Bailiff:

Yes, indeed it was. Thank you very much, Deputy.

[11:00]

3.1.8 Senator K.L. Moore:

I am grateful to our Reform Jersey colleagues who have described very clearly, and I absolutely agree with them, that Deputy Southern gave a very forensic and detailed speech which showed his great understanding of the issues at hand. It is interesting to hear that they can so openly describe how split they are as a group in relation to this piece because having gone through a very detailed process ourselves as a Scrutiny Panel, we now find that this week and today there is a very balanced decision to take. It is not simple and it is not easy at all. It is not helped by the time that this has had to be done but we do appreciate that the Minister has a deadline with this and so there is no way to push this further down. We have to decide today whether we do this or not. It is certainly not ideal that we do not have the regulations. That was one of our recommendations in our report. The report that the Minister provided last week with her views now on how the repayments will be managed and dealt with was helpful but that report did come out on the same day as our Scrutiny Report. We did our very best to amend it at the last minute to reflect those last-minute changes but this process has been far from ideal. Yes, times are difficult and we appreciate fully that the Minister saw an opportunity to grasp one of her long-term goals and to fit it into the COVID context and provide a solution to it. However, and as our adviser rightly put in her report which is appended to ours and it has been done in other places, we are one of the last jurisdictions to undertake this work, normally a piece of work as detailed as this and is something that makes such a difference to the fundamental point of government which is collecting revenue, would take place over a much greater period of time and it would aim to take those taxpayers with them as it does. We have received an

unprecedented number of communications and interactions from members of the public and members of the accountancy profession but mostly members of the public who are deeply concerned about how they can make these repayments and the impact it might have on their disposable income. That then places a big question as to what impact will the repayments have on our economy when it is hopefully in a state of recovery from 2025 and onwards? Any disposable income that is taken out of the economy will be income that is not in circulation and, therefore, it will restrict that recovery and it is a deep economic discussion and argument to have. There is also the question of the legality of this change so of course Revenue Jersey has been collecting I think 20 per cent of prior year basis taxpayers on a monthly basis. They have been paying their tax payments this year on the understanding that those were their payments for last year's tax. However, now if the Minister is successful today, she will suddenly say: "That was not last year. That was this year." There is a legal argument which has not really been addressed sufficiently as to whether that it is the right thing to do. The other aspect of course is in taking the repayments. The Chief Minister has said that if this is not successful, then they, as a Government, would look at alternatives and those alternatives might be an increase in G.S.T. (goods and services tax). There has also been talk of an increase in social security contributions from 2023. This level of uncertainty is deeply unhelpful to the people who have to pay their taxes and those measures also, if effected, will have an impact on disposable incomes and again on the recovery of our economy post COVID. It is really important that the Government is clear about what their intentions are and how they propose to see their measures into the future so that they can build consensus in the community and encourage people to understand the arguments and then pull together so that we can recover our economy as quickly as possible. Taking disposable income out of it is perhaps not the easiest or the best way forward. At the end of the day, the only way we can try in our own minds to balance this argument and decide, as we have to take this decision today, is by asking ourselves: "At the end of the day, does this measure do what it is set up to do?" Initially, as we were told, the Minister said this was to help those who have suffered detrimentally in their financial circumstances this year. Will it do that? Well, yes, it will. Then the next argument became: "Well, this is also a measure that could repay the COVID debt." As Deputy Southern alluded to, now that the repayments are to be paid or proposed to be repaid over a 20-year period, that decreases the revenue that would be collected through it and therefore might not make those repayments because there would be insufficient revenue collected. I did ask the Minister whether there was any modelling that would assist us in understanding these calculations prior to the debate but, unfortunately, she did not have any of those figures. It is rather disappointing that her officers have not managed to provide any kind of modelling to assess this because, given the level of consultation that has taken place, albeit in a very short period of time, because of the engagement of the public, there is a lot of information there as to what the feelings of the public are. One would expect that those officers would have taken time to try and at least quantify the messages that they are getting to give a basic calculation of the repayments that can be expected to be achieved over that 20-year repayment period. All we have, as a panel, managed to do is that basic calculation of: "Okay, we are talking here about £330 million worth of income tax revenue so what does that equal if we divide it over a 20-year period?" So the simple math is £16.6 million. We know that the interest repayments on the debt are expected to be in the region of about £8 million annually. Therefore, that leaves only £8 million roughly to make the repayments and that simply would not be enough to pay down a £330 million debt. It is complex. I hope I have tried to get to the heart of the question and I do hope that other Members will contribute to this debate because we do need to dig deep in our own minds and decide how best to progress. At this time, I am still quite hard pushed to support this measure because of the rapid nature of it and the inconclusive facts that we have with which to take this decision. It will benefit some positively but it will also have a negative impact on some growing families and that I struggle with as a concept very deeply.

3.1.9 Deputy K.F. Morel of St. Lawrence:

I have struggled with this proposition since it was first mooted a number of months ago and I do thank the Minister for what she said in her opening speech for addressing one of my key issues, which was the problem under the original guidance, which is going to be a 10-year payback period, how that would affect families who are sending their kids to university and trying to pay off mortgages. Too often, this has been portrayed as something which is affecting pensioners and it is just not the case. This is affecting people from the age of 35 upwards and so there are a lot of people in that bracket who are at their highest element of expenditure and the Government, through this proposition, will be forcing them to pay back more tax. Essentially, let us say, 105 per cent tax over a 20-year period. I am pleased the Minister went off and has come back with proposals we should spread that out over a 20-year period. That is an improvement on the original suggestions but I still have one real problem with this and that was mentioned by Senator Moore. Senator Moore referred to it in terms of the legality. Unfortunately, I do not know enough about the law to know whether there is an issue of legality or illegality but there is certainly an issue of fairness and it comes down to this. Every prior year basis taxpayer has spent this year paying their tax on the understanding that they were paying off last year's tax bill. Part of the way through the year the Minister for Treasury and Resources, through these proposals, is trying to change that. I cannot support something which makes that change without advance reference to it so the Minister should be making these proposals for next year and the year after and not for this year and next year is what I am trying to say in a very bad way. It is that lack of fairness and that failure to give any advance notice that I think is the real problem here and there is a failure. The Minister is shaking her head but it is a failure to give advance notice because we are talking about freezing this year's tax bill and freezing those payments, which will be put forward to next year's tax bill meaning that this year is frozen. That is really, in my view, unfair. You have to give at least 12 months' notice of such a change. Not to do so is failing to give people appropriate notice of changes to their circumstances that are being forced on them by the Government. While I understand the Government wants the current year basis, I understand the advantages and I understand the disadvantages but you have to do it with proper notice. To suddenly change half the way through the year like this I believe is just wrong. Also, there is another point which is not so much about fairness but it is about last year's Government Plan. Last year's Government Plan stated that the Minister for Treasury and Resources would be bringing forward options, pluralised, for moving everyone on to a current year basis. We have not been presented with options. We have been presented with one thing. It is a "yes" or a "no". There is no other option. There is no discussion about: "Is this the better way to do it? Is that the better way to do it? How do we do it?" Not at all. I do not see it as one option. It is a "yes" or "no". Given that last year's Government Plan, which was voted on by this Assembly and agreed by this Assembly, clearly stated that there would be more than one option given and due to the lack of fairness in making this change part of the way through this year, I feel it is not possible for me to support this proposition.

3.1.10 Deputy J.A. Martin of St. Helier:

I am quite sad to follow Deputy Morel because I think this is all about people and the last point he makes is about fairness and that maybe people were not told. The problem is, as I think Deputy Ward said, our tax system is very hard to understand. I have an interest. I am coming up to retirement and, at 63, a lot of people can also take early retirement if they have paid enough in and this and that. I keep saying to people: "You do know you have got last year's tax." "What do you mean I have got last year's tax?" "Go down and speak about your pension and then just pop across and speak to the people in the Tax Office because you will be given a way to pay." I want to come in here about Deputy Southern and say why would he do it, because people are retiring every year and they are paying into the system £8.5 million? We are being told that a lot of people struggle to pay that so they have plans; so it is not as easy as that. This would be a structure plan. The Minister has listened to the case that Deputy Morel - and I do not know the case - has brought to the Minister. I said: "You cannot ask people to start paying before they retire or make sure they have paid everything else before" so we have had lots of discussions.

[11:15]

It is mad that I have to ask my children which one ... and one is on P.Y.B. and the other 2 are on C.Y.B., and I am trying to keep up and explain that. So it is when you retire it really is a pain. I know it is only 15 years ago but people seem to forget. Life is busy. The other big impact of having last year's tax rate is when you lose your job and when you end up on income support or you end up in a job £20,000 a year less but you still have that liability. When I stood for this job, and I think it was when the Reform asked me if I thought our benefit system was generous enough, I said: "If you are in the benefit system and you do not have past debt, it is fairly generous. It pays more than certain places I have researched." I did say: "If you carry a debt with you and the biggest one probably would be your tax bill and you have to then try and pay that off or get a job that pays a lot less, it is heart-breaking." In fact, I was again surprised with Deputy Southern because Deputy Southern for years said, and I know he has not changed his principles: "Income support will not support somebody who is a high financier but wants to go to train as a caregiver because they drop a lot of money." When you probably speak to the caregiver, they have not realised they can drop the money, they still owe the tax because of the year behind, so it just makes everything work better. It is one of them that people do worry about the nearer they get. They think it would be lovely if you have got the option to change your job. We have got people who lost their job or if they did not lose their job they lost a lot of hours this year but they have still got the liability for last year. Ordinary people that I speak to think it is Christmas coming twice, we might not get the original Christmas, but they think it is a fantastic idea. When I saw the Minister for Treasury and Resources had literally expanded it right out to the option of out of the pension or out to 20 years, I thought: "I am sure everyone will support this." I absolutely take on board it is not the Care Model, we know exactly what we are doing. I think this one you have seen the options and it is not the day for the debate but when they come back if you do not like them, if you do not think they work, if this gets passed, you can amend. But it is one of the days, I think you have to trust the Minister, she has met with everyone, she has tried to make it as fair as possible and we have not had the time to get exactly where we want to be. If we had not had COVID it would be a bit further advanced. But I really, really hope for the ordinary working man, woman and youngster in Jersey this really, really will help them. I will leave it at that but I really do ask the people to support the Minister.

3.1.11 Deputy L.B.E. Ash of St. Clement:

Firstly, I would just like to answer a couple of points that have been raised because I think they are good questions. The first question that was raised was: can the department cope? It was one of the first points that the Minister and I put to the department when we were looking at this. The answer we got was that they most certainly can cope and that, in fact, if this is not passed and we have, let us face it, it could be, a considerable number of people struggling to pay this tax liability, we may well have to come to agreements, bespoke agreements, with very, very many people and that will put a tremendous amount of pressure on. I would also like to say that I thought what Deputy Ward said was 100 per cent correct. Sometimes these jobs, not just in the Tax Department but in the civil service, are not the easiest of jobs. They come with quite a lot of criticism, both from the Assembly and from the media, and it can be a thankless task, so I think it was very good of him to praise the service he received there. Is it fair on the current year basis taxpayer, was the question I think Deputy Southern asked, and again many people have asked the question of fairness? In fairness, Deputy Tadier, his party colleague, answered pretty much as I would have done. Where it would have been unfair is that the current year basis taxpayers are paying their tax, they do not owe any. Prior year taxpayers owe the Government money, that is the fact. Now, if we could have written that off, as some people were suggesting, then it would have been desperately unfair on current year taxpayers and it also would have been desperately unfair, as my email in box will testify, on those who had retired and spent a very, very difficult first year trying to pay off their tax liability on a reduced income. So I do not think that bringing this in is a question of unfairness, I think it will make for a much fairer system. As for taxes being increased, obviously no one can say whether they will or will

not; hopefully this move will make that less likely and Deputy Southern said we should be looking at taxes, in his truncated speech. Perhaps we could have Senator Ferguson in charge of the clocks and then we could have Fergie time added on at the end of these speeches. But he raised the point on taxes but the thing is with tax, let us say we did have to raise tax, which I hope we will not, particularly if this measure is adopted, if we put, say, income tax up to 25 per cent or G.S.T. up to 8 per cent, as I think Senator Moore was alluding to, that could fill in gaps here and there. What it would not do of course is help the taxpayer because he would have to be paying an extra 5 per cent, let us say, on V.A.T. (value added tax) or G.S.T. as we had ... sorry, on income tax, he would still owe that tax money at the end of it. Here, with this move, the person concerned does not, they will have not got that liability after 20 years. But we moved away from many things in this debate, from what I would like to go back to, which is to look at why we did this. Obviously it had been in the pipeline for some time but that was not why this was done at this time and with such speed. This was to help out the sizeable number of self-employed people and people who are paying their tax a year behind. Now I have spoken to many people on this and people have sought me out to speak on it, self-employed people, and they have said: "Is this true?" and I said: "Yes, it is perfectly true, if it is passed, that you can put that tax liability back." "For how long?" I said: "Well ..." and I explained, I went right through the scheme. One person used the phrase which probably might not go down well with certain Members but he said: "That is exceptionally generous." Now when we talk about the ... which was raised by Deputy Morel, who I have to say is partly responsible for the exceptional generosity because it was him who pointed out one or 2 flaws but when he says: "This is changing the taxes without giving people proper notice", well, if we put G.S.T. up, for argument's sake, which we could or could not, that would not be giving anybody any notice either. It would not make it illegal, it would just be saying: "We are putting G.S.T. up", or: "We are putting income tax up", or: "We are putting [going back to one of my old favourites] alcohol duty up." We do not give people any notice on that, it just happens. So here this is money that is owed to us and we are giving people 20 years, 20 years effectively, to pay it back so I do not think that is being particularly unreasonable. There are other things it will help, and again I was talking to someone who said he went to London to work for 3 years and he said his first year was very difficult, or his first 2 years in fact, because he was still paying his Jersey tax bill from the previous year, so he was effectively paying 2 years' tax because he was also paying tax in London. That will not happen anymore, this simplifies the entire tax system. It has everybody working on the same basis and that surely has to be a fantastic thing. It will also of course help people coming up to retirement now who may well have had a very difficult year this year and, who knows, may have a difficult year next year. So, it is going to give an awful lot of people a considerable amount of time and it will, I think, be a wonderful thing for this Assembly to have achieved after years of talking about it to have put everyone on the Island on the same tax basis.

3.1.12 Senator L.J. Farnham:

I just want to talk about the importance of the economic impact and the impact we faced at the beginning of the year, the economic uncertainty we were facing before the pandemic with Brexit, the economic upheaval we have had to deal with since the start of the pandemic and throughout the pandemic, and we have seen it create very, very tough conditions for the economy at the start. Those conditions, because of the processes and the methods we adopted for testing and tracking and tracing, and of course on the back of the economic support programmes we have put in place, improved slightly during the summer. Now they are worsening as we get into the winter and of course the announcement by the U.K. Prime Minister at the weekend, which effectively put the United Kingdom into lockdown from this Thursday is going to have an impact on us as well, notwithstanding the very good position we are in. So, as Senator Moore stated in her address, times are difficult and they are not just difficult, they are extremely difficult, difficult is an understatement, and so we need to recognise that. This move, this proposition, does leave considerable disposable income in the economy and it leaves it in the economy now and it leaves it in the economy over the next 2 to 3

years, so the crucial time when we will be having to deal with the oncoming recession and the recovery through that. We have had economic discussions about this and the outcome is always the same, the economy needs the support now. We need to make sure that on the back of the support we have given businesses, the payroll scheme, the bank guarantee loan schemes, the defer of social security payments, there are more schemes being announced. Ministers are meeting on Friday just to discuss the situation moving through the winter because when we agreed that we were going to phase out payroll schemes and such like, we were predicting a better position we might be in, so the position is constantly under review. But the view from business, from all the business sectors, is the same, they need continued help. We need to make sure we protect Islanders' jobs and livelihoods and we free up as much money as we can to go into the economy through the winter and into next year. So, that will ensure that the foundation, the businesses and the jobs that we have protected are there to take advantage of the recovery when it comes. Now, a move to rectify this unfairness, Deputy Tadier talked about, a number of Members I think have spoken about the unfairness of the current system, but one of the biggest inequalities is the fact that one-third of our payers are paying current year and two-thirds are paying previous year and this move is an improvement, as it addresses and seeks to start the improvement and improving the equity in the tax system. We know our best times are ahead of us, which is why we need to make the decisions now. We cannot be kicking the cans down the road. Islanders need certainty more so than ever so they can plan, they need to plan now. Deputy Morel spoke about the notice that Islanders might need but I think the Minister for Treasury and Resources has dealt with that by her demonstration of understanding in relation to revisiting the proposals because I was uncertain about this initially. But now we have a very realistic and extremely advantageous proposal on the table for many prior year taxpayers, which effectively freezes their liability until 2025 if they need it to be. I would rather that than saying: "Right, we are going to delay it for another year and then revisit it."

[11:30]

Let us provide the certainty now because the notice is in the timetable set out by the Minister for Treasury and Resources. That swung it I think for so many Islanders who were concerned about it and that, I believe, is the notice period we need. When I spoke about kicking the can down the road, I think I have noticed in this Assembly, more so than previous Assemblies, there is a tendency, as Deputy Pamplin mentioned yesterday in his speech, to be right before we begin. As the saying goes, if you always have to be right before you begin, then you will never begin. If you have to include every single detail before you begin, then you will never begin and you will never achieve anything. The process we follow here is an agreement in principle and then a sequential process of further approvals. We have to approve the law and then the process we have in place with annual reviews of future Government Plans, which mean we have every opportunity to continue to approve and improve what we have done and we must do that year after year. I think I would urge Members to support this today. It will take a lot of pressure off an awful lot of people who are suffering at the moment, suffering from reduced incomes, uncertainty about their jobs. I know because myself and my team are on the front line and my inbox is filling up by the day, by the hour, in fact, from businesses and Islanders who are really concerned about what the future holds for them. I think this might not be a perfect solution but it is a good solution, we should support it and then we can continue to improve our tax system in the months and years ahead.

3.1.13 Connétable R.A. Buchanan of St. Ouen:

A lot has been said in this debate already and I just have a few points that I want to add to the debate. I firstly would cast everyone's minds back to the good old bad old days before we had I.T.I.S. where the situation for taxpayers was even more tricky than it is now. Taxpayers had to save up their tax for their bill which was, in those days, still on a P.Y.B. for everyone and then they received a very large bill in September or October and after they passed out and had a drink to revive themselves, had to work out how they were going to pay it and those payments were made in a number of ways.

A number of firms offered repayment schemes and allowed people to save up money towards their tax. People who were self-employed or people who, where that did not exist, had to do it themselves; indeed there were other problems because people used to use saving schemes set up by pubs and other social institutions which they frequented. There have been some very harrowing tales where people who had come to collect their money to go and pay their tax, only to find that fraud had been perpetrated. So, we have moved on with the introduction of I.T.I.S.; however, in my view, when I.T.I.S. came in we should have done the job properly and I guess there is no criticism of the people that did it but I.T.I.S. was a bit of a fudge really. It was a way to get people to be able to pay their tax liability from current earnings even though they were still paying back tax on money they had earned in the previous year but the rate they were paying did not directly bear a huge relationship to the amount that they owed in previous years. Therefore, we have ended up with this liability for previous years for quite a number of people in the tax system. The Treasury have been extremely helpful as we have moved towards this debate with providing us with a number of briefings and explanations as to how it is going to work but they did also provide some very interesting figures which I think are worth bringing to people's attention and I have done some rough calculations. It is worth knowing that of the people who are on P.Y.B., 68 per cent of them are within 15 years of retirement and 47 per cent of them are within 10 years of retirement. So those people have got this problem looming large in front of them and, as we have mentioned, times are not easy, people's incomes in some instances would have dropped, self-employed traders will find their takings dropping, so everyone is cash-strapped and also they have this problem looming on the horizon. In the normal course of events when they retire they have to find the money to pay back the P.Y.B. liability that they have got but this scheme is a bit like a knight charging over the hill towards them because it does solve for people who are close to retirement the problem in a very nice way for them. They now have the ability to have a tax-free loan from the state for up to 20 years to pay off this liability, admittedly out of a reduced income once they have retired, but it is an awful lot better than having to find the cash possibly out of their pension pot, if they have a pension pot of sufficient size, or out of savings or indeed coming to an arrangement with the Tax Office to reduce their pension income to a level where they are paying back their liability. It also gives them just about enough to do, which is not really an ideal situation to be facing when you have worked all your life and you are about to retire. So, in that respect, I think the proposals solve the retirement problems for a large number of people in the Island. I calculated it is about 15,000 or 16,000 people who are going to be, in the next 10 years, facing quite a substantial problem in terms of how they deal with their retirement and I think in that respect it is to be applauded. The other point that I want to make is that our tax system having a P.Y.B., a prior year basis of assessment, is a bit of an anachronism really. There are very few taxes, and the Minister for Treasury and Resources has referred to this, that are on that basis and it is extremely complicated to administer in that respect. One of the other benefits that I think we need to focus on doing this is the fact that it will allow the Tax Office to introduce separate taxation for men and women, something that I have been very keen to see happen for a number of years. The U.K. did it almost 15, 20 years ago and yet we still have the rather old-fashioned system of the tax liability belonging to just one taxpayer, the male, which in today's age is not something that we should be proud of. So I think, for all the reasons that we have discussed in this debate, I think this is something that we should be approving and moving forward with, not least because in the current pandemic there are an awful lot of taxpayers who are on P.Y.B. who are going to be struggling and will struggle this year to find the money to pay the extra demand being made of them in November. So for that reason alone I think it has merit but, for the other reasons I have outlined, I think it is eminently supportable. As I have said, it will simplify the system for the Tax Office who have had to struggle with an awful lot of problems in the last year or so, not least to get away from what was ... and I think this is worth reminding people, up until a couple of years ago the Tax Office, which is largely paper-based, when you have 105,000 clients is a bit of a nightmare plus all the business paperwork they had to deal with, they have managed to get themselves on to a decent computer system, not without problems, I hasten to add, which I am sure most people's constituents

have been on to them about. But this will make life even easier for them and move us into having a Tax Office that is up to date and is working to current modern standards. So for all those reasons, it is my view that this is very supportable and we should allow the Minister for Treasury and Resources to go away and draft the detailed regulations and come back to the Assembly for approval on those because not to do so, I think, will be a retrograde step and would also put a number of taxpayers in some very difficult circumstances at a time when cash is short. So it very much has my support and I urge Members to support the proposal.

