



**THE STATES assembled on Wednesday
22nd January 2014, at 09.30 a.m. under
the Presidency of the Deputy Bailiff,
William James Bailhache, Esquire.**

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

Deputy Judith Ann Martin of St. Helier – en défaut (défaut raised at 9.43 a.m.)
Deputy Montfort Tadier of St. Brelade – en défaut (défaut raised at 9.43 a.m.)
Deputy Gerard Clifford Lemmens Baudains of St. Clement – ill
Deputy Kristina Louise Moore of St. Peter – ill

Prayers

Composition and election of the States Assembly: reform – proposal 1 P.93/2013

THE STATES resumed consideration of a proposition of Senator Philip Francis Cyril Ozouf concerning the reform of the composition and election of the States Assembly and rejected an amendment of Senator Lyndon John Farnham, that paragraph (a) should be deleted and substituted by the following –

“(a) that the Assembly should be comprised of 45 members, comprising 6 Senators, 12 Connétables and 27 Deputies;”.

And that paragraph (b) should be deleted and the following paragraphs renumbered accordingly and that the Table in paragraph (d) should be deleted and substituted by the following Table –

“DEPUTIES’ CONSTITUENCIES

<i>Constituencies</i>	<i>Number of Deputies to be returned</i>
District 1: Vingtaine du Mont Cochon, Vingtaine du Mont à l’Abbé, Vingtaine de Haut du Mont au Prêtre and Vingtaine du Rouge Bouillon, in the Parish of St. Helier.	6
District 2: Cantons de Bas et de Haut de la Vingtaine de la Ville, and Vingtaine de Bas du Mont au Prêtre, in the Parish of St. Helier.	6
District 3: Parish of Grouville, Parish of St. Clement and Parish of St. Martin.	4

<i>Constituencies</i>	<i>Number of Deputies to be returned</i>
District 4: Parish of St. Saviour and Parish of Trinity.	4
District 5: Parish of St. John, Parish of St. Lawrence, Parish of St. Mary and Parish of St. Ouen.	3
District 6: Parish of St. Brelade and Parish of St. Peter.	4

”.

And that paragraph (f) should be deleted and substituted by the following –

“(f) that in an Assembly of 45 members, the maximum number of Ministers and Assistant Ministers shall be 20;”.

Members present voted as follows –

POUR: 14

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator I.J. Gorst
 Senator L.J. Farnham
 Connétable of Trinity
 Connétable of St. Lawrence
 Connétable of St. John
 Connétable of St. Saviour
 Deputy of St. Ouen
 Deputy of Trinity
 Deputy T.A. Vallois (S)
 Deputy of St. John

CONTRE: 32

Senator A. Breckon
 Senator S.C. Ferguson
 Senator F. du H. Le Gresley
 Senator P.M. Bailhache
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy J.P.G. Baker (H)
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)

ABSTAIN: 0

Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)

Following the rejection of paragraphs (1) to (4), the Deputy Bailiff informed the Assembly that paragraph (5) of the amendment of Senator Lyndon John Farnham was deemed to have been withdrawn.

THE STATES rejected an amendment of the Connétable of St. Mary that paragraph (a) of the proposition of Senator Philip Francis Cyril Ozouf concerning the reform of the composition and election of the States Assembly should be deleted and substituted by the following –

“(a) that the Assembly should be comprised of 47 members, comprising 12 Connétables and 35 Deputies;”;

that paragraph (d) should be deleted and substituted by the following –

“(d) that the proposed new 5 large areas would replace the current Schedule 1 to the States of Jersey Law 2005, as follows –

DEPUTIES' CONSTITUENCIES

<i>Constituencies</i>	<i>Number of Deputies to be returned</i>
District 1: St. Brelade St. Peter St. Ouen	7
District 2: St. Mary St. John St. Lawrence St. Helier – Mont Cochon and Mont à l'Abbé	7
District 3: St. Saviour – Sous l'Eglise, Sous La Hougue and Pigneaux St. Martin St. Helier – Haut de la Ville and Bas de la Ville	7
District 4: St. Clement St. Saviour – Petite Longueville and Grande Longueville Grouville	7
District 5: St. Saviour – Maufant Trinity St. Helier – Haut du Mont au Prêtre, Bas du Mont au Prêtre and Rouge Bouillon	7

”

And that in paragraph (f) for the words “46 members” there should be substituted the words “47 members” and for the figure “20” there should be substituted the figure “21”.

