



**THE STATES assembled on Tuesday
4th March 2014, at 09.30 a.m. under
the Presidency of the Deputy Bailiff,
William James Bailhache, Esquire.**

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

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

Connétable Michael John Paddock of St. Ouen – excused attendance
Connétable John Edward Le Maistre of Grouville – excused attendance
Deputy Judith Ann Martin of St. Helier – ill
Deputy John Alexander Nicholas Le Fondré of St. Lawrence – en défaut
Deputy Patrick John Dennis Ryan of St. John – ill
Deputy James Patrick Gorton Baker of St. Helier – en défaut
Deputy Kristina Louise Moore of St. Peter – ill

Prayers

Tribute to the late Mr. Charles Alan Le Maistre, M.B.E., former member of the States

The Deputy Bailiff paid tribute to the late Mr. Charles Alan Le Maistre, M.B.E., former Connétable of Grouville.

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

Subordinate enactments tabled

The following enactments were tabled, namely –

Road Racing (Karts) (Jersey) Order 2014. R&O.23/2014.
Minister for Transport and Technical Services.

Documents presented or laid

Land Transactions under Standing Order 168(3) – R.21/2014.
(a) Chez Marguerite, 3 Elizabeth Place, St. Helier – sale;
(b) Old Mill House, 52 Le Vier Mont, St. Helier – sale.
Presented: 26th February 2014.
Minister for Treasury and Resources.

States of Jersey Law 2005: delegation of functions – Planning and Environment – R.22/2014.
revised delegations February 2014.
Presented: 27th February 2014.
Minister for Planning and Environment.

Public Lotteries: report for 2013. R.23/2014.
Presented: 4th March 2014.
Minister for Economic Development.

Camera Surveillance in Jersey (S.R.1/2014): response of the Minister for Planning and Environment. S.R.1/2014.
Presented: 28th February 2014. Res.(2)
Minister for Planning and Environment.

£200,000 Grant to Film Company: Supplementary Report. P.A.C.1/2014.
Presented: 4th March 2014.
Public Accounts Committee.

Notification of lodged propositions

Channel Islands Lottery: allocation of profits for 2013. P.22/2014.
Lodged: 26th February 2014.
Minister for Economic Development.

States of Jersey Development Company Limited: re-appointment of Chairman and Non-Executive Directors. P.23/2014.
Lodged: 26th February 2014.
Minister for Treasury and Resources.

Grouville School: parking facilities. P.24/2014.
Lodged: 4th March 2014.
Connétable of Grouville.

Written Questions

(see Official Report/Hansard)

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy R.J. Rondel of St. Helier regarding the payment trial at Sand Street car park.

The Chief Minister tabled an answer to a question asked by Deputy J.A.N. Le Fondré of St. Lawrence concerning the Dame Heather Steel review.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the processing of income support applications.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding income support for children with disabilities.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the payment of rates on States' properties.

The Chief Minister tabled an answer to a question asked by Deputy J.H. Young of St. Brelade regarding advisory and oversight groups.

The Chief Minister tabled an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the involvement of non-executive members in policy development.

The Chief Minister tabled an answer to a question asked by Deputy J.H. Young of St. Brelade regarding the role and memberships of groups established by departments for policy development.

The Minister for Home Affairs tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding disciplinary cases at H.M. Prison La Moye.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the recourse available to an applicant for planning permission.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the application of building control regulations to listed buildings.

The Chief Minister tabled an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding legislation and policy governing the provision of housing in Jersey.

The Minister for Housing tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the provision of carpets, flooring and windows in States and Trust accommodation.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the operations of the Discovery Channel in Jersey.

The Minister for Social Security tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the impact of the minimum wage.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Island's credit rating.

The Minister for Home Affairs tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding a data protection investigation.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the imposition of sanctions in the Income Support scheme.

Oral Questions

(see Official Report/Hansard)

Deputy R.J. Rondel of St. Helier asked a question of the Minister for Transport and Technical Services regarding the publication of the results of the trial for the new parking charge system at Sand Street Car Park.

Deputy G.P. Southern of St. Helier asked a question of the Assistant Minister for Treasury and Resources regarding the States' liability to pay parish rates.

Deputy M. Tadier of St. Brelade asked a question of the Chairman of the Education and Home Affairs Scrutiny Panel regarding recent allegations of misconduct at the Prison by past members of staff.

Senator S.C. Ferguson asked a question of the Minister for Treasury and Resources regarding an update of the King Sturge report.

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Home Affairs regarding the policing methods used in relation to 'Jersey lifts'.