3.1.14 Senator S.C. Ferguson:

Senator Farnham mentioned being “right before we begin”. Terribly short-sighted. When have we got a project to build a hospital we got an idea of the costings. If you want to build an extension to your hotel, you get a quote or an estimate but you do not just say to the builder: “Here you are, get moving with it.” It is basic practicality or do you only find that up north? I question whether this is legal under the law. My understanding is that it will not be able to be brought into effect before next March. Basically I already pay so much a month into my tax account. I received a letter, while I was in hospital, which I thought was a bit unkind, from the Comptroller that I double my monthly payment as of immediately, in other words, effectively putting a gun to my head, in a velvet glove perhaps. It was put very nicely, very sort of charmingly, but if it cannot be legal until next March, it cannot come into effect, it all seems a bit overkill. Certainly other countries have changed but I have a nasty suspicion as to motives. It makes the Government accountant happy, they do not have to work out what the debt level is to sort of estimate the debt on current tax payments. Great fun. As for the pressure for people about to retire, most of the people on P.Y.B. are people who will be coming up to retirement. Yes, for years we have been able to go into the tax people and say: “Can I change my pattern of payment so that I can come out at retirement clear?” but it is really quite possible, likely even, I hope it is not, that these things happen. It is likely that payment will be truncated, as the pressure the scheme is putting on pensioners may well increase the mortality rate, which is not much fun. We might get the money if there are sufficient assets to pay any sort of death duties or the equivalent thereof over here, the tax, but any estimates of what you are going to get out of it could well be somewhat overstated because the source of income will not be there. So I would like to see a better organisation and how it is going to set up and so on. Yes, we are having a very generous ... you can pay over 20 years and so on, but that will not be a lot of use if the people are dead. So perhaps we ought to think again about it and see how better we can do it.

The Bailiff:

Does any other Member wish to speak on the principles? If no other Member wishes to speak, then I close the debate and call upon the Minister to respond.

3.1.15 Deputy S.J. Pinel:

I will start off with, as anyone who knows me reasonably well, I do not act in haste and neither do I bring any proposition to the Assembly unless I believe it is the right way forward, which I think the Connétable of St. Martin was asking for reassurance. I also said in my opening speech that this debate was not about repayments and many of the speakers have strayed into this. Normally in a summing up I do it generally but I think this is quite important and a lot of people have asked a lot of questions so I hope people will bear with me while I go through them. The Connétable of St. Martin did say that it is incomplete regulations. It is not.

[11:45]

The principle of moving from prior year basis to current year basis is all this is about, with the separation being that we then have time to listen to the public, to the Assembly, to Scrutiny as to how we think we should move forward with the regulations and I think there was a question about having promised draft regulations. We certainly said we would propose some draft regulations, instead we

gave a framework on the basis that listening to people, the focus groups, which only finished at the end of October - I mentioned Deputy Morel before, Deputy Young - that we can then put people's questions into the system and then draft the regulations accordingly. So it is certainly not hastily produced inasmuch as those will not be brought forward until the end of January, February next year for debate; so just to reassure the Connétable on that. Deputy Ahier again mentioned the haste and talked about the Government Plan. Well we are not talking about the Government Plan other than this was mentioned in the previous Government Plan so it has been a long time in the coming since 2006 when the move to C.Y.B. was made, this has been talked about putting the whole system on the same repayment pay as you earn. Twenty years repayment was brought up as being fairer to people, I think as I mentioned in my opening remarks, who have families with children, young children or children at university, mortgages to pay, so that is why we took into account the comments that were made on that. The Connétable of St. Brelade said there was not much consultation. Well we had a survey which lasted for a month to which 2,300 people responded. We have also had the focus groups which have also been going on for a month from which a lot has been drawn and essentially they seem to be people who are very well-appraised of tax issues. The comments we have had from many of the tax officers, not our own but independent ones, have been very positive about this move forward. Deputy Southern, delighted that he had a very prompt response from the Tax Office and thank him for mentioning it. Again, he mentioned it being rushed, I have dealt with that, and it is not change after change, this is purely putting forward different suggestions in the regulations which can be taken forward at a later date. That is not the essence of this proposition. Also mentioned by Deputy Southern, and thank him for his breakdown of the figures, he mentioned the R.C.F. as a 2-year loan. It is a 2-year loan but is also extendable for another year and then if required another year on top of that, so it gives us 4 years, should we require it, and we have not yet. Deputy Tadier, I thank him for his kind remarks and it is very fair the way we are going forward. What is unfair at the moment is the dual system where two-thirds of taxpayers owe tax a year late and I think it is fairer to everybody to move on to the current system, which is all this current debate is asking to do. The Deputy of St. Mary mentioned retirement age, this allows pensioners to have the same 20 years if they need it to pay back the debt. As has been mentioned further on, that it is pensioners who really do suffer the way it is at the moment because they have to save up and make a pension payment plan either years earlier or then face quite a large repayment debt when they retire on possibly a lower income. Deputy Ward wants the regulations and principles but I have been quite clear that those are coming later, this is just the principle moving from P.Y.B. to C.Y.B. He also mentioned it would possibly be unfair on those with lowest incomes. Those on low incomes do not pay tax, that is about 30 per cent of people do not pay tax. We have quite a high threshold in Jersey for people paying tax. Senator Moore was worried about the regulations and timings. Well again I think I have explained that, that we have done as much as we can to give people a huge amount of information ahead of this debate so that it is an informed debate but the debate on the regulations will come later when we bring the draft regulations to the States. Deputy Morel, he talked about fairness as well and mentioned to bring it in this year. It is being brought in this year because, as has been mentioned, I think by Deputy Ash, that the reason for bringing it forward - it was always going to be on the agenda - but the reason for bringing it forward is to help those people who face a large bill by the end of November, the payment on account taxpayers, and it would then freeze their tax bill, if they wish to freeze it; they do not have to. But it will not be brought in as legislation until 2021 so I think that was a bit of a misunderstanding. It will not be brought in this year, we just need to get the legislation through for it to be effective in 2021. Deputy Martin talked about helping out people, pensioners in retirement with a loss of income in 2020 possibly. So absolutely that is one of the reasons for bringing it forward and, not in haste, a huge amount of work has been done on this, so I want to reassure people that it has not been done in haste. Senator Farnham mentioned economic recovery, which of course is what we are all very concerned about, and this makes not an awful lot of difference but just to reassure people that if the States Assembly, when we talk about the regulations and repayment, do not wish this money to be ring-fenced to go into the repayment or help with the repayment of the

COVID debt, it does not have to happen, it was just a suggestion. But it would be some way for people seeing where their money went; it does not have to happen. The Connétable of St. Ouen, thank you for his percentages of people shortly to come out for retirement, and it is quite a large percentage because of the demographics that we are facing at the moment, so it does affect a lot of people and I hope will enable those people to spread out their prior year basis retirement plan. Senator Ferguson saying “be right before we begin”, as I keep repeating, this is just about moving from prior year basis to current year basis, it is not about the regulations which will come later. So on that note, I move the principles, please.

The Bailiff:

Very well. Deputy Southern wishes a point of clarification, Minister.

Deputy G.P. Southern:

I just want to clarify that I heard the Minister correctly when she said if people did not want this money to go into paying off the debt, surely all these payments are servicing the debt, whether it is a short-term or a longer-term debt, that is all we are doing, servicing; we are not paying it off. If it is longer term it will be a bond ...

The Bailiff:

Well the point of clarification is whether the money is being used for servicing the debt or paying it off?

Deputy G.P. Southern:

Yes.

The Bailiff:

Are you able to assist that, Minister?

Deputy S.J. Pinel:

Yes, what has been mentioned is that the income from P.Y.B. tax liability would be ring-fenced to pay off the debt, not to service the debt, but that is for the Assembly to decide, that is not part of this proposition.

The Bailiff:

I ask, therefore, the Greffier to place a voting link within the chat. The link is there, I open the voting and I ask Members to vote on the principles in the normal way. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The principles have been adopted:

POUR: 43		CONTRE: 4		ABSTAIN: 0
Senator I.J. Gorst		Senator S.C. Ferguson		
Senator L.J. Farnham		Deputy G.P. Southern (H)		
Senator J.A.N. Le Fondré		Deputy J.M. Maçon (S)		
Senator T.A. Vallois		Deputy K.F. Morel (L)		
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				

Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Deputy Greffier of the States:

Those voting *contre* in the link: Deputy Morel, Senator Ferguson, Deputy Maçon. Then within the chat, Deputy Southern.

The Bailiff:

Very well, that concludes the debate on the principles. As this is a taxation draft it would not normally be called in for Scrutiny but, at any event, I think the Scrutiny Panel has no interest in calling this in at this stage, is that correct?

Senator K.L. Moore (Chair, Corporate Services Scrutiny Panel):

No, thank you, for the reasons we outlined. This was a now or never and there would be no point in doing that.

The Bailiff:

Very well, how do you wish to deal with the Articles, Minister?

3.2 Deputy S.J. Pinel:

To propose the Articles *en bloc*.

The Bailiff:

Very well, do you wish to speak to the Articles either individually or *en bloc* at this stage?

Deputy S.J. Pinel:

I can do but I think that we have probably gone through everything but I can if you want me to break them down.

The Bailiff:

It is not a matter of what I want, Minister, it is entirely a matter for you as to how you propose the Articles.

Deputy S.J. Pinel:

I will break them down.

Deputy G.P. Southern:

If I may? I wish to ask a question about when the Minister is referring to Articles which concern the 20-year payoff plan if possible, please.

The Bailiff:

What can happen, either the Minister can speak to the matters individually or she can speak to the matters *en bloc* or she can simply move them without speaking to them at this point. You can, of course, speak on any of the Articles that you wish during the debate and the Minister will then be presumably able to answer them when she sums up at the end. So, are you speaking to the Articles, Minister, or do you simply propose them?

Deputy S.J. Pinel:

Sorry, I am going to simply propose them. I apologise, I could not quite understand what the Deputy was asking.

The Bailiff:

The Deputy is indicating he has questions or comments to make during the course of the debate on the Articles in connection with some specific Articles, some specific provisions, but you undoubtedly will answer those when the time comes. Are the Articles seconded? **[Seconded]** Does any Member wish to speak on the Articles?

Deputy G.P. Southern:

Yes.

The Greffier of the States (in the Chair):

In that case, I call Deputy Southern.

3.2.1 Deputy G.P. Southern:

Can the Minister confirm for Members that if this 20-year mechanism is not adopted today or in future that in any case leaving things as they are now she will get the money which is due in a period of between 25 and 30 years anyway?

[12:00]

This money which is due from P.Y.B. taxpayers will continue to be due and will be paid off within 25, 30 years?

The Greffier of the States (in the Chair):

Was that your speech?

Deputy G.P. Southern:

That was my question, yes.

The Greffier of the States (in the Chair):

Does any other Member wish to speak on the Articles? If no other Member wishes to speak on the Articles, I call on the Minister to respond.

3.2.2 Deputy S.J. Pinel:

The 20-year repayment scheme to which the Deputy is referring is not part of this debate, that will be part of the regulations which will come forward as draft regulations and be lodged early next year. So it is not part of this debate, this is purely the move from P.Y.B. to C.Y.B., prior year basis to current year basis.

The Greffier of the States (in the Chair):

So we therefore come to a vote on the Articles. The link is available in the chat, I ask Members to cast their votes. If Members have had an opportunity to cast their votes, this is the final opportunity to do so, I will ask the Greffier to close the voting on the link. The results will be up shortly. The Articles have been adopted:

POUR: 43		CONTRE: 3		ABSTAIN: 0
Senator I.J. Gorst		Senator S.C. Ferguson		
Senator L.J. Farnham		Deputy G.P. Southern (H)		
Senator J.A.N. Le Fondré		Deputy J.M. Maçon (S)		
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				

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

The Deputy Greffier of the States:

Those voting *contre* in the link are Senator Ferguson and Deputy Maçon. Then within the chat Deputy Southern.

The Greffier of the States (in the Chair):

Minister, how do you intend to take the matter in Third Reading?

3.3 Deputy S.J. Pinel:

Yes, please, if I can propose in Third Reading.

The Greffier of the States (in the Chair):

Proposed in Third Reading. Is that seconded? **[Seconded]** Does any Member wish to speak on Third Reading?

3.3.1 Senator K.L. Moore:

I would just like to say a few words. I think this is the third time during this sitting that Scrutiny have saved the Government and helped them to bring a major proposition across the line. I would like to take this opportunity to address the really hard work of the whole Scrutiny team over recent weeks. **[Approbation]** Since COVID they have turned around a very high volume of work with a very small team, they have shown true dedication and we are very grateful to them indeed. On this particular item, we found an excellent adviser who had a great deal of experience and she brought very technical knowledge to the report, which I hope that Members have had time to read in making these decisions. This is exactly what democracy is about and I am grateful to the Minister for having moved her initial proposition and having listened to the views of Scrutiny and the public and we will look forward to looking at the regulations when they come.

3.3.2 Deputy R.J. Ward:

Just briefly, I want to say 2 things. One is just to reiterate the work of Scrutiny and the officers who are not a huge department but do a phenomenal amount of work in a very professional manner and real skill and certainly support us in our Scrutiny work. We could not perform the functions as well as we do with the independence in the way that we do it without them. I would also like just to reiterate and have further reassurance from the Minister that we will not give any discounts for early repayment and that we will really be sensitive to those on lower incomes who may face tax bills, particularly older members of our community on lower incomes who face tax bills who may find themselves very vulnerable or those with children who are working 2 or 3 jobs too often on this Island just to make ends meet and are faced with this tax bill. There needs to be real flexibility and real feeling for them and their lives because the reality of £20 or £30 may not be a lot to some but it is to many in our community and certainly in the district that I represent and others represent as well. So I would just like those reassurances and I think Third Reading is the place to ask for those.

3.3.3 Senator L.J. Farnham:

After years of thinking about this, I believe the States today have made a very significant and important decision to address a deficiency in our tax system. I believe that in these difficult and challenging times many Islanders will benefit and believe the decision will help us as we move

through a recession. I do believe it is in the best long-term interests of the majority of Islanders. That is it.

3.3.4 Deputy K.G. Pamplin:

I will be brief. I just wanted to reiterate what Senator Moore said. Her Scrutiny Panel report was a great help and I can see with the response of the Minister for Treasury and Resources following the Scrutiny Panel's work, how aligned it ended up being and it was really grateful. Also I would like to thank Deputy Ash, I thought his summing up was really helpful and the reason why it was really helpful is he made it simple, understandable and ... **[Interruption]** I can just reassure people that is not beeping at me. But it was very, very clear, concise. My final point on the back of that is, taxes are fundamental as a way of life and it is people's lives we are talking about here. It is very difficult sometimes in the vacuum that we operate, albeit in the Chamber or being sat around the Island talking into our laptops, we are talking about people's lives. We are talking about a change, positive though it could be, that taxes all our business and we have to make our tax system simpler and we have to take people through the journey. If this pandemic has taught us nothing, communication and bringing everyone together is so more important. People are nervous, are anxious and Jersey sometimes struggles with change, does it not, so we need to take everybody through. So I just request, as I always do, that the communication and supporting people's concerns and anxieties are met because they are real but this could be a very important moment for the Island. That is all I wanted to say.

The Greffier of the States (in the Chair):

Does any other Member wish to speak on Third Reading? If not, I will close the debate and call on the Minister to reply.

3.3.5 Deputy S.J. Pinel:

I extend my huge thanks to the chair of the Scrutiny Panel, Senator Moore, and totally acknowledge the huge amount of work that has gone into the report that I have in front of me and acknowledge the contribution prepared by Rebecca Benneyworth as well. The amounts in a short turnaround period, which I acknowledge, has been a vast amount of work. I apologise to Deputy Ward for not replying to his question before on discounts for people who pay early. There are none. We did look at the situation but we then went into would we introduce charges for late payments and it was just too difficult and unfair across the board, so neither will be introduced. Also to acknowledge to him that I have listened, as has been proved by the details that have come out for the payment scheme, but that is for another debate. Thank you to Senator Farnham for his contribution and to Deputy Pamplin and of course to my Assistant Minister, Deputy Ash, who, as Deputy Pamplin said, put it in very understandable terms. So thank you, I propose the Third Reading.

The Greffier of the States (in the Chair):

We now come to the vote on the Third Reading on this draft law. The link is available in the chat, so I would ask Members to vote, using the link if at all possible, otherwise in the chat. If all Members have had the opportunity to cast their votes, this is a final opportunity to vote using the link or in the chat, then I will ask the Greffier to close the voting. The draft law has been adopted in Third Reading.

POUR: 41		CONTRE: 2		ABSTAIN: 1
Senator I.J. Gorst		Deputy J.M. Maçon (S)		Senator S.C. Ferguson
Senator L.J. Farnham		Deputy K.F. Morel (L)		
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				

Connétable of St. Clement				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Deputy Greffier of the States:

Within the link, those voting *contre*: Deputy Maçon and Deputy Morel and Senator Ferguson abstained.

3.4 Draft Income Tax (Amendment No. 46) (Jersey) Law 202- (P.118/2020) *Acte Opératoire*

The Greffier of the States (in the Chair):

We now come to the *Acte Opératoire* which is the instrument which gives this immediate effect. The Greffier is possibly inconvenienced in not having a copy to read out, so if I can just pass that through, I will ask the Greffier to read the Act.

The Deputy Greffier of the States:

Draft Act declaring that the Income Tax (Amendment No. 46) (Jersey) Law 202- has immediate effect. The States make this Act under Article 12 of the Public Finances (Jersey) Law 2019.

3.4.1 Deputy S.J. Pinel:

I would just like to put this forward and ask for the vote.

The Greffier of the States (in the Chair):

Is it seconded? [**Seconded**] Does any Member wish to speak on the *Acte Opératoire*? I see no requests to speak in which case we will very shortly arrange for a vote to appear in the chat. Members cannot vote before the link has appeared, if I can just remind Members of that. It just takes a couple of minutes to set a vote up. The vote is now available in the chat using the link. So, I ask Members to use the link and those who wish to vote using the chat, or need to vote using the chat, please do so now. If Members have had the opportunity to cast their votes, this is a last opportunity to use the link or to use chat. I will ask the Greffier to close the vote. The *Acte Opératoire* has been adopted:

POUR: 41		CONTRE: 1		ABSTAIN: 0
Senator I.J. Gorst		Deputy J.M. Maçon (S)		
Senator L.J. Farnham				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

4. Draft Social Security (Amendment of Law No. 13) (Jersey) Regulations 202- (P.113/2020)

The Greffier of the States (in the Chair):

So we now come to the next item on the Order Paper, the Draft Social Security (Amendment of Law No. 13) (Jersey) Regulations. I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Social Security (Amendment of Law No. 13) (Jersey) Regulations 202-. The States make these Regulations under Article 50 of the Social Security (Jersey) Law 1974.

4.1 Deputy J.A. Martin (The Minister for Social Security):

This proposition is necessary following on from the last debate which agreed that income tax will be collected to a current year basis rather than the prior year basis. Long-term care contributions are of course already collected on a current year basis and at the same time as income tax.

[12:15]

We also require some complementary changes to the Social Security Law and the Income Tax Law, which is why we are doing these 5 regulations. These changes will mean some people’s long-term care contributions, those who pay on account, will be estimated and communicated in a similar way and they will also pay them in May next year rather than November this year. This delay in paying contributions is part of the fiscal stimulus package specifically aimed at the self-employed and will help them and the economy to recover more quickly. I will try to answer any questions that Members may have and I propose the principles.