And that in paragraph (g) for the words “46 members” there should be substituted the words “47 members”.

Members present voted as follows –

POUR: 3

Senator P.F. Routier
 Senator I.J. Gorst
 Connétable of St. Mary

CONTRE: 41

Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy of St. John
 Deputy J.P.G. Baker (H)
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)

ABSTAIN: 0

THE STATES, having resumed consideration of the proposition of Senator Philip Francis Cyril Ozouf, rejected a proposition of Senator Francis du Heaume Le Gresley in accordance with the provisions of Standing Order 84, that the debate on the proposition be put to the vote.

Members present voted as follows –

POUR: 6

Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Connétable of St. Peter
 Connétable of St. Ouen
 Deputy J.A.N. Le Fondré (L)
 Deputy J.M. Maçon (S)

CONTRE: 41

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy of St. John
 Deputy J.P.G. Baker (H)
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)

ABSTAIN: 0

THE STATES rejected the proposition of Senator Philip Francis Cyril Ozouf –

- (a) that the Assembly should be comprised of 44 members, comprising 12 Connétables and 32 Deputies;
- (b) that the office of Senator should be abolished;
- (c) that the Deputies would, under the new structure, have a much more wide-ranging role than Deputies in the current Assembly;
- (d) that the proposed new 6 large areas would replace the current Schedule 1 to the States of Jersey Law 2005, as follows –

DEPUTIES' CONSTITUENCIES

<i>Constituencies</i>	<i>Number of Deputies to be returned</i>
District 1: Vingtaine du Mont Cochon, Vingtaine du Mont à l'Abbé, Vingtaine de Haut du Mont au Prêtre and Vingtaine du Rouge Bouillon, in the Parish of St. Helier.	6
District 2: Cantons de Bas et de Haut de la Vingtaine de la Ville, and Vingtaine de Bas du Mont au Prêtre, in the Parish of St. Helier.	6
District 3: Parish of Grouville, Parish of St. Clement and Parish of St. Martin.	5
District 4: Parish of St. Saviour and Parish of Trinity.	5
District 5: Parish of St. John, Parish of St. Lawrence, Parish of St. Mary and Parish of St. Ouen.	5
District 6: Parish of St. Brelade and Parish of St. Peter.	5

- (e) that the Connétables should be placed on the same legal basis as Deputies if they remain in a reformed Assembly;
- (f) that in an Assembly of 44 members, the maximum number of Ministers and Assistant Ministers shall be 19;

- (g) to request the Privileges and Procedures Committee to bring forward for debate legislative changes to enable the foregoing in time for the 2014 elections with the new structure of 44 members being effective from the date of the swearing-in of the new members elected in these elections.

Members present voted as follows –

POUR: 20

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator I.J. Gorst
 Senator P.M. Bailhache
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Brelade
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 Deputy of St. John
 Deputy J.P.G. Baker (H)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)

CONTRE: 27

Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator L.J. Farnham
 Connétable of St. John
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A.N. Le Fondré (L)
 Deputy S.S.P.A. Power (B)
 Deputy M. Tadier (B)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy J.H. Young (B)
 Deputy of St. Mary
 Deputy R.J. Rondel (H)

ABSTAIN: 0**Draft Public Finances (Amendment of Law No. 1) (Jersey) Regulations 201- P.133/2013**

THE STATES resumed consideration of the Draft Public Finances (Amendment of Law No. 1) (Jersey) Regulations 201-, the principles of which had been adopted on 11th December 2013.

THE STATES, having been informed that the relevant scrutiny panel had scrutinised the draft legislation, adopted Regulations 1 and 2.

Members present voted as follows –

POUR: 27

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator S.C. Ferguson
 Senator F. du H. Le Gresley

CONTRE: 2

Connétable of St. John
 Deputy J.A. Martin (H)

ABSTAIN: 1

Senator A. Breckon

Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of Trinity
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy R.G. Le Hérissier (S)
 Deputy of St. Ouen
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy of St. John
 Deputy of St. Mary
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)

THE STATES, in pursuance of Article 23(5) of the Public Finances (Jersey) Law 2005, made Regulations entitled the Public Finances (Amendment of Law No. 1) (Jersey) Regulations 2014.