Deputy J.H. Young of St. Brelade asked a question of the Minister for Economic Development regarding the total capital expenditure by the Ports of Jersey and its predecessors on the 1937 airport building during the last 5 years.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Minister for Home Affairs regarding the security checks applied to civilian employees working within H.M. Prison La Moye.

Deputy J.H. Young of St. Brelade asked a question of the Minister for Planning and Environment regarding complaints from those subjected to enforcement proceedings for alleged infractions of the Planning and Building Law.

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the recent IMF discussion paper 'Redistribution, Inequality and Growth'.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Social Security regarding a review of the policy whereby individuals who were hospitalised for more than 28 days lost their entitlement to certain Income Support components.

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Social Security regarding the future rent rebate policy.

Urgent Oral question

Deputy G.P. Southern of St. Helier asked the following urgent oral question of the Minister for Economic Development –

“What action has the Minister taken, or will he take, to avert the prospect of serious disruption at Jersey Airport as a result of the baggage handlers’ dispute?”

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Economic Development answered questions without notice from members.

The Minister for Housing answered questions without notice from members.

Statements on a matter of official responsibility

(see Official Report/Hansard)

The Chairman of the Public Accounts Committee made a statement regarding the review of a £200,000 grant to a film company.

Changes in Presidency

The Deputy Bailiff retired from the Chamber during the question period following the statement of the Chairman of the Public Accounts Committee and the meeting continued under the presidency of the Bailiff.

Bailiff – forthcoming appointment

The Bailiff advised the Assembly that Her Majesty The Queen had approved, on the recommendation of the Lord Chancellor and Secretary of State for Justice, the appointment of the Deputy Bailiff, Mr. William James Bailhache, to the office of Bailiff of Jersey in succession to the current Bailiff, Sir Michael Birt, upon his retirement on 24th January 2015, and members congratulated Mr. Bailhache in the customary manner.

Draft Shipping (Amendment No. 4) (Jersey) Law 201- P.3/2014

THE STATES commenced consideration of the Draft Shipping (Amendment No. 4) (Jersey) Law 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 Articles 1 to 6.

Members present voted as follows –

POUR: 30**CONTRE: 0****ABSTAIN: 0**

Senator P.F. Routier
 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 L.J. Farnham
 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
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 Deputy J.H. Young (B)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)

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

Draft Employment of States of Jersey Employees (Amendment No. 6) (Jersey) Regulations 201-P.7/2014

THE STATES commenced consideration of the Draft Employment of States of Jersey Employees (Amendment No. 6) (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 7.

THE STATES, in pursuance of Article 42 of the Employment of States of Jersey Employees (Jersey) Law 2005, made Regulations entitled the Employment of States of Jersey Employees (Amendment No. 6) (Jersey) Regulations 2014.

Jersey Overseas Aid Commission: re-appointment of non-States Commissioner P.11/2014

THE STATES, adopting a proposition of Senator Paul Francis Routier, appointed, in accordance with paragraph 7.4 of the Constitution of the Jersey Overseas Aid Commission as set out in Schedule 1 to the Jersey Overseas Aid Commission (Jersey) Law 2005, Mr. Geoffrey George Crill as a non-States Commissioner for a further period of 3 years.

Arrangement of public business for the current meeting

THE STATES, adopting a proposition of the Chairman of the Privileges and Procedures Committee, agreed to continue the meeting beyond 12.45 p.m. to complete consideration of public business.

Members present voted as follows –

POUR: 32

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator I.J. Gorst
 Senator L.J. Farnham
 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
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy G.P. Southern (H)
 Deputy J.A. Hilton (H)
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)

CONTRE: 4

Senator S.C. Ferguson
 Senator F. du H. Le Gresley
 Deputy of St. Ouen
 Deputy J.H. Young (B)

ABSTAIN: 1

Deputy of Grouville

Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)

Draft Drainage (Amendment) (Jersey) Law 201- P.6/2014

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

Members present voted as follows –

POUR: 39

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. 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 L.J. Farnham
 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. John
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 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 G.C.L. Baudains (C)
 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)

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Articles 1 to 4.

THE STATES adopted Article 5.

Members present voted as follows –

POUR: 32

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 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. John
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 Deputy A.K.F. Green (H)
 Deputy G.C.L. Baudains (C)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)

CONTRE: 9

Senator A. Breckon
 Senator S.C. Ferguson
 Deputy R.G. Le Hérisier (S)
 Deputy of Grouville
 Deputy M. Tadier (B)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy J.H. Young (B)

ABSTAIN: 0

THE STATES adopted Articles 6 to 11.