The Greffier of the States (in the Chair):

Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles? I see no requests to speak on the principles and therefore in the absence of any requests, we will move straight to the vote on the principles and the link will appear shortly in the chat. The link is available for the vote. This is on the principles of P.113. Members have had the opportunity to cast their vote. I will give Members a last call if they wish to vote using the link or using the chat, if they need to. I will ask the Greffier to close the voting. The principles have been adopted:

POUR: 41		CONTRE: 0		ABSTAIN: 0
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				

Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Greffier of the States (in the Chair):

Deputy Le Hegarat, this matter falls within your panel’s remit. Do you wish to call it in?

Deputy M.R. Le Hegarat (Chair, Health and Social Security Panel):

No, thank you, Sir.

The Greffier of the States (in the Chair):

Thank you very much. Minister, there are, I think, 5 regulations and a schedule, how do you intend to deal with them?

4.2 Deputy J.A. Martin:

Can I take them *en bloc*, please?

The Greffier of the States (in the Chair):

Are they seconded? [Seconded]

The Greffier of the States (in the Chair):

Does any Member wish to speak on the regulations? I do not see any requests so I think we will move straight to a vote on the regulations. I need to give the Greffier a bit more time to set these up. The link is available now in the chat. Members can vote there, if at all possible, on the regulations. A good number of Members have had the opportunity to vote using the link so I will give a final call. Anyone having problems with the link to vote using the chat. I will ask the Greffier to close the voting. The regulations have been adopted:

POUR: 43		CONTRE: 0		ABSTAIN: 0
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				

Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hégarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Greffier of the States (in the Chair):

Minister, do you wish to take the matter in Third Reading?

Deputy J.A. Martin:

Yes, Sir, I maintain the regulations in Third Reading.

The Greffier of the States (in the Chair):

Are they seconded? [**Seconded**] Does any Member wish to speak on Third Reading? No request to speak on Third Reading so we will very shortly publish a link for a vote on Third Reading. The link is available, if Members could cast their votes on Third Reading of P.113 using the link or in the chat. Members have had the opportunity to cast their votes but I will just give an additional few seconds for use of the link or if any Members are having a problem to use the chat. I ask the Greffier to close the voting. The regulations have been adopted in Third Reading:

POUR: 41		CONTRE: 0		ABSTAIN: 0
Senator I.J. Gorst				
Senator L.J. Farnham				

Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy L.B.E. Ash (C)				
Deputy G.C.U. Guida (L)				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

5. Migration and Population Data (P.120/2020)

The Greffier of the States (in the Chair):

The next proposition is entitled Migration and Population Data, P.120, lodged by Deputy Perchard. There is an amendment lodged by Deputy Perchard and also an amendment to the amendment lodged by the Chief Minister so before we start I wonder if I could ask the Members involved, Deputy Perchard and the Chief Minister whether ... we will start with Deputy Perchard whether she is accepting the amendment from the Chief Minister to her amendment.

Deputy J.H. Perchard of St. Saviour:

No, Sir, I am not.

The Greffier of the States (in the Chair):

Thank you very much. That simplifies matters to some extent so we will start with the proposition without amendment. If the Greffier could read the original proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion – (a) that any forthcoming Migration Policy should present sustainability data showing the infrastructural, educational, health-related, environmental and social requirements of the proposed population size across the period to 2070 and include an explicit prediction of the population size for 2030, 2040, 2050, 2060 and 2070 based on its proposed rate of tolerable population growth; (b) that this sustainability data should incorporate all required major infrastructure projects (in 10-year intervals) arising from the forecast rate of population growth, including but not limited to: the number of new primary and secondary schools, hospital facilities and staff accommodation, affordable homes for first-time buyers and for elderly residents, social housing, the required road maintenance and construction, and the provision of utilities; (c) that this data should also include, for every 10-year interval across the period to 2070, any anticipated additional funding required for income support, pensions, long-term care and all other contributory benefits; (d) that, ahead of the debate on any forthcoming Migration Policy, the public shall be consulted on its views regarding a sustainable population size across a 50-year period; a representative and proportional sample of the Island’s population must be included, that being a sample whose gender balance, residential statuses, ages, ethnicities, and other key characteristics reflect that of the Island’s overall population; (e) that any forthcoming Migration Policy should demonstrate reasonable and thorough consideration has been given to a net-zero inward migration policy and provide a clear rationale (with supporting data) for why such a policy has not been proposed, should that be the case; and (f) to request the Council of Ministers to take the necessary steps to implement paragraphs (a) to (e) when developing a forthcoming Migration Policy for debate by the States Assembly.

The Greffier of the States (in the Chair):

That has provoked a flurry of questions and points of order. I am just going to start with the Deputy of St. Martin, who said for some reason his vote did not show in the last vote and he voted *pour*. Deputy, it does show. It is in front of me at the top of the table so I think it is all fine, but thank you. Deputy of St. Peter, did you have a question?

Deputy R.E. Huelin of St. Peter:

Very quickly. I am aware the Deputy is not accepting the amendment to the amendment. I was wondering if she will be accepting part (b) and (c). It might simplify matters.

The Greffier of the States (in the Chair):

Deputy, your sound quality is not good from where I sitting. You need to be closer to your microphone but I think I heard what you said because it reflects also the ... The point is that if Deputy Perchard is not accepting the amendment to her amendment then we have to go through all of these things separately because if we were to proceed on the basis of Deputy Perchard accepting the amendment to her own proposition, the amendment to the amendment from the Chief Minister would fall. So in order to have a relevant debate we have to do it all by the book.

The Deputy of St. Peter:

That is fine, thank you, Sir.

The Greffier of the States (in the Chair):

Deputy Perchard, does that deal with your question before I come to Deputy Tadier?

Deputy J.H. Perchard:

Possibly. My question was why are we not debating the amendment to my proposition as amended by my own amendment? I am not sure I understood. If you could just repeat that.

The Greffier of the States (in the Chair):

If we did that then the Chief Minister's amendment to your amendment would fall away because it would not make sense any longer because it has not been lodged as an amendment to the main proposition. It is a technicality but it is how it works.

Deputy J.H. Perchard:

So will the order of debate be the amendment to the amendment followed by the amendment as amended?

The Greffier of the States (in the Chair):

You will speak to your proposition, you will then be invited to propose your amendment to the proposition and explain that and then Deputy Huelin will be invited to propose the amendment to the amendment. There will be a debate on that and then we will go back to the amendment and the main proposition.

Deputy J.H. Perchard:

Thank you, Sir.

Deputy M. Tadier

It is just under Standing Order 104(a) about time limits. I am sorry if I have missed it elsewhere but can you remind us who is the designated main respondent in this and whether or not, due to the nature of the debate, there might have been more than one main respondent considered and, if so, who they are?

The Greffier of the States (in the Chair):

The standing practice is that relevant Minister and the relevant Scrutiny chair are the principle responders so for the main proposition it would be the Deputy of St. Peter representing the Chief Minister, and I believe Senator Moore on behalf of her panel because I think this would probably fall to the Corporate Services Panel. For the amendment it is reversed, so it would be the same in relation to Deputy Perchard's amendment to her own proposition but in relation to the amendment to the amendment it would be Deputy Perchard and Senator Moore.

Deputy M. Tadier:

The guidance says that on occasion there may be more than one Minister or more than one chair who is identified as the main respondent. Can I just ask whether that process was opened up to wider Members because there might be in this case or in other situations a time where both the panel and the Minister, for example, are in agreement and we need somebody else from the Assembly with a different point of view with technical analysis who considers they want to be the main respondent or one of the main respondents? How does that process work?

The Greffier of the States (in the Chair):

I think the guidance is clear that Members are able to approach the Bailiff and to make that application if they wish but I am not aware that any such application has been made as no one has come forward to suggest that they wish to be considered as a main respondent. No one has said that they have particular points they wish to make but obviously if anyone did so that would be considered.

Deputy M. Tadier:

Can I have a further point of order? When somebody reaches their 15 minutes, as Deputy Southern did earlier, and it was decided that they warrant a little bit longer to finish their speech if it is emotive

or technical or whatever reason, is it standard practice to give just one minute now for that speech or how does that work?

The Greffier of the States (in the Chair):

I would not say anything was standard practice, Deputy, because it is only the second meeting we have done this. I was not present earlier when the 15-minute limit was reached.

[12:30]

I do not think there is a standard practice but what should happen in relation to a Member, for example, who has particular technical points to raise, is if they approach the Bailiff beforehand to make their case it is to agree a suitable amount of time that this speech should take, in my opinion.

Deputy M. Tadier:

Can I have a further point of order on the same subject? What if a Member does not realise until the debate that there are technical issues which need to be addressed because they only arise out of other comments that have been made by other speakers?

The Greffier of the States (in the Chair):

We seem to have a multitude of manners of contacts in the Greffier and the Presiding Officer at the moment. We have emails and chat and the ability also. That is the way to do it. I think the guidance, I have not got it in front of me, but it discourages Members from standing up to take up time on the floor of the Assembly by making such applications but it would be possible to send a message through. But of course these propositions have been in front of the Assembly for some time. I would have thought most Members would have had a view by this stage whether they intend to make a significant contribution because they have got particular technical expertise or not. Right, if we are in a position to proceed can I ask Deputy Perchard to present her proposition?

Deputy R.J. Ward:

I had a question before you started that and I pushed my button.

The Greffier of the States (in the Chair):

I cannot see your button, Deputy Ward, because I have a screen in front of me. But if you wish to ask a question, go ahead.

Deputy R.J. Ward:

I just note that in the guidance regards this it does say: "Where the subject of the debate is especially emotive and further time is required by an individual Member to complete his or her speech", given that this debate may well be about migration, which could be considered an emotive point, can I ask the Chair whether that would be considered as an emotive topic and therefore extensions will be granted if needed, not that I am planning to do that, I will add.

The Greffier of the States (in the Chair):

I do not want to be rude to Deputy Perchard but I read the proposition and it is quite technical about data. I would not have thought it was emotive but I remain to be surprised by contributions.

Deputy R.J. Ward:

That is why I ask for the judgment.

Deputy G.P. Southern:

If I may, Deputy Southern here.

The Greffier of the States (in the Chair):

Sorry, Deputy Southern, did you want to make a point of order?

Deputy G.P. Southern:

I was going to ask you for clarification, Sir.

The Greffier of the States (in the Chair):

Well that would be a point of order because I am not a Member of the Assembly.

Deputy G.P. Southern:

Point of order then, Sir. As a point of order, this morning on technical grounds I was allowed 2 minutes on top of my 15 minutes, is that now a precedent?

The Greffier of the States (in the Chair):

I think by the dictionary that is a precedent. I do not think it means it is how things are always going to go in future. Obviously I was not here so I cannot really comment on decisions that the Bailiff took. But I would like to make progress with Deputy Perchard who is waiting patiently to speak on her proposition.

5.1 Deputy J.H. Perchard:

I am sorry to ask again but just for clarity, I am proposing my proposition unamended by either amendment at this point in time, is that correct?

The Greffier of the States (in the Chair):

Yes.

Deputy J.H. Perchard:

P.120, which is titled Migration and Population Data is focused on obtaining data to be included in forthcoming population policy. In the original proposition I have used the words “migration policy”. The rationale for that at the time was that during the Corporate Services Scrutiny review of the work of the Migration Policy Development Board we were under the understanding that this kind of data would appropriately fit within the migration policy. I have subsequently learnt that that is not now the case so my amendment, which I will obviously have to speak to at a different moment, just is a semantic one and addresses that inaccuracy. In terms of the actual significant content, the content in the original proposition has remained and I will very briefly outline the parts for Members now. As Members will know there have been countless debates on Jersey’s population size over decades, possibly even centuries. This proposition is an attempt to focus the content of any forthcoming population policy on data that we have so far failed to collect, which I would suggest is a reason why Jersey has never quite managed to get a grip on its population control. The data required in part (a) is, I am told, data that is already likely to be included in a population policy but I am asking for it to be presented in a way that allows easy comparison of the decennial costs of population growth that is forecast by said policy. So I have asked for what I have called sustainability data showing health related, educational, infrastructural, environmental, social requirements of the proposed population size in 10-year intervals up to 2070. So I want data on those aspects of Island life to be present in a population policy of 2030, 2040, 2050, 2060, 2070 to allow easy comparison of what the Government would be proposing in their policy. Whatever that proposal is, if it is plus 325, if it is plus 800, if it is zero, whatever it is this part requires an easy comparison of the decennial intervals up to 2070. Part (b) details other things that I would like incorporated into the sustainability data, also in 10-year intervals for ease of comparison, and I have included examples of the things I would expect to see but it is not an exhaustive list. I have included the number of new primary and secondary schools that would be required, the impact on hospital facilities, including staff accommodation, the need for affordable housing for elderly residents and also first-time home owners, social housing requirements, road maintenance, construction and provision of utilities. Again, I think this is because

often when we talk about projections of population migration we are not given these datasets, we are not given the information we need to say if your proposal target - and I am using the plus 325, because that was the most recent one that the Government did propose, not this Government, the previous Governments have proposed - how many new schools will we need by 2030, 2040, 2050, 2060, 2070? Will we need a new hospital? What facilities in the hospital will we need to add at those decennial intervals? Part (c) includes the anticipated additional funding that would be required. This is a kind of social security part, if you like, of the proposition. Again talking in those decennial intervals, if our target is X more people in the Island per year what anticipated extra funding is required for income support, pensions, L.T.C. (long-term care) and any other contributory benefits? Part (d) is a public consultation clause. It is my view that ahead of any population policy being put to the Assembly that the public should be consulted on its views regarding specifically a sustainable population size across a 50-year period. We have all had anecdotal discussions with residents, parishioners and friends and family, I am sure, about what is a sustainable population size for Jersey. I would like those discussions to be qualitatively represented. This is more of a qualitative measure on opinion. I know that we have tools that would allow opinions to be gathered in this way but I would like it to be formally done because it is very easy for us to say: "Well, everyone moans about the population size, everyone thinks it is too big or everyone thinks it is growing too fast, but we need to be able to evidence that fact. As likely as it is to be true, we need to be able to evidence it. This is about a public consultation and of course it has to be representative because if you are not representative of the population when you are seeking views on population then there is something really wrong in the process. Part (e) this is, for me, a very important aspect of the proposition to deal with because we have seen so many discussions and arguments around whether or not population should be stabilised, whether there should be annual rolling targets, whether we should have net-zero, what the ideal number is, is there an ideal number, when will the space run out, do we just want endless growth? Those conversations go on and on and on and have done for a very long time. For me, I am not pushing for net-zero in this clause. What I am pushing for is an understanding of what the rationale is against it because for me net-zero means the population stabilises at a certain level. So if you are not in support of net-zero and you are not in support of obviously a population decrease then you are in support of a population increase, that is just logic. So for me, anyone who is in support of a population increase has to provide a rationale as to why that is appropriate for Jersey, given our limit and space and size and the effect on resources. That is what part (e) does. It does not push a particular policy direction, it just asks for a clear rationale with supporting evidence for why net-zero is not the Government's proposed position, should that be the case. Part (f) is just technical and self-explanatory. I would like to just add that I have met with officers and the Assistant Chief Minister with responsibility for this and I am really grateful for their input. My own original amendment, which I obviously will speak to in a second, but was a result of a conversation with them so I am really grateful for their input and I maintain the proposition.

The Greffier of the States (in the Chair):

Is the proposition seconded? [**Seconded**]

5.2 Migration and Population Data (P.120/2020): amendment (P.120/2020 Amd.)

The Greffier of the States (in the Chair):

So we have an amendment but we are very close to 12.45 when I need to look at whether ... I think I am going to hear what Deputy Perchard has to say first.

Deputy J.H. Perchard:

Sorry, I tried to get in there quickly. May I propose we just take my own amendment first because it is going to be very quick and then adjourn for lunch and come back and debate the amendment from the Chief Minister?

The Greffier of the States (in the Chair):

You are on a mission to get it done within the next couple of minutes in that case, Deputy Perchard. Can I ask the Greffier to read the amendment?

The Deputy Greffier of the States:

Page 2, paragraph (a) – Before paragraph (a) insert the following paragraph and re-designate the subsequent paragraphs accordingly – “(a) that the Council of Ministers should deliver a Common Population Policy to the Assembly to be debated before 31st December 2021;” Page 2, paragraph (c) – After paragraph (a), re-designated as paragraph (b) insert the following new paragraph and re-designate the subsequent paragraphs accordingly – “(c) that any such common policy on Population informs and underpins the planning assumptions in future Island Plans, and that any population targets in the Population Policy are matched in the Island Plan;” Page 2, newly designated paragraph (c) – For the words “any forthcoming Migration Policy” substitute the words “this Population Policy”. Page 2, newly designated paragraph (e) – For the words “ahead of the debate on any forthcoming Migration Policy” substitute the words “this Population Policy”. Page 2, newly designated paragraph (g) – For the words “a forthcoming Migration Policy” substitute the words “a forthcoming Population Policy”. Page 2, newly designated paragraph (h) – For the words “any forthcoming Migration Policy” substitute the words “the Population Policy” and for the words “paragraphs (a) to (f)” substitute the words “paragraphs (a) to (h)”.

5.2.1 Deputy J.H. Perchard:

As I mentioned briefly before, this is an amendment as a result of conversations with officers to correct the language that was misused. I have changed “migration policy” to “population policy” and included part (b), which was in my original notes but it was just an oversight at the time. I hope this will be met with approval by the Assembly and I maintain the amendment.

The Greffier of the States (in the Chair):

Is the amendment seconded? [**Seconded**] Does anybody wish to propose the adjournment?

LUNCHEON ADJOURNMENT PROPOSED

The Greffier of the States (in the Chair):

Deputy Young has a point of clarification before we get to that point.

[12:45]

Deputy J.H. Young of St. Brelade:

I am sorry, I may have missed because obviously I have been doing other things this morning and just got back in. This is Deputy Perchard’s amendment to P.120/2020, that is correct, is it not, that we are now talking about?

The Greffier of the States (in the Chair):

Yes.

Deputy J.H. Young:

The point that I wanted to ask about, which I do not think she covered if I ...

The Greffier of the States (in the Chair):

Sorry, Deputy, we are not at the debate yet. She has proposed her amendment, and then when we come back after lunch we will propose the amendment to the amendment from the Chief Minister. That is when the debate on these matters will begin.

Deputy J.H. Young:

I will hold back. As long as it is not counted that I have spoken, because I need to speak on this one.

The Greffier of the States (in the Chair):

No, I have not counted you. The adjournment has been proposed. I sense a general wish to adjourn and therefore we adjourn until 2.15 p.m.

[12:46]

LUNCHEON ADJOURNMENT

[14:17]

5.3 Migration and Population Data (P.120/2020: Amendment (P.120/2020 Amd.) - Amendment (P.120/2020 Amd.Amd.)

The Greffier of the States (in the Chair):

We can resume the debate on P.120, Migration and Population Data. We have reached the point where I would be asking the Deputy of St. Peter, on behalf of the Chief Minister, to speak to the amendment to the amendment, but first I will ask the Greffier to read the amendment to the amendment.

The Deputy Greffier of the States:

Page 2, paragraph 1, for the words “deliver a Common Population Policy to the Assembly to be debated” substitute the words “publish an interim Population Policy”. Paragraph 2, delete the word “such”. Paragraph 3, for the words “this Population Policy” substitute the words “any Common Population Policy”.

5.3.1 The Deputy of St. Peter (Assistant Chief Minister - *rapporteur*):

Deputy Perchard has taken a keen interest in population and migration issues and I am grateful for all her work that she has undertaken on this important subject, together with her co-operation and involvement with these amendments. They are very much appreciated. Having earlier this year brought a proposition based on collecting and using data to inform policy making - P.82 to remind you - I am naturally supportive of the Deputy’s proposition which offers many of the foundations we would all expect when bringing such an important policy, which affects every person in our Island. We are thinking alike in many ways. However, I am afraid part (a) is the main part of this amendment and the focus of this afternoon as (b) and (c) of the amendments are semantics, I assume, which I hope will be supported. Just to be clear, you will all know that the Chief Minister has asked me to bring an interim population policy before the end of 2021 whereas Deputy Perchard would like to see a full population policy debated in the Assembly by the end of 2021. The proposals lodged by the Chief Minister in P.137, which is to be debated in December, set out a clear timetable of work to be completed next year which aim to implement the migration controls we need to create the structures we need to gather the data we need. This is a challenging timetable and I am committed to getting this work done so that we can then build on these firm foundations to develop a robust and workable population policy. The Deputy is asking us to double up and to consult on and produce a full population policy at the same time as undertaking all the foundational work that we have set out, the work that we need to do to create proper controls, proper data collection and proper decision-making structures. Whereas it would be great to think that we can achieve all the necessary building blocks and development and agree a new population by the end of 2021, I do not believe that this is achievable. I feel it would be irresponsible of me to support the proposition as worded if I am not 100 per cent confident that I can deliver the actions. This is why the Chief Minister has brought this amendment to ask the Assembly to accept an interim population policy before the end of 2021 as opposed to a full population policy debate. What is an interim population policy? Well the best way to describe it for this purpose is a detailed update on progress made during the year to give the Assembly assurance that the Government is on schedule to deliver a population policy in 2022 and

enable a comprehensive handover to the next Government. This is in line with the commitment made by the Chief Minister in the Migration Control Policy proposition, P.137, which as we all know will be debated next month. Our original commitment in that proposition was to deliver this by the end of March 2022, however, to acknowledge the Deputy's proposition we are now suggesting - if accepted by the Assembly - the interim policy is now delivered at the end of 2021. The Deputy is suggesting that we can complete all the work on migration controls and also develop, consult on and lodge a full population policy ready for a full States debate at the end of 2021. As much as I would like to offer full support of the Deputy's ambitions, and I am sure those of many of us, I am afraid I do not think this is achievable. I am deeply concerned that agreeing this timetable would lead to poor outcomes. We would not have enough time to complete these actions to the level of detail and rigour that I know the Deputy is passionate about. However, what needs to be done? We must create the migration controls that are essential to implement meaningful population policy to be debated under P.137 in December. We must develop these controls in close co-ordination with local businesses. We must develop a government-wide approach to the design of a population policy. We must leave enough time to involve the public in meaningful discussions and consultation on population policy options and we must leave enough time to allow for proper political scrutiny of the final proposals. I could continue. We all know how many times the Assembly has agreed to limit population numbers and how many times these limits have been broken. I have no intention of adding to that list of failures. The next population policy needs to be based on workable and effective controls, good data and broad public consultation. A meaningful population policy will have an impact on every area of government activity and Ministers have committed to developing these policies and then to engage in robust discussion with other States Members and the general public on the preferred way forward. By accepting this amendment we are committed to publish a full report on progress at the end of 2021 but the public consultation and debate on the population policy itself will need to run into 2022. I therefore urge Members to accept this amendment.