Members present voted as follows –

POUR: 27

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator S.C. Ferguson
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of Trinity
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy R.G. Le Hérissier (S)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)

CONTRE: 3

Senator F. du H. Le Gresley
 Connétable of St. John
 Deputy J.A. Martin (H)

ABSTAIN: 1

Senator A. Breckon

Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy of St. John
 Deputy of St. Mary
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)

Statements on a matter of official responsibility

(see Official Report/Hansard)

The Chairman of the Education and Home Affairs Scrutiny Panel made a statement regarding the Panel's report 'Camera Surveillance in Jersey' S.R. 1/2014.

Education and Home Affairs Scrutiny Panel – resignation of Chairman

THE STATES noted the resignation of Deputy Jeremy Martin Maçon of St. Saviour as the Chairman of the Education and Home Affairs Scrutiny Panel.

In accordance with Standing Order 120(1), the Deputy Bailiff gave notice that there was a vacancy in the office of Chairman of the Education and Home Affairs Scrutiny Panel and invited members to make nominations for the position on Thursday 24th January 2014.

Ratification of the Agreement between the Government of Jersey and the Republic of Croatia with respect to the Taxation of Savings Income P.147/2013

THE STATES, adopting a proposition of the Minister for External Relations, ratified the Agreement between the Government of Jersey and the Republic of Croatia on the Taxation of Savings Income as set out in the Appendix to the report of the Chief Minister dated 23rd October 2013.

EU Taxation of Savings Income Agreements: replacement of the retention tax by automatic exchange of information P.150/2013

THE STATES, adopting a proposition of the Minister for External Relations, agreed, with regard to the EU Taxation of Savings Income Agreements, to replace the retention tax with automatic exchange of information, as set out in the report of the Minister for External Relations dated 4th November 2013.

Members present voted as follows –

POUR: 29

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator S.C. Ferguson
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of Trinity
 Connétable of St. Peter

Connétable of St. Lawrence
Connétable of St. Mary
Connétable of St. Ouen
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Connétable of Grouville
Deputy R.C. Duhamel (S)
Deputy of St. Ouen
Deputy J.A.N. Le Fondré (L)
Deputy S.S.P.A. Power (B)
Deputy M. Tadier (B)
Deputy T.A. Vallois (S)
Deputy J.M. Maçon (S)
Deputy J.H. Young (B)
Deputy S.J. Pinel (C)
Deputy of St. Mary
Deputy of St. Martin
Deputy R.G. Bryans (H)
Deputy R.J. Rondel (H)

Draft Taxation (Agreements with European Union Member States) (Amendment No. 2) (Jersey) Regulations 201- P.151/2013

THE STATES commenced consideration of the Draft Taxation (Agreements with European Union Member States) (Amendment No. 2) (Jersey) Regulations 201- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 to 10.

THE STATES, in pursuance of Article 2(1) of the Taxation (Implementation) (Jersey) Law 2004 and following the decisions of the States of 21st January 2014 to adopt Projet 147 of 2013 and Projet 150 of 2013, made Regulations entitled the Taxation (Agreements with European Union Member States) (Amendment No. 2) (Jersey) Regulations 2014.

Changes in Presidency

The Deputy Bailiff retired from the Chamber before consideration of the Draft Taxation (Agreements with European Union Member States) (Amendment No. 2) (Jersey) Regulations 201- (P.151/2013) and the meeting continued under the presidency of the Connétable of St. Clement until after the matter had been debated and the Assembly had commenced consideration of the next item of public business.

Referenda: revised procedures P.153/2013

THE STATES, adopting a proposition of Deputy Roy George Le Hérissier of St. Saviour, agreed to request the Privileges and Procedures Committee to review the current provisions of the Referendum (Jersey) Law 2002 and to bring forward proposals, with appropriate amendments to the Law if necessary, to define more clearly the conditions that could be applied to the holding of any future referendum.

Members present voted as follows –

POUR: 44

CONTRE: 0

ABSTAIN: 0

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

Adjournment

THE STATES adjourned, having agreed to reconvene on Thursday 24th January 2014 to consider the outstanding items of public business.

THE STATES rose at 5.29 p.m.

A.H. HARRIS

Deputy Greffier of the States