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

Members present voted as follows –

POUR: 37**CONTRE: 3****ABSTAIN: 0**

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 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. John
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 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 A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 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)

Senator S.C. Ferguson
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)

Arrangement of public business for future meetings

THE STATES agreed the following arrangement of public business for future meetings proposed, as amended, by the Chairman of the Privileges and Procedures Committee in accordance with the provisions of Standing Order 88(3) –

18th March 2014

Draft Employment and Discrimination Tribunal (Jersey) Regulations 201-. P.4/2014.
Lodged: 14th January 2014.
Minister for Social Security.

Draft Discrimination (Jersey) Law 2013 (Appointed Day) Act 201-. P.5/2014.
Lodged: 14th January 2014.
Minister for Social Security.

Draft Financial Services Ombudsman (Jersey) Law 201-. P.9/2014.
Lodged: 21st January 2014.
Minister for Economic Development.

Draft Taxation (Miscellaneous Provisions) (Jersey) Regulations 201-. P.13/2014.
Lodged: 3rd February 2014.
Minister for External Relations.

Esplanade Quarter developments: approval by the States. P.15/2014.
Lodged: 10th February 2014.
Senator A. Breckon.

Esplanade Quarter developments: approval by the States (P.15/2014) – comments. P.15/2014.
Presented: 18th February 2014. Com.
Minister for Treasury and Resources.

Piquet House: cancellation of sale and future use. P.16/2014.
Lodged: 11th February 2014.
Deputy J.H. Young of St. Brelade.

States Housing: arrangements for new tenants. P.19/2014.
Lodged: 18th February 2014.
Deputy M. Tadier of St. Brelade.

1st April 2014

Sunstone Holdings Ltd. and De Lec Ltd. – *ex gratia* payments to investors. P.90/2013.
Lodged: 26th July 2013.
Senator A. Breckon.

Sunstone Holdings Ltd. and De Lec Ltd. – *ex gratia* payments to investors P.90/2013.
(P.90/2013) – comments. Com.
Presented: 23rd September 2013.
Council of Ministers.

Draft Passports (False Statements and Forgery) (Jersey) Law 201-. P.14/2014.
Lodged: 6th February 2014.
Minister for Home Affairs.

Ratification of the Agreement on the Exchange of Information relating to Tax Matters P.12/2014.
between the Government of Jersey and the Government of Hungary.
Lodged: 3rd February 2014.
Minister for External Relations.

Draft Taxation (Exchange of Information with Third Countries) (Amendment No. 10) (Jersey) Regulations 201-. Lodged: 14th February 2014. <i>Minister for External Relations.</i>	P.17/2014.
Tasers: deployment and use in Jersey by the States of Jersey Police. Lodged: 17th February 2014. <i>Minister for Home Affairs.</i>	P.18/2014.
Draft Statute Law Revision (Miscellaneous Provisions) (Jersey) Law 201-. Lodged: 18th February 2014. <i>Chief Minister.</i>	P.21/2014.
States of Jersey Development Company Limited: re-appointment of Chairman and Non-Executive Directors. Lodged: 26th February 2014. <i>Minister for Treasury and Resources.</i>	P.23/2014.
Grouville School: parking facilities. Lodged: 4th March 2014. <i>Connétable of Grouville.</i>	P.24/2014.
<u>29th April 2014</u>	
Elected Speaker of the States. Lodged: 10th December 2013. <i>Connétable of St. Helier.</i>	P.160/2013.
Elected Speaker of the States (P.160/2013): comments. Presented: 16th December 2013. <i>Privileges and Procedures Committee.</i>	P.160/2013. Com.
Draft European Union Legislation (Implementation) (Jersey) Law 201-. Lodged: 16th December 2013. <i>Minister for External Relations.</i> <i>(Referred to Scrutiny on 4th February 2014)</i>	P.164/2013.
Interim Population Policy: 2014 – 2015. Lodged: 30th January 2014. <i>Council of Ministers.</i>	P.10/2014.
Interim Population Policy: 2014 – 2015 (P.10/2014) – amendment. Lodged: 18th February 2014. <i>Deputy G.P. Southern of St. Helier.</i>	P.10/2014. Amd.
Committee of Inquiry: planning applications by the Channel Islands Co-operative Society Ltd. Lodged: 18th February 2014. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.20/2014.

Channel Islands Lottery: allocation of profits for 2013.
Lodged: 26th February 2014.
Minister for Economic Development.

P.22/2014.

THE STATES rose at 1.20 p.m.

A.H. HARRIS

Deputy Greffier of the States