The Greffier of the States (in the Chair):

Is the amendment seconded? [**Seconded**]

5.3.2 Deputy J.H. Young:

I think Members will know that I have, ever since my election, been very public on the importance of having a population policy for the Island as a fundamental element of our planning processes, particularly our Island Plan which obviously sits within my brief to put before the Assembly, and work is progressing apace. I was privileged to join the Migration Steering Group but it became obvious that the direction of travel would not have produced, if you like, that policy in terms of numbers. But, nonetheless, what we have had from that process is a method of Government influencing, controlling, and regulating our population as best you can. So personally I believe that we are trying to arrive at a position where we can have that policy which seeks to achieve a balance between the economic benefits of population and economic growth and equality of life on the other hand, and indeed the whole availability of public services and the environment in Jersey. That is the big picture. Now, what we have got here is a very technical and complex set of amendments on words, and what I want to do is just strip away some of the complications for Members to make it easier. I think the proposer of the amendment has kind of given us more or less a summary of it. The amendment seeks to draw a differentiation between what the ... uses the words "an interim population policy" as being different from a common population policy. I must admit, that does sound like sophistry to me but, nonetheless, I can see what it is inclined to do. What it is inclined to do is to create a situation where it amends the amendments to the main proposition to make a commitment to deliver a common population policy, which will be binding on all future Island Plans in the future. Personally I do not think that is entirely necessary because if the States accept a policy then I think it is obvious that any Island Plan after that is going to have to be consistent with it until that policy changes. But, nonetheless, that is why that amendment is there. But equally I see the problem that

you have to ask can we produce that policy in time. I am convinced, with great regret, that we cannot because the policy needs to be done with the rigour that the Deputy has given us in her substantive proposition, which I praise incredibly. It is the best statement we have ever had on what the elements of a population policy should be, but to do that within the timescale of 2021 I think is difficult. We will not know the census result until quarter 4 2021. I do not think we will know what the shape of the economy is like until well into next year. Maybe by halfway through the year we will know what the changes are to our industries, what will be the situation with hospitality, what will be the position with retail, offices and so on, and personally I think there will be change there. What is the requirement for incoming workforce? We will not know and I do not think we will know certainly until probably quarter 3, maybe even quarter 4 2021. Because we are in that situation of uncertainty that is why we have had to, and I have had to accept that ... I have had to swallow the notion that I wanted a population policy, I have not got one, I have got a planning assumption in the Island Plan which some media commentators have said is a guesstimate, or a best guesstimate more kindly. We called it an informed judgment. We had to make the best fist of it, if you like, and that is the basis on which we are going forward but I think that is not satisfactory of course for longer term. I do see a benefit; the effect of the amendment is to bind the future States to produce that policy on a fixed timescale, a real policy as it were, properly analysed. So I know it looks complicated; what it means is that if the amendment to the amendment and the substantive proposition will go through we will end up with a really decent commitment to get a population policy, we will get an interim population policy or a report which will update the best information available by the end of 2021 and that will be good because that will help Members who are going to be asked to debate the Island Plan probably 4 weeks, 5 weeks later than that in February 2022. You will be able to have your opinions upon ... you will have the inspector's report and everything at that point. But there will be a commitment to use that information to produce the population policy, the proper one if you like, and by then I think the Island will know a little bit more how things are with the pandemic, we will know what our needs are, how we have adjusted to the post-Brexit world and the Common Travel Area and all that, that will be known. I think for the first time ever if the amendment to the amendment and, most importantly, this excellent substantive proposition we have got from Deputy Perchard ... which I absolutely want to praise her, it is the best I have ever seen, so I am going to ask Members please to support the amendment to the amendment and the whole lot, the substantive. I hope it is not too complex but I have tried to help.

[14:30]

5.3.3 Deputy I. Gardiner of St. Helier:

There is one thing that I think we all agree, that we need data. The Deputy of St. Peter and the Minister for the Environment, we need data to make decisions which are based on more than opinion if we need to adjust these amounts, if we see it is too much or too little money to spend in different areas. I think where we might disagree is about part (a) of the amendment. What I heard from the presentation of the Deputy of St. Peter that the interim population policy is not a policy, it is just an update. Another update that will come through the different things that will happen during the next year. Where do I find myself? I find myself at the place that I am thinking a population policy is long overdue. It was a top priority. It was a top priority during the last Assembly and it has been a top priority for this Assembly. At policy development level every policy interacts with the population policy, housing, the Island Plan that the Minister just mentioned, and we did question during the Scrutiny hearing how the assumption has been made for the Island Plan and we are wondering if those assumptions are correct. Sustainable economic development, you name it, it all looks back to the population policy for guidance. So why do we have an immigration control proposal ahead of the population policy? We are bringing immigration control ahead of having a vision for what we want to achieve, coming up with the answer before we ask the question. But I will leave it to a different debate to another day, we will have a debate on it. The Deputy asking to present population policy by the end of 2021, 13 months from now, 3½ years after this Government was elected. Why

is the Government trying to amend this to make it an interim policy that now we know that it will be in an update? Why not a population policy? It is important to understand we will never get it 100 per cent right, nobody can get it 100 per cent right, and if it is final policy or interim policy it makes no difference, it will never be 100 per cent right. We need to make a decision, assess the effect, and change accordingly. One of the sentences in the report to the amendment to the amendment, I will read it out: “The development of a robust and sustainable population policy will have an impact across multiple government areas and will require difficult decisions from politicians and the public as to balance between the competing demands of the economy, the environment and the community.” Are we not here to make these difficult decisions? We are here to make decisions and they are difficult and they might be wrong. It feels for me that we are pushing it into 2022, leaving it to the next Assembly, and maybe making this a pivotal election issue again. I would like to be able to say that we have a population policy and we can adjust it and make these adjustments. For me, immigration can be a resource or burden depending upon how we manage it, and unless we start managing a population policy we have really little control over what we bring into Jersey. The last point, I would like to bring to Members attention from what I can see, and it is purely my point of view and maybe Members can see it differently, if the Government amendment to the amendment to parts (a) and (c) are adopted then the data the Deputy is asking for in parts (c), (d) and (e) will not be included in the interim policy. This is why I think to vote against the whole amendment.

5.3.4 Deputy J.H. Perchard:

I intend to be quite brief. I think that the previous speaker, Deputy Gardiner, raised some really important points and really distilled the argument down to what we are talking about here. The amendment to the amendment on paper looks minor and was described in part as being a semantic issue by the proposer. But that is not completely accurate because the impact on part (a) and on part (c) of the Government’s amendment to my amendment has quite a significant impact on the content of what would be produced this time next year. In essence, this Assembly needs to decide whether it is content to receive an interim policy by the end of next year which will not include the data that I have included in parts (c), (d) and (e) of my proposition. If the Assembly is content to receive that interim policy without that data then it should support the Government’s amendment. If Members of the Assembly think that, like me, they would like to see a population policy brought to us by the end of next year that does include the data I have outlined they should reject the Government’s amendment to my amendment. I am going to explain how that works, looking at the language of the amendment to the amendment. So in part (a) the Government is proposing to change my language from “deliver a common population policy” to “publish an interim population policy”. I did ask what was meant by an interim population policy more than once and the answer I received was exactly as the proposer pointed out, that the interim population policy would comprise of a detailed progress update over the year towards the development of a population policy. So by adopting part (a) of the amendment to the amendment the Assembly would be agreeing to a progress update on the development of a population policy. By rejecting part (a) of the Government’s amendment to my amendment the Assembly would be asking for a population policy to be delivered to the Assembly by the end of next year. Part (c) of the amendment to my amendment changes the language from my original amendment which says that “this population policy should present sustainability data” and so on, it changes that to “that any common population policy should present sustainability data”, *et cetera*. The reason why this is not just a semantic issue is that if you take parts (a) and (c) of the Government’s amendment together what it does is separate the data I am asking for from what is going to be published next year. This amendment changes my amendment from producing one document with this data to producing 2 documents, an interim policy by the end of next year without the data and a common population policy in the future without clarifying when that is to be produced. Through conversations I have had and through the comments we heard in the introduction that is likely to be, and suggested to be, the next Council of Ministers. This amendment has a much greater impact than it might seem on paper to start with. Just to address the concerns that were raised by

Deputy Gardiner about migration controls. I agree that migration controls maybe should not have come before the population policy. We are bringing a set of controls before a policy to which those controls apply or for which policy those controls work. I have reflected on the reasons I have been given for why the interim update is achievable and why a population policy is not by the end of next year. Those reasons to me have been not enough for me to believe that the Assembly should not support the development of a population policy by next year. The reasons given were ones of resource and time but we cannot allow for political priorities and political decisions to be dictated entirely by a resource issue. If the Assembly decides to ask for a population policy by year end of 2021 then it is down to the Executive to provide the resource to allow that political decision to be enacted. If we consistently allowed Back-Bencher propositions or any propositions to be derailed by a resource question what we are essentially doing is allowing the priorities of the workload of officers to dictate our political decision making. I think it is the wrong way around. To my mind if the priority of the Assembly is in a certain direction then it is down to the Executive to ensure that those priorities are fulfilled and met within the Government. Furthermore I think I have been quite reasonable with the timeframe I have suggested, especially given the fact that during our Scrutiny review last year before the pandemic we were led to believe that migration policy, as developed by the Migration Policy Development Board, would be forthcoming at this time this year. The fact that we have been presented with a migration control policy was a surprise and quite a last minute one. As Deputy Gardiner mentioned, this Government has had ample time to put things in motion to deliver a population policy within its term of Government. So for me I think that to accept the amendment to my amendment would be a mistake on the part of this Assembly. It is of course down to individual Members whether or not they wish to receive a progress update in the form of what is being called an interim policy next year, or whether they wish to receive a population policy. I cannot predict what Members preference will be on that issue but I would also just like to point out the fact that in the last interim population policy for 2014 to 2015 there are things included which I would have expected to be included in any interim policy and which I have not been reassured that these things would be included in the interim policy as outlined in the amendment. I did ask the Assistant Chief Minister for more detail on what was meant by interim policy and what that would include and I have not had a detailed response. I have had a response, and I thank him for that, but the detail I required has not been forthcoming. In the last interim population policy we have seen there were many statistical analyses carried out and lots of data was given, so to my mind asking for the data that I have asked for, whether it is in an interim policy or not, should still remain. I understand that the semantics of this might be confusing and so I am going to just summarise once more that I do not accept part (a) because it is my preference to have a population policy and not a progress update by the end of next year, and I do not accept part (c) because if part (c) is adopted and part (a) is accepted then the data I have asked for in parts (c) and (d) and (e) will not be included in the interim policy.

The Greffier of the States (in the Chair):

Deputy of St. Peter, you say you have a question. Is it a point of order or is it a point of clarification for the previous speaker?

The Deputy of St. Peter:

I think it is a point of clarification because my understanding is that we are totally supportive of all the data to be collected from Deputy Perchard's proposition, it is only (a) that is a concern, so I would like to seek a clarification.

[14:45]

I do not know where to go to understand why my intent or the intent of the Chief Minister has not been reflected going forward if that is the case, because my understanding of the words "common population policy" it only has "common" there because that is language that is used when the Council

of Ministers are all in agreement of a policy. So I am a bit confused by that but maybe I can seek guidance in the background and return to it later.

Deputy J.H. Perchard:

I am happy to clarify. The language change in part (c) changes the language from “this population policy” to “any common population policy” and, therefore, it attaches part (c) from the proposed interim policy in part (a).

The Greffier of the States (in the Chair):

Deputy Morel, were you asking for a point of clarification of the Deputy of St. Peter’s original speech?

Deputy K.F. Morel:

Yes, thank you. It was just to clarify, Deputy of St. Peter, part (a) of the amendment is saying to replace the words “publish an interim population policy” yet the Deputy of St. Peter keeps referring to an update. I just would like clarification; is this an interim population policy or an interim population update?

The Deputy of St. Peter:

It is the interim population policy. I was using it was colloquially to explain what it is and that is a detailed update of progress, that is a formal interim population policy, but it is a stake in the ground as to where we have got to by the end of December 2021. That is all it can be.

5.3.5 Connétable C.H. Taylor of St. John:

I just thought I would give some background as to how and where the Government has got to and my involvement. We set up over a year ago in the summer of last year a Population Policy Board and the work we did was, I believe, pretty thorough, and the aim of the Chief Minister was to have something for the Assembly to debate as a policy prior to the summer recess of this year. We did manage to report to the Chief Minister in the end of January and then of course COVID struck and as a result all the work stopped. I think Members need to understand that that is the reason for a delay. It is something that is very important and we need policy. We all accept that; there is no issue there. However, where there is an issue is resource and also timescale. If you want more resources you will have to put taxes up, you will have to find the money for it. It is all very well saying to the chief executive: “Find the resource.” If we as an Assembly do not give him the money to purchase those resources then he is not going to have them. We are in a time of unequalled recession because of the COVID and to, therefore, start making demands which cannot be met is unrealistic. I urge Members to remember this will take time, resources have to be controlled, and if we start salami slicing away and saying we want more and more and more data, we want more and more and more resources, we want more and more and more this and that then taxes will have to go up even more than what they may have to go up anyway. There is a timetable, it has been set out by the Assistant Chief Minister, it is achievable and I think Members must support this amendment.

5.3.6 Deputy K.F. Morel:

I think the Connétable of St. John just made some important statements there. But I will start by picking up with the Deputy of St. Peter and a phrase that we have heard both he and Deputy Perchard use, which is that phrase, “It is just semantics.” Now, I often think that is one of the most misused phrases in the English language because if something is just semantics which tends to mean: “Oh, do not worry about it, it is just semantics” semantics quite simply means the meaning. That is what semantics is. So when you say it is just semantics what you are saying is: “Do not worry, it is the meaning which is changing.” To put that in very simple terms, and I do not mean to be condescending, but we understand in the English the word dog to mean a furry, 4-legged animal, we mean the word fish to mean an animal that swims in the sea and say gills. If I switch those 2 words

around it is just semantics yet obviously our world would fall apart if we did such things all the time. So I have to ask myself what are these “just semantics” that we are talking about, and when you look at part (a) of the amendment to the amendment it is incredibly important because the clarification that I just asked the Deputy of St. Peter told us that in terms of semantics the Chief Minister’s proposal is to insert the words “interim population policy” but his meaning is to come up with an interim update on the progress of the population policy. Those are not the same thing. In this case the meaning has changed completely and the proposer of this amendment to the amendment does not mean what they have written on the amendment to the amendment. For that reason - and we have heard this said many times to this Assembly - I cannot personally support the amendment to the amendment and I do not believe any States Member should support the amendment to the amendment because what is meant on the paper is not what is meant in the intention of what will be delivered. The Connétable of St. John made the point that this proposition unamended is making demands that cannot be met. Well the point of the amendment to the amendment is that it is making demands that will not be met. They will wilfully not be met. We have heard this from the Deputy of St. Peter; we read this in the report itself. If you are to pass this amendment to the amendment the Assembly is doing so knowing that the Chief Minister has no intention whatsoever of meeting the meaning of the words “on the paper” and that means I do not know how anybody in good conscience could therefore pass this amendment to the amendment. That is quite simply the point that I am trying to make. When did the word “policy” become the word “update”? When did it change its meaning to become the word “update”? To my knowledge, to be honest this afternoon I have not checked the dictionary but I am pretty sure that if I was to open a dictionary and look up the word “update” it would not have the word “policy” as part of its definition, nor vice versa. So this is not a matter of just semantics; this is a matter where semantics are the everything to do with this amendment to the amendment, and to know now as we do that the Chief Minister, via the Deputy of St. Peter, has no intention of carrying out the actual wording of the amendment of the amendment as proposed today means that nobody in this Assembly should pass this amendment to the amendment.

5.3.7 Deputy M.R. Higgins of St. Helier:

After listening to Deputy Perchard and to Deputy Morel and others I believe that we have had enough time to come up with a population policy. I have been in the States 12 years now and throughout that 12 years we have been talking about having a population policy. Even when we had a bit of a policy it was totally exceeded every single time and it had absolutely no credibility. The people who elected us to this Assembly, top of their list, if I remember correctly, was population. I do not believe we should kick it down the road any further. I think December 2021 is a reasonable time period to get this thing together and make a decision before the election. Let us not kick it down to some future Assembly. Enough time has been spent and I disagree totally with the Constable of St. John when he says taxes will have to rise, it is going to cost more. This is an important item to the people of this Island and it is important that the resources are obtained. I believe there is space for it and, if necessary, I will be suggesting where some money can be found. However, the point is States Members should grasp the nettle and go with Deputy Perchard and reject the Council of Minister’s proposition. Just one other comment too; one of the things I did like about the current Government was they were addressing many of the issues that had been kicked down the road in the past. On this one they are not going to kick it down the road any further. Address it and address it now.

5.3.8 Deputy L.B.E. Ash:

It is nice to follow Deputy Higgins because he made a few points I would make, although I disagree on which way I will probably vote on this. But one point I would like to make is we often talk about sustainable immigration policy, sustainable population, and to me that is an erroneous use of language because what is sustainable? Hong Kong sustains an enormous population. Would we want that? No. What we really should use is desirable population for Jersey rather than what is sustainable. Many things are sustainable but they are not desirable. Deputy Gardiner quite correctly said that this

is a difficult issue when one talks about immigration. It is and it is not. It is very easy, as many people did in the election and I am sure I did, to say: "Yes, we should control immigration" everyone applauds, it is great. That is easy. Where it is difficult is to come up with a policy that makes any sense. We could say tomorrow: "Right, we are not going to let any more people in, we will have a green card system" not that I favour not letting people in but I do favour having a green card system to make sure things are much more controlled and we have police checks, *et cetera*. But let us say we went that route, it would be hugely popular but you would then think: "Right, what do the hotels do? You have had your quota, I am afraid. Farm workers, we cannot allow you in. Restaurants, unlucky. Shop workers, you can have one more but that is it." All of a sudden some of these businesses start to close down and people say: "Who on earth came up with this ridiculous policy." That is where we are now. So we have at least made the first steps and it is refreshing that the first steps have been made to come out with this policy. As I say, is it perfect, I think far from, and when it comes I would like to see amendments and, as I say, I would prefer a green card system. But it has been put forward. It is refreshing to hear Deputy Huelin say we are talking about meaningful population controls, not pie in the sky stuff that could come back to haunt us but meaningful population controls. I will tell you what was most refreshing in what he said, and we get it from very few politicians, and that would include myself and I would think most of the Assembly, is the reason that he is bringing this is that he does not feel that they have the resources or the facilities available to produce what is being asked to be produced. He is saying that right at the beginning. He is not saying it right at the end of this exercise: "Well, sorry, we could not do this" he is saying it now. So let us pass this amendment and then let us go forward with what Deputy Perchard has suggested and let us get this show on the road.

5.3.9 Deputy R.J. Ward:

I was not sure about which way to vote but I am now and I am for a number of reasons. One is I was suspicious that what we are doing again is using the argument over resources. I will point out one point, there seemed to be plenty of resources to bring minor amendments to Back-Benchers propositions. Plenty of resources to do that in any sort of way they can to nullify the ideas. Now, there are issues with this overall in terms of sustainability and I have to say - and it is not easy - but Deputy Ash made a good point about the definition of sustainability, and I might come back to that in the main proposition.

[15:00]

But in this case I for one am no longer happy to accept we do not have the resources to do this properly so we will do something interim which may not get done because we may not have the resources; we do not really know but that is okay because we can do this. I am afraid that is no way to govern and that is no way to move these arguments forward. So I will not be supporting the amendment of the amendment. It has been a very interesting argument, particularly over the phrase "semantics". It is nice to have a semi-philosophical argument in this Chamber for once where we have to think about the meaning of words. It is quite refreshing. But in terms of this we have seen this so many times and it is becoming a cultural issue, a culture of leadership which says we will do everything in our resource to nullify but we will not do everything in our resource to make things happen, and that is what I am worried about so I will not be supporting the amendment to the amendment.

5.3.10 Deputy S.M. Wickenden:

I still think that people have suddenly forgotten the last 8 months and the amount of time and resource that has had to be diverted to deal with trying to help people, make sure they have jobs and money and that they are secure and safe, and the legislation that we have had to bring in to do those things, the diversion of people in different jobs to go and help in other areas. Everyone seems to have already forgotten all of that. I also think careful what you wish for. Next week we are going to be debating

a possible overthrowing of the Government and if that happens there will be a new Government, that Government under States of Jersey Law have 4 months to lodge a Common Strategic Policy, they have to lodge a Government Plan, the Government Plan needs to have time for scrutiny under our orders, they need to deliver an Island Plan because that is in the law, and then there will be the population policy in full that will be written like a Government Plan on its own. The population policy should inform on things like the Common Strategic Policy, they should inform on the Government Plan, they should inform on the Island Plan and policies in schools and infrastructure, absolutely, but it is a duplication of effort to do it twice. So to have a population policy that sets out infrastructure and education and all of those things, that is what we have the Island Plan for, that is what we have the C.S.P. (Common Strategic Policy) for, that is what we have the Government Plan for. So the population policy should be an area that talks about what is inward migration. Babies are part of population so anyone that is pregnant now, they are going to be increasing the population as that goes too. If we take into consideration that we have had a pandemic and that we have had to massively divert resources into this and say: "Well I think that is acceptable" I think we can talk about an interim policy as fair that has been set out by the Assistant Chief Minister here. But be careful what you wish for; if you want this by certain timescales and it to be full as the way it is, if you are looking to be in the next Government you will have to also do that with very little money because, as set out in the Public Finances Law, if we get to 1st January and there is no approved Government Plan there is only the department heads of expenditure that will be allowed to be withdrawn month on month from the Consolidated Fund. So I think we need to be sensible about where we have come from over this term and the massive disruption of the pandemic and be wary of the future. I would ask Members to be a bit pragmatic and support what will be the interim on that behalf rather than trying to demand what I see as a second Government Plan.

5.3.11 Deputy K.G. Pamplin:

Always a pleasure to follow my good friend, Deputy Wickenden. Apologies for my technical problems which is why members of the public and Members of the Assembly cannot see me. I do not know if that is a problem or not but I am here.

The Greffier of the States (in the Chair):

It is not a problem for us, Deputy.

Deputy K.G. Pamplin:

Thank you, I think I will take that as a compliment. Back to matters in hand. Firstly we are dealing with the amendment to the amendment and I was waiting to hear from the Deputy of St. Peter's response because when I read the amendment to the amendment it looked on the service very confusing. I would go as far to say almost wrecking, but I did not know at the time if that was wittingly or unwittingly. Then hearing the Deputy of St. Peter speak just a moment ago I think it is the latter because I do not think what is being understood here is the impact of the amendment to the amendment. It would mean that none of the data, as far as I can see it, that has been asked for in this proposition for Deputy Perchard will be included, therefore, I just do not think it is having the intentions maybe that they were thinking of having and, as it is now coming out listening to others, that it is possibly an impact of resources or other things. On this note of the impact of the pandemic, as we are hearing quite a lot, nobody understands the impact of this pandemic than me and those others who have been closely scrutinising and involved in the response to the pandemic since January. We are all very acutely aware of the slowing down of things and the impact most importantly on staff, on human beings, the civil servants, and all of us and our families. But in the balance of perspective - which has also been said - we are in a good place. Jersey has worked very hard, we have all got us into a place where we are not seeing the impacts of the latest figures today where the N.H.S. (National Health Service) in England are going into red alert status, or the number of cases today reported again in the United States of America. We are in a good place on this Island and it

means there are impacts for sure but I think it just downplays the hard work that everybody has done when that is used as an excuse in an amendment to amendment. Because also Deputy Perchard is not asking for this next week or the week after or 3 weeks' time. The thing that I have with this overall point, and I think Deputy Higgins summed it up well, is that there is another election coming along and I think Islanders - as Deputy Ash also alluded to - wanted this matter to be urgently dealt with in our 4-year term Assembly. Deputy Perchard needs to be applauded for trying to bring the impetus of getting this most crucial part which will come up again no doubt for Islanders as a crucial element. Today we passed the Census (Appointed Day) Act, which is a crucial element. I am so glad that is going ahead next year because that is a vital part of statistical data we need, but then we will have 6 months in 2022 with no real decision made by this Assembly that we have grappled with where we have enough time. I do not want to see us how the previous Assembly on the last day was rushing through things that had huge impact that we will be dealing with next week in this Assembly. I think for all those reasons that I have just summed up, and listening to the debate acutely, I think the Members need to back Deputy Perchard here because I know they are [offline] the Deputy, and that is why I do not think we can vote for this.

5.3.12 Deputy G.P. Southern:

We are here arguing over the amendment to the amendment which talks about changing paragraph (a) and is about an interim report or a common report. How do we decide, what is the difference and does it matter? Well, what one can do is one can go to an interim report and see what it says. In front me, although you cannot see it, is 253 pages, a very weighty tome, States of Jersey Migration Policy Development Board Interim Report. Well that is good. Presented to the States on 7th November 2019 by the Chief Minister, R.140/2019. I examined this and flicked through it and lo and behold it is a migration policy development interim report but it seems to be concentrating almost solely on how much income tax, social security, net positive government revenue or negative government revenue any population might be. I look desperately looking for some mention of what the demand of population increasing on infrastructure and capacity to support the economy is there and, lo and behold, here it is right at the back, the last 10 pages, 240 on to 250 and it starts talking about housing demand and the challenges associated with that, it talks about making sure we have got electricity supply, *et cetera*. But 10 pages out of 250. So as far as I am concerned the difference between interim and common is that interim makes a good backstop for a door but that is about it. If you want to see another interim report at the end of 2021, which again contains only 10 sides of stuff on the environment and how we support our population, then by all means vote for the amendment to the amendment. But I am not.

The Greffier of the States (in the Chair):

Does any other Member wish to speak on the amendment? If no other Member wishes to speak I will call the Deputy of St. Peter to respond.

5.3.13 The Deputy of St. Peter:

I appreciated Deputy Morel's comments on semantics and there is no way I am going to challenge an acknowledged wordsmith like himself, and Deputy Perchard come to that, however what I would like to do is to understand ... I do not know if it is a question for the A.G. (Attorney General) about Deputy Perchard's concern that if (a) is supported that effectively nullified (c) and others, which is not the intent. The intent from myself is to use all these great sections of requesting data to be used in a future population policy, an interim one by next year, because it is - as Deputy Young said - a cracking piece of work and highlights fantastic stuff that needs to be incorporated. So I would like to understand clearly if there has been a hiccup which means that by supporting this amendment that that data that Deputy Perchard has so well requested would not be included. How do I go about that?

The Greffier of the States (in the Chair):

Are you asking for clarification of your own amendment, Deputy?

The Deputy of St. Peter:

It could be that because the intent that I have been given for this amendment is the fact that ... and I have read it as being (b) to (h) is what we fully support in going forward to support Deputy Perchard's amendment and, therefore, I would just like clarification that a hiccup has not taken place.

The Greffier of the States (in the Chair):

My understanding, Deputy, is if you look at Deputy Perchard's amendment as amended by her own amendment, it proposes that the Council of Ministers deliver a common population policy to be debated by the end of next year and it sets out all kinds of things that should be taken into account in that policy. The Chief Minister's amendment introduces a new concept of an interim population policy to be published by the end of next year. Then there is a bit of ambiguity as to the relationship between that interim policy and the common population policy, which carries on in paragraphs (b) to (h). I think it is rather up to the Council of Ministers to determine the relationship between the interim population policy which it is proposing and the common population policy which the Assembly will have committed to as a concept. I do know on page 4 of your report in the section called "Updated Commitment" it sets out quite clearly the nature of that interim population policy where it says: "This will not have been subject to public consultation but will provide a full summary of all the progress made during 2021 and the likely options that could be developed and finalised by the next Council of Ministers."

[15:15]

So obviously the interpretation of the proposition is effectively down to the Council of Ministers because it is the Council's interim population policy; the intent appears to be what I have just read out on page 4 of the report.

The Deputy of St. Peter:

It is the intent that I am quite clear about myself and that is the intent that the interim population policy and the ultimate population policy will include all the recommendations in this proposition from Deputy Perchard. I thank you for that. Moving on, first and foremost, I would love to be able to support Deputy Perchard in bringing a population policy by the end of the year. The Island wants it and the Assembly wants it and, yes, it is overdue. It has been overdue for very many reasons. However, first and foremost I do not believe it can be done. It would be very easy to say: "Yes, thank you, excellent, get on with it, chuck it over the fence to officers, resources, and say get on with it please, we need that policy." I personally think that is an irresponsible thing to do and it also will be a very easy thing to do. That is not what I am here to do. I am here to ensure that a population policy is brought to this Assembly, which has the rigour of consultation, engagement within the Island, and also taking the time to catch up with all the work that is required. We used to have an expression, it is: "Hurry up and wait." Hurry up and wait is called dead time. There are certain things that have to happen that cannot be accelerated. You cannot accelerate a lodging period. We have controls about how long we consult for, at least 12 weeks. We have to ensure that we give Scrutiny enough time to deliver what they have to deliver. That is the way it is going to be robust and that is the way it is going to be acceptable to the Island. So everybody, I do understand, I would love to have it done tomorrow, I know we have had questions coming up about its resources. It is not just resources from the Assembly or from the officers, it is resources from business, from Chamber, from all aspects of the Island that need to input on that. So I refute anybody that says it can be done and just throw resource at it, make the hamster wheel tread faster. That is not going to get what we want. However, I thank you for that. So I would just like to thank Deputy Young on one thing, because we are discussing the word "interim". He nailed it. I colloquially said it is a stake in the ground, it is a definitive update of where we are. That was a poor use of words, I accept. However, the fact is

Deputy Young worked out that the interim population policy is something that can be used in this Island Plan going forward. So I thank him for that because that is exactly what it is. Deputy Gardiner was talking about timings as well and was talking about data and agreeing that it is overdue. We discussed Deputy Morel and semantics. I think Higgins was the same thing. I thank Deputy Ash because, yes, we require meaningful controls. This has to be sustainable. It has to be absolutely done properly on the basis of data. He makes very good points there. Again, stakeholders, the themes everyone is talking about is why not do it now and have resources? I think I have covered that, very easy to say yes, it just will not be deliverable. Thank you, Deputy Wickenden, for reminding us that something else has been going on in the world for the last 6 months that has affected lives beyond possible imagination. We have to respect all the officers and people working in the Government of Jersey who have been doing jobs out of their comfort zone to get us through this pandemic, and then having to come back to a backlog of their day job. We have to respect them for that and appreciate it. Thank you for bringing that one up, Deputy. Deputy Southern points out that there was a 250-page interim Migration Policy Development Board report. I thought he was going down rather a good route there. But that was the interim one; that was not the final one. However, there was a lot of content in there, which enabled going forward through the next stage. That summarises it for everybody. All I can say is I could have very, very easily asked the Chief Minister to say, yes, let us accept this amendment, let us go gung-ho and get something in time. Let us go and get a policy in time for 22nd May when we go to the polls if we wish to. But that would be wholly irresponsible and not be deliverable. It would not be deliverable on the basis of data. It would have taken far too many shortcuts and it would not ultimately be sustainable. With all of that I move the amendment.

The Greffier of the States (in the Chair):

Deputy Perchard, you had a point of clarification?

Deputy J.H. Perchard:

I suspect it might be a point of order. I am sorry to labour the point, but the fact that the Government's amendment changed the language of part (c), my point is that I feel the Deputy has made an inaccurate statement about the impact of his amendment. The reason I say that is because if parts (c), (d) and (e) were to be included in the interim policy then the amendment made to part (c) would not have been necessary. I was told explicitly by the Deputy and officers in the briefing I had that the common population policy is not the same as the interim population policy.

The Deputy of St. Peter:

I do not call that. I just see the intent of the conversation, the intent of the wording. As I said, when I questioned what that meant, "population policy", the only reason it is called common population policy is because it is language that is used within the States of Jersey to reflect a population policy that has the support of the whole of the Council of Ministers. That is what I saw as the wording behind that. Therefore, I stand that, if we accept this amendment, as I said before, all of the great sections of this that Deputy Perchard has put in, which will make a very valuable contribution to an ultimate common population policy, and also an interim population policy, will be welcomed and I believe should be supported. That is the way I am reading it and that is the guidance I was given by the Greffe.

Deputy J.H. Perchard:

Can I clarify with the Deputy again? Will the Deputy give way for a clarification?

The Deputy of St. Peter:

Of course.

Deputy J.H. Perchard:

Is the Deputy saying that, should the Government's amendment be adopted, the data I am asking for in parts (c), (d) and (e) will be included in an interim population policy at the end of next year?

The Deputy of St. Peter:

That is my intent absolutely. Because why would it not be, Deputy Perchard, it is a fantastic piece of work and a great request that we should be appreciative of?

Deputy J.H. Perchard:

A point of order. I do not believe that to be an accurate statement based on what I have been explicitly told by officers.

The Greffier of the States (in the Chair):

The Deputy of St. Peter has given a very clear commitment to the Assembly that the data in (c), (d) and (e) will be available in the population policy published by the end of next year. Whatever conversations have gone on outside the Assembly, that commitment has been given today in the Assembly.

The Deputy of St. Peter:

Can I just stress, as an interim population policy, it will not necessarily be complete. So do not expect every single piece of data to be included in it.

The Greffier of the States (in the Chair):

Sorry, I do not want to stress this, Deputy, but Deputy Perchard asked you whether (c), (d) and (e), the data would be reflected in the policy published at the end of next year and you said that was your commitment. So it either is or it is not. A point of clarification from Deputy Doublet while you are considering that.

Deputy L.M.C. Doublet of St. Saviour:

I just want to clear up. So if the proposer of the amendment to the amendment, the Chief Minister, has stated in the report attached on page 4 under the heading "Updated Commitment": "This will not have been subject to public consultation." This directly contradicts part (c) of the main proposition that talks about specifically consulting with the public. So I would like the mover of the amendment to the amendment to clarify whether that part of his report, is he able to withdraw that part of the report? Why is that in there? What he is saying is directly contradicting what is written in the report, so that is what I would like clarification on please.

The Greffier of the States (in the Chair):

Sorry, Deputy Doublet, are you thinking about part (f), which talks about a public consultation? Because the previous conversation was about paragraphs (c), (d) and (e). I just want to be clear for Deputy Huelin. Part (f) refers to a public consultation but when he talked about what would be included in the population policy at the end of 2021 he referred to paragraphs (c), (d) and (e). They were the parts that Deputy Perchard asked about.

Deputy L.M.C. Doublet:

Is that paragraphs (c), (d) and (e), from the main proposition?

The Greffier of the States (in the Chair):

I am looking at the proposition as amended by the amendment and the amendment to the amendment, so it is the version that you can find on the amendment to the amendment where all of the changes are made. There is paragraphs (a) to (h) and it shows you the effect of this amendment. That is, I assumed, what Deputy Perchard was referring to. Because paragraphs (c), (d) and (e), in that version,

are all about data on different things, different types of data. Whereas paragraph (f) refers to a public consultation, which has not been discussed as part of this.

Deputy L.M.C. Doublet:

Sorry, I am struggling to open the document as the link is not working.

The Deputy of St. Peter:

Can I comment?

The Greffier of the States (in the Chair):

Yes, of course.

The Deputy of St. Peter:

Upon reflection, (b), (c), (d) and (e), *et cetera*, are on data, (f) requires public consultation. So I have to state that it would be difficult to do the public consultation in time, in completion. However, (c), (d) and (e) will be included within the interim population policy.

The Greffier of the States (in the Chair):

If there are no further points on that, we are at the point of a vote on the amendment to the amendment. I will ask the Greffier to put a link, which is now there, in the chat. This is a vote on the amendment to the amendment as proposed by the Deputy of St. Peter. Members have had an opportunity to cast their votes, I will give a few extra seconds for Members to vote in the link or, if they have had a problem with that, to vote in the chat. Having done so, I am going to ask the Greffier to close the voting. The amendment has been rejected:

POUR: 19		CONTRE: 24		ABSTAIN: 0
Senator I.J. Gorst		Senator K.L. Moore		
Senator L.J. Farnham		Senator S.W. Pallett		
Senator J.A.N. Le Fondré		Senator S.Y. Mézec		
Connétable of St. Clement		Connétable of St. Helier		
Connétable of St. Lawrence		Connétable of St. Saviour		
Connétable of St. John		Connétable of St. Brelade		
Connétable of St. Peter		Connétable of Grouville		
Connétable of St. Ouen		Connétable of Trinity		
Deputy K.C. Lewis (S)		Connétable of St. Martin		
Deputy J.M. Maçon (S)		Deputy G.P. Southern (H)		
Deputy S.J. Pinel (C)		Deputy M. Tadier (B)		
Deputy of St. Ouen		Deputy M.R. Higgins (H)		
Deputy R. Labey (H)		Deputy of St. Martin		
Deputy S.M. Wickenden (H)		Deputy L.M.C. Doublet (S)		
Deputy G.J. Truscott (B)		Deputy J.H. Young (B)		
Deputy L.B.E. Ash (C)		Deputy K.F. Morel (L)		
Deputy G.C.U. Guida (L)		Deputy of St. John		
Deputy of St. Peter		Deputy M.R. Le Hegarat (H)		
Deputy of Trinity		Deputy S.M. Ahier (H)		
		Deputy J.H. Perchard (S)		
		Deputy R.J. Ward (H)		
		Deputy C.S. Alves (H)		
		Deputy K.G. Pamplin (S)		
		Deputy I. Gardiner (H)		

[15:30]

The Deputy Greffier of the States:

Those voting *pour*, starting with those that are in the voting link, are: the Constable of St. Clement, Senator Farnham, Senator Gorst, Deputy Guida, Senator Le Fondré, Deputy Lewis, Deputy Wickenden, Deputy of St. Peter, Deputy Pinel, Constable of St. Peter, Deputy of Trinity, Deputy Labey, Deputy Maçon, the Constable of St. John, the Constable of St. Lawrence, and in the chat the Constable of St. Ouen, Deputy Ash, Deputy of St. Ouen and Deputy Truscott. Those voting *contre* in the chat: Deputy Southern, the Constable of Grouville, Deputy Pamplin, Alves, Deputy of St. Martin, Deputies Ward, Higgins, Ahier, Gardiner, Constable of St. Helier, Deputy Perchard, Senator Moore, Deputy Morel, Deputy Doublet, Deputy Le Hégarat, Deputy Young, the Constable of St. Saviour, Senator Mézec, the Constable of St. Brelade and Trinity and St. Martin, the Deputy of St. John, Senator Pallett and Deputy Tadier.

The Deputy of St. Peter:

Can I just thank everybody for their contribution and participation and let the work commence? Thank you very much.

5.4 Migration and Population Data (P.120/2020): amendment (P.120/2020 Amd.) - resumption

The Greffier of the States (in the Chair):

We are not quite there yet, Deputy, I am afraid. We are coming back to the amendment to the main proposition. Just as a reminder, this was an amendment, which was to change, I hate to use the word “semantics”, but it was to correct wording in the original proposition as I understand it. Does any Member wish to speak on the amendment? If no Member wishes to speak on the amendment there will be a vote. We have a question from Deputy Young.

5.4.1 Deputy J.H. Young:

Yes, please. I would like to ask the Attorney General or maybe yourself, it is the effect of proposition 2 in the amendment, which now says that: “The common policy shall in future Island Plans and any population targets in the Island Plan.” Does that mean that Island Plans after the one that is due to be published in March this year, which will go before the Assembly in February 2022? So does that apply to any future Island Plan, but does it apply to ones after the interim plan, which, as you know, we are committed to and in the middle of producing? I would like to know, that is the issue really, can I have advice on the meaning of those words as to how they affect the Island Plan that is currently in the course of gestation?

The Greffier of the States (in the Chair):

That is a question that Deputy Perchard could pick up perhaps.

Deputy J.H. Young:

It is the meaning of the words, if it means future Island Plan, that is what I was after. “Future”, what does that mean? Any Island Plan after that date of the States debate?

The Greffier of the States (in the Chair):

My understanding is, Minister, you will be planning to lodge a draft Island Plan during next year, the early part of next year. This is a request ultimately for the Council to produce a common population policy by the very end of next year or to have a debate perhaps by November next year. If it were to be adopted, it does not seem to me that it can retrospectively affect a draft Island Plan published months beforehand. The word “future” seems to me to be significant in that. Because the Island Plan will already be out there and in play so I do not think it could be feasible for it to then affect a document that has already been the subject of extensive public consultation and a whole series of statutory processes. The meaning of the words is what is set out in front of the Assembly and it has

to be understood in terms of what is practical within that. This is not legislation so it is really around the politics of what is acceptable and what everyone means. But, from my point of view, it would not be possible for this population policy published towards the end of next year to retrospectively affect an Island Plan, which has already gone through a number of stages. But this is Deputy Perchard's amendment so it is up to her as well to give her view on that.

Deputy J.H. Young:

Thank you. That guidance is very helpful indeed.

The Greffier of the States (in the Chair):

Does any Member wish to speak on the amendment? Deputy Perchard gets the opportunity to speak at the end.

5.4.2 Deputy S.M. Wickenden:

I am not going to vote in favour of this amendment. I feel that it turns what can be a population policy that will inform on many other areas like education, infrastructure, roads, that all have their own strategies and policies, and the population policy needs to inform on that. But what is being asked here is not a population policy anymore, it is a population plan. It is like a Government Plan. It will be almost as thick as the Government Plan and probably replicate a lot of work in many other documents. I just do not see the reasoning behind creating such an enormous document to duplicate other things in the way that it is set out. I am quite happy with the population policy and I am saddened that this has still not come around. I know last term I was very upset that we never got through and managed to do the population policy. I know many Islanders are very upset that we do not have a population policy. But what is being asked here I feel is too much like a population plan that is prescriptive in every aspect rather than an informative piece of policy that informs on the other areas and the other ministries and the other strategies, like the Island Plan, like the Education strategy, like the Infrastructure strategy on schools and roads. So I am afraid I am sorry that I cannot support Deputy Perchard on this but I thought it only fair, before I voted against it, that Deputy Perchard could respond to me if she feels the need, or at least know why I have chosen the route I have in this manner. I thought it was only fair on the Deputy. I just wanted to make my reasonings clear.

5.4.3 The Deputy of St. Mary:

I was not going to speak until I heard Deputy Wickenden. At the last election, like everyone else I am sure, I said the most important policy to come before the new Assembly would be the Island Plan combined with the population policy. In saying that, I was fully aware that would mean having to assess education requirements, hospital requirements, and everything else. That was the whole point of it, that we needed not to come to a decision in a piecemeal fashion, which the States are quite good at, but to have an all-embracing plan. It strikes me that this proposition as now lodged achieves that very aim. All of us who want to stand next time will be rather embarrassed if we have not pursued that to the bitter end. So I shall be supporting Deputy Perchard in this.

The Greffier of the States (in the Chair):

Does any other Member wish to speak on the amendment? No other Member wishes to speak. I will ask Deputy Perchard to wind up this debate.

5.4.4 Deputy J.H. Perchard:

Just to reiterate for Members, the amendment I lodged was the result of advice from officers that the language I had used in my original proposition was not accurate in terms of the titles of the policies. So the amendment simply changes the name of the policy from migration policy to population policy on that advice. I am very grateful for that advice because it makes the proposition now make sense in the context of the workstream that is already underway. I will briefly respond to Deputy Wickenden because he was kind enough to give his reasons for not supporting. But, again, what I

have proposed in terms of the content and the data being asked for was fully supported by the Assistant Chief Minister. The points at which we departed was on the timing of the delivery. So the content of what I have produced, unless I am grossly mistaken, in which case I am sure the Deputy of St. Peter will interrupt me, is we are in agreement on the content and it was all about timing of delivery where we departed. So I would urge Deputy Wickenden to review his position because it is his own Government who have said to me that they support this content and it is achievable. So that is why I have maintained the proposition in its form and I can only assume this is why the Chief Minister did not bring amendments to those areas of the proposition, because he is happy with them. I maintain the amendment.

The Greffier of the States (in the Chair):

Deputy of St. Peter, the debate has concluded on the amendment. We are now moving to a vote. But there will be an opportunity to speak on the main proposition once we get to that. We now move to a vote on the amendment and I ask the Greffier to publish the link in the chat, which she has done. So this is a vote on the amendment to P.120. Members have had time to cast their votes in the link. I am going to provide a little more time. If anyone is struggling with the link, this is the time to vote in the chat. I will ask the Greffier to close the voting. The amendment has been adopted: 33 votes *pour*, there were 6 votes *contre*, there are a number of votes in the chat, mostly *pour*, one *contre*.

POUR: 39		CONTRE: 7		ABSTAIN: 0
Senator L.J. Farnham		Senator I.J. Gorst		
Senator J.A.N. Le Fondré		Deputy M. Tadier (B)		
Senator T.A. Vallois		Deputy J.A. Martin (H)		
Senator K.L. Moore		Deputy S.M. Wickenden (H)		
Senator S.W. Pallett		Deputy L.B.E. Ash (C)		
Senator S.Y. Mézec		Deputy of St. Peter		
Connétable of St. Helier		Deputy of Trinity		
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				

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

The Greffier of the States (in the Chair):

We are having a technical moment with the list of Members. If Members want the *contre*, if we just wait a moment. Deputy Higgins, we are just trying to get a list out of the system at the moment.

The Deputy Greffier of the States:

Those voting *contre* in the link are: Deputy Wickenden, Senator Gorst, Deputy of St. Peter, Deputy Ash, the Deputy of Trinity and Deputy Martin.

The Greffier of the States (in the Chair):

And Deputy Tadier voted *contre* in the chat.

5.5 Migration and Population Data (P.120/2020) - as amended (P.120/2020 Amd.)

The Greffier of the States (in the Chair):

That brings us back to the debate on the main proposition as amended. Does any Member wish to speak on the main proposition?

5.4.5 Deputy K.F. Morel:

I just wanted to say, as other people have, it is an incredibly well researched proposition. Deputy Perchard, I know this is a matter that Deputy Perchard is passionate about and she is right to be because it is a matter that Islanders are passionate about. Yet one that keeps getting ignored by Government after Government after Government.

[15:45]

So far, by this Government as well. I really wanted to respond to one thing that I believe Deputy Perchard said at the beginning when she spoke regarding the amendment to the amendment. If I remember rightly, Deputy Perchard kind of raised a question of why do Governments not deal with the population issue? I could well be wrong, but I think the answer is very simple. It is a very difficult issue to deal with, (1) there is no question about that. But (2) it is ultimately because in an Island where productivity has been falling throughout the business sectors, there is only one way to maintain the economy. No, there is not only one way to maintain the economy, there is one easy way to maintain the economic growth in an Island of falling productivity, and that is to bring in more people. It is the simplest method of maintaining economic growth, which we have maintained essentially throughout periods of recession, credit crunch back then, since 2000. I look at that, Jersey has maintained pretty much a constantly growing economy. But, as productivity has been falling, you either deal with the productivity issue, which again no Government has managed to do in my lifetime. Or you just let people come into the Island and let them do the work, which drives economic growth and ensures public finances continue to grow as well. So really the answer to the question I believe Deputy Perchard posed is Governments - successive Governments - have taken the easy way out. They have been unwilling to deal with Jersey's most complex matter. If I am being kind, and I tend not to be, but if I am being kind, one of the reasons they have not dealt with population is because they have not had the data and the tools to do so. Sadly, they have not taken it upon themselves to gather that data and ensure they have the right tools. But this proposition very much in the main does exactly that. But, by the Assembly adopting this proposition, it is ensuring that the Government has

to deliver a population policy. Islanders want this and it is a failing of this Government that they have not wanted to get to grips with it. It is sad that a non-executive Member of the States has to bring to the attention of the Council of Ministers what is probably the single most important issue in the electorate's mind. I congratulate Deputy Perchard for doing so. The proposition itself is tough, it is demanding, absolutely. It is a demanding issue. But it is one that needs to be dealt with and it is one where there are conflicting views. Of course, if your focus is solely on economic growth at the easiest and lowest cost, then the answer is just keep bringing in people. Just keep them coming in. If, however, you want an Island, which is not covered in concrete, and does not have traffic all over the place and constant traffic jams, then you have to think a bit more cleverly and a bit harder about how to deal with that. You have to get productivity into order. You have to encourage businesses to adopt technology. You have to find incentives to make that work. You have to make sure there is life-long learning and life-long skills so that people can retrain to get into productive industries. You have to ensure that sectors do not sit on their laurels just because they have the money coming in. You have to ensure that different sectors are willing to innovate. We need buildings in this Island, which do not need so many builders to build them. It is that simple. We need to find ways of ensuring that when we are building and constructing that it is done in the most productive manner possible. That means using fewer construction workers to do that. But those construction workers who are here will then need retraining into something else. Above that all obviously sits pension commitments and Social Security funds, and of course, with an ageing population and fewer people coming in, you have to find ways to deal with that issue. How do you maintain the pension commitments we have while having a smaller population? Again, productivity is definitely the only answer to that. So Deputy Perchard's demanding proposition is demanded by the population of this Island and it is the first step to demanding that the Government deliver a population policy, which so far this Government has failed to do. But let us hope the next one does. I urge all States Members to support this proposition.

5.4.6 Deputy M.R. Higgins:

I would like to compliment Deputy Perchard for the proposition she has brought. Population, as I said earlier, is probably the top of the agenda for virtually everybody in the Island. It has been for the 12 years that I have been in the Assembly. I do not believe that we can kick it down the road anymore. It has to be addressed by this Parliament, not, as the previous speaker said, the next one. This Parliament has to deal with the issue. The information that Deputy Perchard is asking for can be brought to the States and the Council of Ministers can come up with a policy that they think is appropriate based on those figures. States Members can amend them if they like, but at the end it will be a population policy of this States. I am going to ask the Council of Ministers, stop digging, you are digging yourselves a hole. What I suggest you do is embrace this proposition, put the effort in to getting the data, and let us have that policy. So I ask you, all Members of the Council of Ministers, to concede this point gracefully and let us move on.

5.4.7 Senator K.L. Moore:

I was going to say almost everything that Deputy Morel has said, probably less eloquently certainly, so I would simply seek now to endorse his comments. Also to say that this is a really excellent example of how a Back-Bencher can assist in meeting the common strategic priorities that this entire Assembly has agreed to. Shame on the Government really for trying to dodge the bullet on this one and seeking to simply put forward an interim population policy. I recall many a speech during the election period calling for such a population policy. But here Deputy Perchard in her data-driven fact-driven quest is seeking to endorse a much-needed piece of equipment in the Government's armoury. So we should be extremely grateful to her and we look forward to seeing the policy published.

5.4.8 Deputy S.G. Luce of St. Martin:

I would just like to start by thanking Deputy Perchard for bringing this piece of work to the Assembly. But in a way it is sad that she needs to do it because one would hope that any policy on population into the future would contain all those points that she has down. But I understand why she has done it and it is really good that she has. I particularly like part (e) and that may surprise some people when they know that my own views on population is to not keep the population as it is and to progress a net-zero inward migration policy. But, regardless of your views on that, part (e) is really important because the work on net-zero migration is vital. Whichever way it comes out, we need to demonstrate to people that either that works or it does not work. In both cases, the data, the statistics and the consultation behind that, to show why one will work and one will not. So I am particularly pleased to do that. Population has no easy answers, only that the least-worst option is the one, because everybody has a view, and unfortunately we cannot please everybody. I am delighted that this piece of work has come. I look forward to the results and I shall be supporting it.

5.4.9 Deputy L.M.C. Doublet:

I echo what others have said about being grateful for this proposition and the big picture approach that the Deputy is taking is impressive. But I just wanted to focus just briefly on one part of the Deputy's proposition, which I hope I have understood correctly, is now part (f). This is the part about the public being consulted on their views regarding a sustainable population size. The Deputy, in her proposition, has asked that a representative and proportional sample of the population must be included. This really stood out to me and it is so important. I am not sure if the Deputy is taking parts separately or together, but either way I hope that this part will have strong support. Because having a representative and proportional sample of the population will give us some really meaningful data and information from Islanders. We know, and this has been mentioned already, this issue is in the top 3, if not the top, most popular issue at election time and all the time. This is something that is very important to the population. I hope that this does set a precedent in the way that we consult because at the moment I am not sure that we are getting the most out of our consultations. To be fair to the Government, their effort is put into consultations and into trying to get views, but this is the way that we will get good-quality information that represents what the population wants. So I just wanted to thank the Deputy for including that in there. I hope that more policies will take that approach, not just from Back-Bencher propositions, but from the Government, because it is a robust way of gathering data and something that we should be doing as a matter of course. So I will be supporting the proposition in its entirety.

5.4.10 Deputy G.P. Southern:

I too, like the Deputy of St. Martin, wish to have a look at part (e) of this proposition. I wholeheartedly put myself in favour of this. It is an interesting form of words as well: "That any forthcoming migration policy should demonstrate reasonable and thorough consideration has been given to a net-zero inward migration policy and provide a clear rationale with supporting data for why such a policy has not been proposed, should that be the case." So what we have here is basically an instruction to justify any numbers that are not net-zero inward migration. It has been a while since I have heard reference to net-zero inward migration. Interesting to note that the Jersey Care Model that we passed yesterday is not based on anything like that, but was based on a plus-1,000 net inward growth. That is what we have our health service based on. So that suggests to me that our population may not be able to stick to that, but it is interesting to see. I say it has been some time since I have heard the words net-zero migration and, here we go, December 2001 *Jersey into the Millennium, a sustainable future*. The statements made in section 15, and this was a 3-year consultation process, a conversation with the public, says at 15.5: "The relationship between population, infrastructure development, service provision and increased pressure on the Island's environment has been well recognised over very many years and surfaced with great regularity in virtually all the deliberative processes feeding into this strategy. Economic development must not be at the expense of negative social and environmental consequences." How valid that is today and how appropriate that we should

be returning to the topic of net-zero population growth. Because it says earlier in the document that I am reading from 2001: “The outcomes of the process of developing this strategy have confirmed the view that maintaining a permanent resident population, the same or less than the current level, is central to environmental, economic and social objectives discussed throughout the strategy.” So there you have it, net-zero population growth back in 2001. Perhaps this time we might get something close to that.

[16:00]

5.4.11 Deputy J.H. Young:

We are so used to, as a Government, being bogged down in tactical reports, budgets, the minutiae of stuff, that it is so refreshing today that we have what I think will probably turn out, if the Assembly passes this, which I sincerely hope they do, probably the most important pieces of commitment that this Assembly is going to make during this term. Because normally everything we do is focused on the short term. But here we have a proposition that sets a methodology and approach to allow us to fix and, as a community, make the choices on the fundamental policy issue that has faced this Island for certainly as long as I can remember. Probably at least 50 years. Here is a proposition that sets a methodology that would last for the next 5 decades. It has a mechanism to produce a strategy, a joined-up one, for all parts of Government. Yes, it has to, schools, roads, the lot. It involves absolutely at its heart the public, public consultation. Because we are all here as representatives of the public. It integrates this method into future Island Plans, so it is truly visionary methodology. I think it will be a fantastic tool to allow future communities to help make those choices of how Jersey is in the future. We all know those choices are there. Jersey could become like Hong Kong or anywhere of that sort of nature. But obviously what it costs in the quality of life and quality of our environment and Jersey as we know it would be a different place. Those choices have been avoided for a very long time. I can remember what was spoken there about public consultation. In the 1980s, I am struggling to remember the name of a political movement, but if there were a tending towards political parties in past decades, it was based on this principle, on this subject, population. There were huge, huge lobby groups, as a result of which the Island in those years tried to contain the level of change in our population. They were very successful. But of course, and in recent years, that has become less prevalent as Jersey concentrated on the money. “Watch the money” seemed to be the overriding theme. That is my personal view, but what is important, and this is not my view, it is the views of our community. What we have as a method is to allow, in a properly structured way, to get that information, to get that data, to make all the links and help that community, and future States Members to make those decisions. Because it is going to have an explicit, as the proposition says, prediction of future population sizes over the next 10, 20, 30, 40, 50 years. Well done. Members may think I am going over the top, but it is so important and well done, Deputy Perchard. She has obviously put a huge amount of work, leading that group, doing the review group, following this along, and then finally bringing it and putting this in front of us, this opportunity to set the direction of long-term travel. I commend it entirely to Members.

5.4.12 Deputy M. Tadier:

I am going to give this a slightly different take because what we have in front of us is more than a population policy, indeed it is called the Migration and Population Data, is the title. But effectively, the way I read it, is that we almost have a request for a plan, a universal plan if you like. Because it does not just talk about what the migration policy should comprise and what the factors should be about sustainability of the structure. It goes far beyond that and it talks about education, it talks about health and it talks about the environment and social factors, schools, hospital facilities, accommodation, affordable homes, first-time buyers. Effectively what we have here is, as I have said, a plan and it is a manifesto that all of these things are basically what any party, wishing to lead Government, should have in their manifesto. That is why you will find many of these things, if not all of these areas, touched on in Reform Jersey policy. So the reason I say that is not simply just to

give a party-political broadcast, but to say that, when people say that Governments in recent years, in fact the last few decades, have not done anything when it comes to population. They failed to get to grips with it. I would say, of course they have not done anything because the public has never elected a group of people on a party basis with a comprehensive manifesto to be able to do this. So this is a great aspiration but the reality of what we are going to see here is that it will require a coalition government of Ministers to go away and to decide on a policy, which is at best a complex area for a group of people who are ideologically aligned, let alone for a gaggle of Ministers who are currently in the middle of a vote of no confidence in them, but who we know, irrespective of that, have completely different ideological views from libertarian to perhaps more authoritarian to democrat to perhaps less-democratic people to those social democrats to conservatives. Some of whom do not necessarily even believe in climate change and others who are fundamentally pushing for climate controls. I would like to praise Deputy Perchard for what she has put together here, but of course it is not going to be possible for the Council of Ministers to bring forward a meaningful strategy because they do not have one. They cannot be expected to have a common policy on this area that they can then present to an Assembly, which is potentially even more diverse in its thinking. So it is great to have this debate about what we might do. I think back to the 2008 election when I stood for Senator initially and there were the likes of Deputy Maçon. He was not Deputy then of course, he was aspiring, like myself. Deputy Southern was already there going for that, it was the last time when you could stand for Senator and still have a chance to get in as Deputy. There were also some really great fellow travellers who were there, like Daniel Wimberley and Mark Forskitt and Nick Palmer. I do not think they mind being named. But they were part of a political group, some of them who I think were called Jersey 2020. It is strange that we find ourselves now in Jersey in 2020 discussing many of the same issues. Because this idea of net-zero inward migration is an interesting one. It is one that former Deputy Wimberley of St. Mary brought to the Assembly around about 2009, if I remember rightly. Probably one that I supported along with Deputy Southern at the time. Of course there were those who stood up and said: "It is silly to have a zero net population policy because it is an arbitrary figure. What do we do, close the doors? Do we say that the economy is closed?" Some would say of course that group, Jersey 2020, were ahead of their time back then. But the reality is of course that they were not ahead of their time at all. They were probably late and they were expounding views that have been common and needed to be said since the 1950s. It is just that it has taken that many wasted decades to get to the point where we realise that, not just the Island, but the planet is in complete crisis when it comes to the wider environmental issue. Of course we are a microcosm of that problem and it may not be first and foremost in our minds in wanting to keep the population down on our doorstep for perhaps purely selfish reasons. It is kind of academic if the rest of the world is suffering from a dire population problem where the planet cannot sustain the people that we are hosting and the fact that the tides are rising. I do not say that to try to be bleak, but this does put it into a wider context, which is realist rather than pessimistic. So why do I say all this? The issue is of course that what underpins this is the economy. I have been reading a really interesting paper, I have not finished all of it, but from somebody who I will not necessarily normally align myself politically, but Mark Boleat has created a population paper, which is theoretical and also historical. It is of great interest and I do recommend it to Members to read. He says in the opening paragraphs, I will not take long to quote this because I will probably get timed out: "It is fairly obvious that, other things being equal, the smaller the area considered the greater is likely to be the flow of 2-way migration. Taking the U.K., for example, 2-way migration in and out of Canterbury is much higher than 2-way migration in and out of Kent which, in turn, is much higher than 2-way migration in and out of the U.K. as a whole. The same is no doubt true in Jersey; so migration flows into and out of L'Etacq are greater than migration flows into and out of St. Ouen, which are greater than migration flows into and out of Jersey as a whole. However, it should be added that other things are not always equal, and some very small communities exhibit little movement in or out. This was probably true ..." He goes on to talk about, perhaps more relevantly for this debate, the way that the economy is interlinked. So the real part of relevance later on, on this page, is that he says that:

“Economic migration leads to a higher standard of living in the host community. Migrant workers, almost by definition, tend to be people with a good work ethic, they have generally completed their education so make no call on education resources and as they are young they also make very limited call on health resources.” I picked this part out in particular because the narrative that is often put out, not just in Jersey but including in Jersey, is that migrants are a drain on our economy and that they take up valuable resources for local people that we should be focusing on. But we know that the reality in Jersey is that, if somebody has been already educated before they come to the Island, they are not taking up places in our schools. Their children may well need to be educated at some point in our schools, if indeed they have children with them. But the reality of it is that so do our local communities, people who were born here also have that demand. He goes on to say that: “Generally, their call on resources financed through taxation is lower than that of the indigenous community. Migrant workers will also do jobs that local workers will not do, particularly where there is a sharp disparity in income levels between the source country and the host country.” So, in all of this, my concern is that we have a fair system of immigration. I notice that there are parts of the proposition, which talk about net-zero and what the population should be, about incoming migrants. There is an issue if, for example, we expect people to come and live in our Island and pay their taxes, pay social security, pay G.S.T., but we say to some of them: “You know what, you cannot ever bring your family over”. I have heard some harrowing cases of people who have lived in Jersey who have an indefinite right to remain and they have been here for a long time, but cannot bring their family over, either due to visa issues, which could have been resolved by local Ministers, or just by general policy that we have. At the same time, we have a situation now, I understand, whereby we are effectively having a 2(1)(e) policy, which is just letting people in who in the past would not have even been considered 2(1)(e)s. So they are people who already work for companies in Jersey, they are effectively workers, they are not 1(1)(k)s in the traditional sense of the word, and they are applying for status in the Island simply so that they can pay less tax. But they are already here anyway. I think that is a complete abuse and it shows that, far from having a policy of reducing income inequality in our Island, which I think has to be tied into our migration policy, this Government and the Chief Minister is presiding over a situation where he is perpetuating and exacerbating income inequality in our Island, which is contrary to what he agreed certainly with my party and what he has been saying more publicly.

[16:15]

Perhaps that was a side issue, but I still think it is germane to the whole immigration debate. So I wanted to make those points there. In a sense, I will probably vote for this proposition, but the truth is that we cannot really expect this policy to come back with anything meaningful. Because this is the kind of thing that any group of people standing for election need to thrash out months, if not years, before an election so that they can present it to the public and say: “This is our plan, not only about how we deal with population, but about how we deal with education, about the environment, about infrastructure, about sustainable transport”, about all of those issues, including quality of life, cost of living. Fundamentally, the reason I made the link between the economy and population is that we have to decide whether we want an economy that works for the community or if we want a community that works for the benefit of the economy, which in turn works currently for the interests of the minority at the top, but who milk the workers as part of a pyramid scheme. Because the current population policy linked to unbridled economic growth is unfortunately a Ponzi scheme, a pyramid scheme. That is the point that has to stop.

The Greffier of the States (in the Chair):

Before we move on, Deputy Southern, you have asked to speak. You have already spoken.

Deputy G.P. Southern:

I am aware of that. I am very slow on the typing. I wanted to ask a point of clarification from Deputy Young, but I did not type it quick enough. If I may, was the organisation he was referring to the Environmental Concern?

Deputy J.H. Young:

I have been wracking my brains to recall the name of that group, but my recollection there was a very strong powerful group, widely represented, that won success in the elections and effectively set the policies for the States in the following decades. That is my recollection; I hope that is correct. That name does ring a bell, thank you.

5.4.13 Connétable J. Le Bailly of St. Mary:

I remember being on the Population Migration Policy Panel as a Deputy in 2012. A lot of work and research was put into the findings, which produced a report with about 40 recommendations. This ended up being very cherry-picked to about 8, which did not do anything. We have to integrate a population policy with a housing policy. This is long overdue. It is something that everyone on this Island wants. I hope that we now have commenced the remedy.

5.4.14 The Deputy of St. Peter:

I believe when Deputy Perchard was speaking to her amendment, she said that this was about timing. I agree with her because it was the only thing about timing, and I made my point on that and there is no need to labour it, I do not think we will do it in time to have a sustainable and robust policy. That is being supported by Deputy Tadier. However, what I would like to ask is, if it is possible, and it might not be possible, for her to take this in 2 parts, (a) and then all the other parts. Because I do not want any Members to vote it all out because the (b) to (f) is a remarkably good piece of work. I do not know if she will accept that as an offer but it would help me in order to support the content of the data and not necessarily the timing. I am looking forward to the debate coming up on P.137, which is in about a month's time, because that is going to cover an amount of the things that have been discussed today. The controls, Deputy Tadier's Ponzi scheme is covered, and how we bring these migration controls in place to ensure people do not graduate through the different areas just by the nature of them being on the Island. It also talks about data and it talks about how we are going to collect that data and use that data. So that hopefully is going to be an interesting and enlightening debate. One of the things about data, and a lot of Members have been talking about it as if it grows on trees. I understand data, I spent a couple of years working in the industry. Conceptually, it is very easy to deliver, however in reality it is very tough. If this debate goes through and Deputy Perchard's timing is confirmed and accepted by the Assembly, then obviously that will be the will. However, I just say it is very, very difficult to deliver the background data that is going to be required on time. Deputy Morel mentioned productivity. We have had a conversation on productivity and absolutely essential that is addressed. Again, that is something that is going to evolve over a period of time because the introduction of A.I. (artificial intelligence), robotics, or whatever, to improve our processes and subsequently improve our productivity, is not something that is going on overnight. I believe many of our businesses are in early stages of developing that, which is fantastic news and needs all the encouragement that they can get. Again, something else I am working on. However, I will obviously be voting against this, only because I am concerned that we will not be able to deliver the will that nearly everybody has requested in the period of time in a substantial robust way with the evidence that is behind it. That is a regret. With that, thank you very much.

The Greffier of the States (in the Chair):

If I can just comment on the splitting up of the proposition into different parts, it is obviously a matter for Deputy Perchard how she wishes to take the proposition. But in my view, if paragraph (a) were taken separately from the rest and paragraph (a) were rejected, paragraphs (b) to (h) would fall.

Because, the way the proposition is drafted, the rest of it does not really make sense without paragraph (a), which defines what a common population policy is effectively.

The Deputy of St. Peter:

May I comment? That is what I suspected, given the conversation before. However, I would like to put it on record, I will vote against it. I am reluctant to vote against (b) to the end of it because the content of that is a superb piece of work.

5.4.15 Deputy R.J. Ward:

So much has been said about this proposition that again what we have is an opportunity to perhaps come up with a population policy. Just to go through the different parts and see a slightly different interpretation. Part (a) gives a deadline. Everything we do needs to have a deadline. It needs to be targeted. We cannot make excuses to say: "I will not be able to reach that deadline" before we even start. But if genuine work is put into it, and so much has allegedly been put in already, it should not be an insurmountable task. So that would be a very good start to 2020 if we had something on 31st December 2021, probably about 11.59 p.m. I would imagine. But that is just an opinion. Part (b) talks about planning assumptions in the Island Plan. We have to link this to the Island Plan and the Island Plan should give us also, I would think, a picture of what our sustainability is. I will come on to that word in a moment because that is something we need to address really carefully. A link to the Island Plan is really important so I think part (b) absolutely is essential. Part (c) talks about sustainability data. We have to be very careful about what we mean by sustainability and have a clear definition. Somebody mentioned before we can be sustainable in many different ways. To me, we link to part (e) there, which talks about funding for income support, *et cetera*. What I would like to see when we talk about population is a discussion on what our society looks like within that population. So, for example, when we talk about income support, there has never been a discussion about the benefits or not on a small Island of a universal basic income that guarantees a standard of living for everybody on this Island regardless. Because that would be one of the biggest steps we could take towards reducing income inequality and reducing some of the biggest issues that we have, such as health issues, education issues, *et cetera*. That perhaps should be part of the sustainability debate on population. There is an opportunity there for us to have that type of debate. That also gives the opportunity for the lifelong learning that we talk about so often. We need a skilled economy. We have a decision to make about sustainability. Will sustainability be defined by having a high-skill/high-wage economy or, as we are now, a low-skill/low-wage economy where we can just import people when we want and then blame them for our woes. Because that is one of the issues that we have that we need to address. It is not only unfair, it just does not work for a small Island. It is one of the things that we need to address. So part (c), the definition of sustainability is important. I am worried about the period to 2070 and I am hopeful, I think in the back of our minds, and I am afraid we have to say that the impact of climate change on our environment and populations around the world by 2070 will be significant. We see COVID-19 at the moment as a huge issue and it will pale into insignificance if the full impacts of climate change come to fruition. People might not like to think about that, but that is something we need to address for our children and for their children. So perhaps this will also put a reset button on what we do about our climate change credentials that we have committed to. It also shows that our commitment to an earlier carbon neutrality is more than just important, it is vital and it is something we should be really working on. Part (d) about 10-year intervals. That makes sense to me, you review every 10 years in terms of what is happening. Looking at secondary schools, hospital facilities. That takes us a little bit into the hospital debate. We need a site that will be sustainable for the population that we have, which will be very important. The impact of carbon neutrality goals, and I am very pleased that is there, because that is such an important thing for us to consider. Part (f) is about consulting with the views. I mentioned this before in here, but it really is something that needs to be looked at. This notion of sortition, there is a Sortition Foundation that looks at populations and takes proper sample groups from each section of

that population to get an overall view. So if you are looking to do that, the Government does not have to do a lot of work. There are people there who will sort that for us and have great experience in doing so. This is one of the things that we need to be looking at to solve the issues rather than to make more problems. Obviously, part (h) just says: “Let us get on with doing it”, which is a phrase that should be at the end of every single proposition. I am unsure about what net-zero means but it is an opportunity for us to have a real discussion around it. That is really important to define carefully what that is. Does it mean net-zero those with residency rights, does it mean the transient populations, seasonal workers. What happens to our children who want to settle here but cannot because of house prices, so go away for some time and then perhaps want to come back when they have children. There are huge issues around that and we need to look at them really carefully. Finally, I would say you talk a lot about data and we need data. But we also need political leadership, vision and principles behind a population policy. What we want our Island to look like, what rights should people have, and how are we going to ensure that they are there. So let us not hide behind the data, let us use that to inform what we want to do. But we have to have a vision to inform in the first place. That is a political issue, we must not forget that. But I will be supporting this amendment and the proposition as amended.

5.4.16 Deputy C.F. Labey of Grouville:

I would just like to speak extremely briefly just to congratulate Deputy Perchard on bringing forward an excellent piece of work here. It has huge amounts in this and much to be considered. There is probably, just going through it, looking at each of the clauses and the details she is asking for, what I would identify as missing is natural resources such as water and land to help sustain some form of agriculture and things like that. But no doubt there will be plenty of opportunities during 2021 to feed into the process and consult on it, so we can develop those issues too. Just to say that the Council of Ministers, I would have loved to have been a part of the Council of Ministers bringing something like this forward now. But obviously, with Brexit and COVID, it was only right and proper that the Council of Ministers this year focused on this pandemic that we are facing and focused on people’s health and the economy.

[16:30]

So I am not making excuses. A population policy is something I have always wanted to see. We are way behind in not having produced it so far. I am so glad that she has put a date on it. That will mean that we have now got to really focus on a vision and a way forward. Thank you.

The Greffier of the States (in the Chair):

Thank you. Does any other Member wish to speak on the proposition? No other Member wishes to speak. I will call Deputy Perchard.

5.4.17 Deputy J.H. Perchard:

Thank you to everyone who contributed to this debate at any stage throughout the afternoon. It is really greatly appreciated. I would like to start by expressing my delight at how Members have conducted themselves in the debate and the focus they have given to the content of the proposition and all of the amendments. Population migration can be a very emotive issue and it does give rise to opportunities to digress. I do not think on the whole we have done that and I am really grateful for that. I would like to start by commenting on statements made by Deputy Luce. Again, I am really, really grateful to the Deputy for articulating so succinctly and eloquently the rationale behind part (e). He is absolutely right when he said that whether you agree with net-zero or you disagree, the rationale behind this part of the proposition is to explain the reason for whichever approach is eventually taken. I am really pleased that Members have had that understanding of that part of the proposition. I am grateful to him for pointing that out. I would like to express my thanks to Members who spoke in support in this part of the debate. Deputy of Grouville, I am really delighted by her

support and by her enthusiasm. I agree there probably are some gaps. She used the word “vision”, which I thought was a particularly pertinent time to use it, right at the end of our debate here, because that is exactly what this data will hopefully push the Government to achieve. We desperately need to know what the vision is for the population of Jersey and its future. Of course, an integral part of developing a vision is knowing where we are and collecting data on where we are and projecting forward ideas of where we want to be. Any subsequent policies on population or any policy, if I am frank, should be driven by a vision to start with. So I was really delighted when the Deputy of Grouville used that rhetoric. I want to address the idea of taking it on parts. Just to say that I will be taking it *en bloc*. If you take part (a) separately the rest of it, pretty much all of it in my view, falls away, because the rest of it refers to this population policy or the population policy. My intent with using that language is that it refers to the one and whole same policy. That is why I will be taking it altogether. I maintain the main proposition.

The Greffier of the States (in the Chair):

Thank you. We come to the vote on the proposition as amended. The link is now available in the chat. I ask Members to cast their votes. Members have had an opportunity to cast their vote. I will give a few more seconds for Members who are still wishing to vote using the link. I ask that anyone with any problems to vote now in the chat. I will ask the Greffier to close the votes. She will post the results in a moment. The proposition as amended has been adopted:

POUR: 40		CONTRE: 4		ABSTAIN: 1
Senator L.J. Farnham		Connétable of St. John		Deputy L.B.E. Ash (C)
Senator S.C. Ferguson		Deputy S.M. Wickenden (H)		
Senator T.A. Vallois		Deputy of St. Peter		
Senator K.L. Moore		Deputy J.A. Martin (H)		
Senator S.W. Pallett				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy of St. Martin				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of Trinity				

Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Deputy Greffier of the States:

Deputy Ash abstained. Those voting *contre*: the Connétable of St. John, Deputy Martin, Deputy Wickenden and the Deputy of St. Peter.

6. Immigration and Social Security Co-ordination (E.U. Withdrawal) Act 2020: Extension to Jersey by Order in Council (P.140/2020)

The Greffier of the States (in the Chair):

Thank you very much. We now move on to the next proposition, Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020: Extension to Jersey by Order in Council lodged by the Chief Minister. The Minister for Home Affairs will be the *rapporteur* for this proposition, P.140. I ask the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion to signify, pursuant to Article 31 of the States of Jersey Law 2005, that they agree 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) Part 1; and (b) sections 6 and 9, of the Immigration and Social Security Co-ordination (E.U. Withdrawal) Act 2020, as summarised in the Chief Minister’s report attached to this proposition.

6.1 Connétable L. Norman of St. Clement (The Minister for Home Affairs - *rapporteur*):

As the report attached to the proposition says, following the decision of the U.K. to leave the European Union, the Withdrawal Act 2020 ends free movement of E.E.A. (European Economic Area) nationals; it protects the status of Irish nationals, Irish citizens who are members of the Common Travel Area; and provides for consequential and same provisions to be made. This proposition makes corresponding provisions in Jersey by extending the relevant provisions of the 2020 Act to the Island by Order in Council in appropriately modified form. I make the proposition.

The Greffier of the States (in the Chair):

Thank you. Is the proposition seconded? **[Seconded]** Does any Member wish to speak on the proposition?

Deputy L.B.E. Ash:

I was going to say I do not think we need to waste too much time on this. It appears to be just a bog-standard issue. **[Members: Oh!]**

6.1.1 Deputy G.P. Southern:

I just wondered what this means. Does it mean that E.U. (European Union) nationals now can no longer come to the Island without a permit of some sort, whether it is a work permit or a business permit or a visa? What does it mean?

6.1.2 Deputy R.J. Ward:

I just want to ask: was this the carve-out of certain regulations that we have discussed on 2 Scrutiny Panels that are the ones that are essential because of the change at the end of this year with the U.K. dropping out of the Free Movement Agreement? Are these separate from those? Subsequently, could we give some clarity regards to the importance of things such as having “settled status” and what that means and the relationship with Ireland can be explained a little more? There is a difference because Irish citizens will have a unique relationship with the U.K. after the Common Travel Area has ended. An explanation would be good for the Assembly. Some verification is that this is part of that carve-out that we discussed before. If so, I have no problem, but if not then I will need to ask some other questions.

The Greffier of the States (in the Chair):

I am going to take the point of clarification requested by Deputy Morel first and then there is a question to the Attorney General.

Deputy K.F. Morel:

It is not a point of clarification of speeches, it is of the proposition in terms of the lodging period. Apologies for having missed it, but did we do a vote on a shorter lodging period?

The Greffier of the States (in the Chair):

It was done at the start of the week on Monday.

Deputy K.F. Morel:

It was a while ago. Thank you, Sir.

The Greffier of the States (in the Chair):

Deputy Tadier, you have a question for the Attorney General.

Deputy M. Tadier:

I just wanted to ask the Attorney General what the position is if the Assembly does not vote for this.

Mr. M.H. Temple Q.C., H.M. Attorney General:

Sir, could I just have a few minutes to answer that question, please?

The Greffier of the States (in the Chair):

Thank you. Does any other Member wish to speak in the debate?

Deputy M. Tadier:

I may wish to speak, depending on what the answer is from the Attorney General. Could I suggest we take a short recess for 5 minutes?

The Greffier of the States (in the Chair):

We cannot break the meeting for technical reasons.

Deputy M. Tadier:

Not for technical reasons, Sir, just to give the Attorney General a chance to consider the question.

Deputy R.J. Ward:

I might be able to help the Deputy in my summing-up on that question, Sir.

The Greffier of the States (in the Chair):

In the absence of any other Member who wishes to speak, we will have to wait until the Attorney General is ready to answer the point.

The Attorney General:

I do not wish to hold up the Assembly, so I will endeavour to answer the Deputy's question now. In terms of what would happen if the proposition did not pass then the principle issue would be one for Irish citizens who enter the Bailiwick from outside the Common Travel Area. The Common Travel Area, being the Republic of Ireland, United Kingdom, Jersey, Guernsey and Isle of Man. If they come to Jersey from outside that Common Travel Area then they will be left in a difficult position because they will have not obtained leave to enter. That will leave them in a difficult immigration status, as regards their presence in the Island. That will be the principle issue. I hope that answers the Deputy's question.

Deputy M. Tadier:

That is useful. Thank you for the Attorney General answering it at short notice.

6.1.3 Deputy K.F. Morel:

I speak neither for nor against the proposition, as it is an Order in Council. It is more I speak to help Members who may not be aware of this legislation or this proposition in advance. We, on the Brexit Review Panel and also with the Education and Home Affairs Panel had a briefing on this in its previous format, where the Order in Council we can see proposed before us today was part of a larger Order in Council - the Minister does mention it in the report - in which there was a large consolidation of immigration matters. We were not happy with that, as a combined Scrutiny Panel, so to speak, because it was extremely long. We did not have time to scrutinise all of the other parts which were the consolidation of immigration matters. So we asked the Minister if he would extract those parts which were new to Brexit alone and had to be brought into law, so to speak, due to Brexit alone.

[16:45]

That is the proposition we see before us today. It is those parts which are due to Brexit. I suppose, to some extent I just want to make a point, and that point is that this is how Jersey suffers Brexit. This is an excellent example of Jersey suffering Brexit. These are U.K. laws that we are having to bring into force in our Island essentially in order to remain within the Common Travel Area. Were we not to, as the Attorney General has just suggested, it would cause problems with the Common Travel Area and our membership of it. I understand why, as we sit here today, that leaves us very little position to move. However, the proposition also refers to Irish citizens. This is something that States Members should think about going forward and have in the back of their minds, as they think about Jersey's relationship with the rest of the world. It is fascinating that Irish citizens are able to enjoy free movement with the U.K. Common Travel Area, while also being E.U. citizens. It is a dual situation that is currently being denied to Jersey, but is perhaps one that we need to investigate a little more as we look forward and try to re-establish once the waves of Brexit have settled down a little, as we try to re-establish our relationship with Europe and perhaps modify our relationship with the U.K. The fact that Irish citizens can enjoy the Common Travel Area and enjoy the E.U. single market and enjoy free movement within the E.U., both at the same time, proves that that is possible. When we are being forced to divorce ourselves from a free movement within Europe that we have all enjoyed for the last 40 years, because of the U.K.'s choice, the situation of Irish citizens shows us what can be achieved if we potentially put our minds to it and work hard to try to re-establish Jersey's position as that halfway point between the U.K. and Europe. In that sense, it saddens me enormously to pass this legislation today. Within it though, if we all look hard enough, we can see that there is possibility of a better future where Jersey is able to maintain strong relations with Europe and strong relations with the U.K. at the same time. It would be worth States Members thinking long and hard about what this tells us that we can do. I also have one question for the Minister, which I would not mind if he could respond to: would the Minister confirm that should this be passed, which I have no doubt it will be, because it is being passed with a gun to our heads from the U.K., to be honest with you, that neither the U.K. Home Secretary nor any other U.K. Minister would be able to, because of

this legislation, legislate for Jersey, as a result of this, and that even any changes to the U.K.'s views on immigration, *et cetera*, would still need to be passed through the States Assembly before they come into Jersey Law? I would just very much like that, because if there is any sense that the U.K. Home Secretary or other U.K. Minister could legislate on behalf of Jersey because of this then I think we need to be aware of it and we need to perhaps then think even harder about whether we should pass it.

6.1.4 Deputy M. Tadier:

I have been prompted to speak by what Deputy Morel said. I understand and maybe agree with a modicum of what he has just said: that we were put in this position by the U.K. through a Brexit referendum that we did not have any say in, that we did not ask for, that we did not vote for and that many of us would not have voted for even if we could and that we are having to deal with the consequences. The comparison between the Ireland situation and the Jersey situation, *vis-à-vis* the E.U. is not a reasonable comparison and it is a distasteful comparison. I will say why I think that. The histories that have led to Ireland and Jersey's respective relationships with the institution of the E.U. are completely different. We know that, for example, the island of Ireland is still occupied by the British and they have not left. We also know that there was a big potato famine in Ireland and we know that Cromwell and the British were responsible for millions of deaths of Irish over the centuries and that they were occupied against their will. That is the context which they find themselves as both part of the E.U., because they chose to be part of the E.U. They did not choose to be part of the British Isles or Great Britain or England, unlike Jersey. Someone did at some point historically choose to be loyal to the Crown, even if that was not necessarily the will of all of the Jersey people or whether they had a say in it. The second point is that Jersey politicians are the reason we have a stamp in our passport. I am one of those who have the stigmata, so to speak, of those lines saying that I cannot benefit from the E.U. provision. I do not blame it on the E.U. or anyone else. I do not really blame anyone as such. I just recognise the fact that it was Jersey politicians who got that printed in our passports, because they wanted to have the dual benefit of being in and outside the E.U., with the benefits but without any of the restrictions that came with it, primarily, as we know for the finance industry. The narrative needs to be put straight, because it is not somebody else's fault that Jersey finds itself in this situation. It is not the U.K.'s fault. It is the fact that we had senior politicians at the time when these negotiations were being put through who made these decisions. Some think that they are great decisions and that they have set us in good stead, others, presumably like Deputy Pinel, that they sold us down the river. I am perhaps slightly more philosophical about the position. I would make great caution about comparing why Irish citizens have their liberty still to move in Britain and in the E.U. when Jersey people do not, because it is a completely different situation.

The Bailiff:

Thank you very much, Deputy. Does any other Member wish to speak on the proposition? If no other Member wishes to speak then I close the debate and call upon the Connétable of St. Clement to respond.

6.1.5 The Connétable of St. Clement:

I do not think I need to respond to what Deputy Tadier had to say. That was his view. To Deputy Morel I will say: thank you very much. He nearly got it all right, but this proposition does not impact on our membership of the C.T.A. (Common Travel Area), but it is here because we are members of the Common Travel Area. As the Attorney General, who did get it right, said: if we did not pass this then it would create difficulties for Republic of Ireland citizens who do have free movement, but who would have difficulty when they entered via Europe, for example, they would not have the appropriate immigration permissions and therefore could find themselves in some difficulty. Deputy Morel did answer Deputy Ward's question: yes, this is taken from P.119, which consolidated the

immigration Orders in Council and we will be bringing it back hopefully in December or January, after the Scrutiny Panels have had time to have a look at it. As I say, they are just a consolidation, so there should not be any difficulties with them. This has no impact on people with settled status. What it might have an impact on if it was not supported was any European national who was here at the end of the year, on 31st December, who did not have settled status would then be with no immigration permissions and would be here illegally. This would allow me to make appropriate arrangements for those people, to give them a period of grace. Deputy Southern, I am not really sure I need to say any more. I am sure he remembers that the United Kingdom have left the European Union. We are coming to the end of the transition period and free movement of European or E.A.A. citizens ends on 31st December. The Withdrawal Act from the United Kingdom enforces that. This extends, by Order in Council, that impact to us. I think I have answered all the questions. If I have not, I am sure I will be told. I maintain the proposition.

Deputy G.P. Southern:

A point of clarification, Sir?

The Bailiff:

A point of clarification.

Deputy G.P. Southern:

I am still no clearer as to what an E.U. national has to have in order to visit the Island. Is it some sort of permission? What is it? Maybe I am being stupid today, it has been a long day, but I have not understood the Minister at all. Anybody who used to have permission to come and go as they please now needs a permit of some sort to come to Jersey. Is that the case?

The Bailiff:

Are you able to assist, Minister?

The Connétable of St. Clement:

Yes, certainly, Sir. European nationals who live in Jersey and apply for settled status have no issues at all, they can come and go as they please. After 31st December, anyone coming from the European Union and coming simply to visit can do so without a visa or work permit for up to 6 months. Anybody from the European Union or indeed anywhere else in the world who wants to live or work in Jersey will need to have both a visa and a work permit.

The Bailiff:

Thank you very much, Connétable. Did you have a point of clarification, Deputy Morel?

Deputy K.F. Morel:

Yes, Sir. I was wondering if the Minister could clarify his response to my question about whether the U.K. Home Secretary or other U.K. Minister would be able to legislate directly for the Island as a result of this legislation.

The Connétable of St. Clement:

My apologies, I forgot to answer that question. Of course, the answer is absolutely not.

The Bailiff:

In which case I ask the Greffier to put a voting link in the chat in the usual way. The link has been posted. I open the voting and ask Members to vote in the normal way. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The proposition has been adopted:

POUR: 46		CONTRE: 1		ABSTAIN: 0
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Senator I.J. Gorst		Deputy M. Tadier (B)		
Senator L.J. Farnham				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Deputy Greffier of the States:

Deputy Tadier voted *contre*.

The Bailiff:

That concludes the Public Business for the meeting. There was one matter left over from the beginning of the sitting, the suggestion that the Assembly might wish to take a decision now as to whether to allow for a shorter lodging period and to enable the vote of no confidence to take place on Tuesday next, which is the date fixed for it, following the requisition of an extraordinary sitting. On the assumption that it would be prudent to do so now, so that Members know if they are having to come to the Assembly on Tuesday of next week. Do you wish to ask the Assembly to do that, Senator?

Senator K.L. Moore:

Indeed, I would ask Members to vote for the lodging period to be lifted, please. It is important firstly that this vote is taken at the soonest possible convenient point.

[17:00]

It was decided that Tuesday was that. Also, of course, the Order Paper for the following sitting is rather busy, such as it has been this week, and therefore we did not feel that it would be convenient for Members to tack on such an important debate to that sitting. I hope Members will support lifting the lodging period.

The Bailiff:

Is that proposition seconded? [**Seconded**]

Deputy J.A. Martin:

I am going to be supporting that; it is one of those things. I just wanted to bring up the day, because there were some comments put in the chat last night when we went over half an hour. There is quite a bit of notice. I absolutely understand people have caring duties. However, we also agree, this is the proposition that I am making, that we sit until we finish the vote. I know you have only put one day in, so it would be that. I just want to make it as clear as crystal, so we do not have this argument next Tuesday at 5.30 p.m. Thank you.

The Bailiff:

Very well. Does any other Member wish to speak on Senator Moore's proposition to allow the lodging period to be truncated, so that the vote of no confidence can take place? Very well, if no other Member wishes to speak, did you wish to make any observations, Senator?

Senator K.L. Moore:

If I may just respond to the point made by Deputy Martin. She is quite right. I would like to suggest that we sat until the vote was complete. I am aware that some Members have other things to do that day which might pose problems, but I hope they will be able to follow the debate and take part in the vote. Obviously it would be really important that all Members were present. Thank you.

The Bailiff:

Thank you very much. I noted in the chat that Deputy Tadier asked if the Chief Minister was happy. The Chief Minister has responded in the chat, but what I should observe is that obviously the Tuesday was fixed after consultation with P.P.C., as I am required to do, and the move for the proposition and the subject to the proposition. That would be the normal way. Did you have a question? Is that a point of clarification, Deputy Doublet? You can ask a point of clarification of the Minister, but there is no other mechanism to intervene at this point.

Deputy L.M.C. Doublet:

I just wanted to ask you for some clarification: the constructive input from Deputy Martin on giving Members notice about staying late. Is that part of the proposition? Will that be voted on separately after?

The Bailiff:

The answer is there is no proposition at all about that at this point. The proposition is simply the Senator's proposition as to whether or not one will permit the debate to take place on Tuesday of next week. Nothing else is covered by that. It will obviously continue to be a hybrid sitting in the way that it has been up to now. There is no proposition to be voted on along the sense that you suggest. Although Deputy Martin may make the proposition after the vote is taken on this.

Deputy L.M.C. Doublet:

Thank you, Sir.

Deputy R.J. Ward:

I was really just asking about which sitting it would be. It is quite important, as part of the proposition as well, to ask if it is X, Y or Z, so people know who is coming in and how we would do that. It is a practical question. I do not know if it is under Standing Orders, to be quite frank, because it is completely new to us.

The Bailiff:

I am advised by the Greffier it will be X, we think. If that is not the case then the Greffier will obviously circulate all Members tomorrow, if not this evening, correcting that. Otherwise please assume it is group X.

Senator L.J. Farnham:

I just wondered if I may say to the Greffier, it might be helpful to the bringer of the proposition and the Chief Minister if they work in the Assembly. They should be given an option ahead of the Members of group X, Sir. Thank you.

The Bailiff:

Certainly the view that I take is that it will be entirely appropriate for Senator Moore, the mover of the proposition and the Chief Minister to be present in the Assembly, should they elect to do so, during the course of this particular debate. It would seem artificial to proceed otherwise. That is the way I propose to order matters, unless there is a good reason not to do so. Very well. I ask the Greffier to put a voting link in the chat. The voting link is there. I ask the Greffier to open the voting. I ask Members to vote in the normal way. The link is not working. I wonder if I could truncate matters by asking if any Member is proposing to vote *contre*, they indicate in the chat now and if there is none then we will not need to put a link up. If there are some, we can. So if any Member wishes to object to this proposition, in other words to vote *contre*, on this particular proposition could they please indicate now in the chat; only those who wish to vote *contre*. No one wishes to vote *contre*. Accordingly we will take that as a standing vote that the proposition has been adopted. Deputy Martin, was there a further proposition that you wished to bring yourself?

Deputy J.A. Martin:

Yes, Sir. There is only one day requisitioned for this and also because of the type of vote, I make the proposition that we, like the proposer said that she is quite prepared and I know that Senator Le Fondré is as well, that we sit, and it might be 5.30 p.m., in the Assembly until this vote is cast. I make that proposition.

The Bailiff:

You make a proposition in advance to, if it is necessary to do so, extend the sitting of the Assembly beyond 5.30 p.m. until the conclusion of the debate?

Deputy J.A. Martin:

Yes, Sir.

The Bailiff:

Is that proposition seconded? **[Seconded]** Does any Member wish to speak on that proposition?
Senator Moore.

Senator K.L. Moore:

Just to slightly clarify that it is my understanding under the new arrangements with time-restricted speeches the maximum time the sitting could potentially take, if we were all to speak, would be about ten hours. So, hopefully that helps Members to understand a little bit about time-management. I am sure that not everybody will want to speak for the full 15 minutes available to them.

The Bailiff:

Although you, of course, will be able to speak twice at any length, as will the Chief Minister.

Senator K.L. Moore:

As ever, I will endeavour to be concise, I promise.

The Bailiff:

Does any other Member wish to speak on this particular proposition: that we sit until the vote is taken? Did you wish to respond, Deputy Martin?

Deputy J.A. Martin:

No, there does not seem to be opposition. I maintain the proposition that we sit until the end of the debate.

The Bailiff:

Very well. I ask the Greffier to post a link into the chat. I open the voting and ask Members to vote in the normal way. Sorry, Deputy Tadier, you have indicated a desire to speak. That must be after the vote has been taken. If Members have had the opportunity of casting their votes, I ask the Deputy to close the voting. The proposition to sit until the vote is taken, past 5.30 p.m. if need be, is passed:

POUR: 45		CONTRE: 0		ABSTAIN: 0
Senator I.J. Gorst				
Senator L.J. Farnham				
Senator S.C. Ferguson				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy G.P. Southern (H)				
Deputy of Grouville				

Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy of St. Martin				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy K.F. Morel (L)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Bailiff:

Deputy Tadier, you gave a very brief notice that you wanted to move a further timing issue for the Assembly?

Deputy M. Tadier:

Yes. It is not to try and create a precedent of any kind, but it is a special sitting and we are trying to limit it to a day. Can I suggest we only have a one-hour lunch from 1.00 p.m. until 2.00 p.m.? That gives us an extra half an hour, so at least 2 speeches, even more. We may be able to finish it in the day then.

The Bailiff:

That is an entirely appropriate proposition. Is it seconded? **[Seconded]**

Senator I.J. Gorst:

I apologise, Sir. I was simply wishing to remind you, not that you needed it, that I wished to discuss with Members a further item not on this particular issue. I will not say any more until you call me again, thank you.

The Bailiff:

Thank you very much, Senator. Does any Member wish to speak on Deputy Tadier's proposition that we take only an hour for lunch, which will be between 1.00 p.m. and 2.00 p.m.? If no Member wishes to speak, the Greffier will put a voting link into the chat. I open the voting and ask Members to vote in the normal way. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. Deputy Tadier's proposition has been adopted:

POUR: 44		CONTRE: 1		ABSTAIN: 0
Senator I.J. Gorst		Deputy K.F. Morel (L)		
Senator L.J. Farnham				

Senator S.C. Ferguson				
Senator J.A.N. Le Fondré				
Senator T.A. Vallois				
Senator K.L. Moore				
Senator S.Y. Mézec				
Connétable of St. Helier				
Connétable of St. Clement				
Connétable of St. Lawrence				
Connétable of St. Saviour				
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy G.P. Southern (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy M.R. Higgins (H)				
Deputy J.M. Maçon (S)				
Deputy S.J. Pinel (C)				
Deputy of St. Martin				
Deputy L.M.C. Doublet (S)				
Deputy R. Labey (H)				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

The Deputy Greffier of the States:

Yes, it was Deputy Morel who voted *contre*.

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

The Bailiff:

Senator Gorst, did you wish to raise something with the Assembly about the Arrangement of Future Business?

Senator I.J. Gorst:

Yes, I did, Sir, if that is okay to do that now. Members will note that P.145, Draft Geographical Indications (Jersey) Regulations, have been lodged and are tabled for debate on 14th January. I wish to inform Members that I will be making the case at the next States sitting, 17th November, that I wish to take that item on 1st December. I just wanted to pre-warn them, Sir.

The Bailiff:

Very well. Thank you for that indication, Senator. That is helpful. We are left now with the Arrangements for Future Business. I call on the chair of P.P.C.

7. Deputy R. Labey of St. Helier (Chair, Privileges and Procedures Committee):

There have been a number of sittings since the Consolidated Order Paper was published. Listed now for 17th November sitting is an amendment from the Minister for Social Security to P.124; an amendment from Deputy Morel to P.128, the Fiscal Stimulus Fund Proposition. Listed for 1st December is an amendment to P.141, Lottery Allocation from Deputy Guida of St. Lawrence.

[17:15]

P.150, Social Security Medical Appeal Tribunal from the Minister for Social Security; P.151, again lodged by the Minister for Social Security, is Jersey Employment and Discrimination Tribunal; P.152, Social Security Tribunal, the Minister for Social Security; P.153, Draft Amendment (No. 51) of the Standing Orders of the States, the Privileges and Procedures Committee; P.154, Draft Amendment of Standing Orders from Deputy Louise Doublet of St. Saviour. P.155, Income Support Medical Appeal Tribunal from the Minister for Social Security. Listed for 14th December, P.147, Draft Finance 2021 Budget for the Minister for Treasury and Resources; and P.148, Draft Social Security Amendment of Rule No. 15 from the Minister for Social Security. The next sitting on 17th November, after the requisition sitting, will run into 3 days, I am quite sure. I would like to propose now that we can get all the question deadlines sorted for the sitting of 1st December, that we sit on Monday, 30th November for questions. If I could make that proposition now.

The Bailiff:

Very well. You are not making that proposition with regard to 17th November, you are making it with regard to 1st December.

Deputy R. Labey:

I am, Sir.

The Bailiff:

That we sit on the Monday afternoon.

Deputy R. Labey:

Yes, Sir.

The Bailiff:

Is that proposition seconded? [**Seconded**] Does any Member wish to speak on that proposition?

7.1 Deputy I. Gardiner:

I need to understand as the chair of P.A.C. (Public Accounts Committee) if this will be the way forward. The P.A.C. meetings were arranged a year in advance, including public hearings. Now it will be the second time within a month that we need to consult and rearrange. We are talking now about the public hearing that was arranged well in advance. If there is any option to move it to Friday, it would be better for P.A.C.

Deputy K.C. Lewis of St. Saviour:

Just to inform Members and P.P.C. and the Deputy of Grouville, P.111, which was scheduled for 1st December, Scrutiny have decided they would like a look at it in details, so we would like to move that until the mid of January.

The Bailiff:

The current discussion is whether or not we sit on Monday afternoon on that week, Deputy Lewis. So thank you for that indication, that might have a bearing on people's views, but I am not sure. The Deputy of Grouville, do you wish to speak?

The Deputy of Grouville:

Yes, I would like to ask a question. Are we sitting on Monday, 16th November as well?

The Bailiff:

No. I asked the chair of P.P.C. and he said he is not making that proposition.

The Deputy of Grouville:

At the last sitting we were told we were sitting on that Monday.

The Bailiff:

That is for the chair to answer then when he sums up.

The Deputy of Grouville:

I would like some clarification on that, please, Sir.

7.1.1 Deputy L.M.C. Doublet:

I wanted to just say to the Chair of P.P.C. thank you for attempting to organise the business so that we can be more efficient with our time, but if we could have notification in advance that these requests are going to be made, because I think at times it requires a bit more consideration and looking in detail at the Order Paper, looking at what things people have got on that week, *et cetera*. If more notice could be given to all Members, please, before the chair proposes these types of arrangements in future.

The Bailiff:

Thank you very much, Deputy. Deputy Ward, yes, Deputy Alves is correct, we are considering at the moment the afternoon of Monday, 30th November. Thank you very much. Does any other Member wish to speak on the chair of P.P.C.'s proposition? If no other Member wishes to speak then I call on the chair to respond.

7.1.2 Deputy R. Labey:

In reply to the Deputy of Grouville, I thought given the extra sitting next week and the progress we made on this sitting that we could possibly achieve the business down for 17th November in the 3 days. As Deputy Doublet has noted, it is a difficult call because things change on the order of business so much up until 2 weeks before. That is why I am proposing we sit on 30th November. I am making that proposition now, so that it is a month in advance and people will know then that that is happening. The December sitting is jam-packed. You can all see it in the sittings and debates on the website. It is going to be difficult to get everything through on that one. I try to keep ahead as I possibly can. It is difficult. We have just seen the amount of propositions that have just come in, so it is going to be difficult to accommodate them.

The Bailiff:

Thank you very much, Deputy. I will ask the Greffier to put a link into the chat. I open the voting and ask Members to cast their vote in the normal way. It is for sitting on Monday afternoon, 30th

November. If Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The proposition is adopted:

POUR: 37	CONTRE: 6	ABSTAIN: 0
Senator I.J. Gorst	Connétable of St. Martin	
Senator L.J. Farnham	Deputy M. Tadier (B)	
Senator S.C. Ferguson	Deputy M.R. Higgins (H)	
Senator J.A.N. Le Fondré	Deputy J.M. Maçon (S)	
Senator T.A. Vallois	Deputy L.M.C. Doublet (S)	
Senator K.L. Moore	Deputy I. Gardiner (H)	
Senator S.W. Pallett		
Senator S.Y. Mézec		
Connétable of St. Helier		
Connétable of St. Clement		
Connétable of St. Lawrence		
Connétable of St. Saviour		
Connétable of St. Brelade		
Connétable of Grouville		
Connétable of St. John		
Connétable of Trinity		
Connétable of St. Peter		
Connétable of St. Mary		
Connétable of St. Ouen		
Deputy J.A. Martin (H)		
Deputy G.P. Southern (H)		
Deputy of Grouville		
Deputy K.C. Lewis (S)		
Deputy S.J. Pinel (C)		
Deputy of St. Martin		
Deputy of St. Ouen		
Deputy R. Labey (H)		
Deputy S.M. Wickenden (H)		
Deputy of St. Mary		
Deputy G.J. Truscott (B)		
Deputy J.H. Young (B)		
Deputy L.B.E. Ash (C)		
Deputy K.F. Morel (L)		
Deputy of St. Peter		
Deputy of Trinity		
Deputy of St. John		
Deputy M.R. Le Hegarat (H)		
Deputy S.M. Ahier (H)		
Deputy J.H. Perchard (S)		
Deputy R.J. Ward (H)		
Deputy C.S. Alves (H)		
Deputy K.G. Pamplin (S)		

The Bailiff:

Deputy Labey, do you propose the Future Business?

Deputy R. Labey:

I do, Sir.

The Bailiff:

Do Members agree to take the Future Business as proposed by the chair of P.P.C.? If anyone indicates a contrary view then we will put the matter to the vote. If they indicate now in the chat. No one has commented in the chat. Accordingly the Future Business will be as described by the chair of P.P.C. That concludes the business of the Assembly at this sitting and the States stands adjourned until Tuesday next at 9.30 a.m.

ADJOURNMENT

[17:24]