

THE STATES assembled on Friday 18th July 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 -

Senator Ian Joseph Gorst – en défaut Connétable John Edward Le Maistre of Grouville – ill Deputy Jacqueline Ann Hilton of St. Helier – ill Deputy John Alexander Nicholas Le Fondré of St. Lawrence – en défaut (défaut raised at 9.54 a.m.) Deputy Jeremy Martin Maçon of St. Saviour – ill Deputy Patrick John Dennis Ryan of St. John – en défaut Deputy Kristina Louise Moore of St. Peter – ill

Prayers read by the Greffier of the States

### **Documents presented or laid**

Property tax review: publication of Green Paper and PwC Paper.	R.101/2014.
Presented: 18th July 2014.	
Minister for Treasury and Resources.	
Updating Jersey's Fiscal Framework.	R.102/2014.
Presented: 18th July 2014.	
Minister for Treasury and Resources.	
Property Rates and the States.	R.103/2014.
Presented: 18th July 2014.	
Minister for Treasury and Resources.	
Implementation of European Union Legislation (S.R.3/2014): response of the Minister	S.R.3/2014.
for External Relations.	Res.
Presented: 18th July 2014.	
Minister for External Relations.	
Trackers Apprentice Programme.	S.R.8/2014.
Presented: 18th July 2014.	
Education and Home Affairs Scrutiny Panel.	

P.129/2014.

P.130/2014.

# Notification of lodged propositions

Draft Budget Statement 2015. Lodged: 18th July 2014. *Minister for Treasury and Resources.* 

Draft Income Tax (Amendment No. 44) (Jersey) Law 201-. Lodged: 18th July 2014. *Minister for Treasury and Resources.* 

## Arrangement of public business for the current meeting

THE STATES, adopting a proposition of the Minister for Treasury and Resources, agreed that his statement relating to the Draft Budget Statement 2015 should be taken as the first item of business by the Assembly before resuming the debate on the proposition of Deputy Geoffrey Peter Southern of St. Helier entitled 'Maternity leave: rights of employees' (P.104/2014).

Members present voted as follows -

## **POUR: 30**

Senator P.F. Routier Senator P.F.C. Ozouf 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 Trinity Connétable of St. Clement Connétable of St. Peter Connétable of St. Lawrence Connétable of St. Mary Connétable of St. Ouen Connétable of St. Brelade Connétable of St. Martin Connétable of St. Saviour Deputy R.G. Le Hérissier (S) Deputy J.A. Martin (H) Deputy of Grouville Deputy of Trinity Deputy K.C. Lewis (S) Deputy E.J. Noel (L) Deputy A.K.F. Green (H) Deputy J.P.G. Baker (H) Deputy S.J. Pinel (C) Deputy of St. Mary Deputy of St. Martin Deputy R.G. Bryans (H) Deputy R.J. Rondel (H)

## **CONTRE: 10**

Senator A. Breckon Deputy R.C. Duhamel (S) Deputy G.P. Southern (H) Deputy of St. Ouen Deputy S.S.P.A. Power (B) Deputy M. Tadier (B) Deputy T.A. Vallois (S) Deputy G.C.L. Baudains (C) Deputy J.H. Young (B) Deputy S.Y. Mézec (H)

## ABSTAIN: 1

Connétable of St. John

# Statements on a matter of official responsibility

(see Official Report/Hansard)

The Minister for Treasury and Resources made a statement regarding the Budget 2015.

## Maternity leave: rights of employees P.104/2014

THE STATES resumed consideration of a proposition of Deputy Geoffrey Peter Southern of St. Helier and rejected paragraph (a) that pregnant employees should have the right to 26 weeks of statutory maternity leave without having to work for an employer for a qualification period, and that they should be able to return to their previous job following their maternity leave.

Members present voted as follows –

## POUR: 6

#### CONTRE: 35

**ABSTAIN: 0** 

Senator A. Breckon Deputy G.P. Southern (H) Deputy M. Tadier (B) Deputy M.R. Higgins (H) Deputy N.B. Le Cornu (H) Deputy S.Y. Mézec (H)	Senator P.F. Routier Senator P.F.C. Ozouf 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 St. Helier Connétable of St. Helier Connétable of St. Clement Connétable of St. Olement Connétable of St. Deter Connétable of St. Mary Connétable of St. Brelade Connétable of St. Brelade Connétable of St. Brelade Connétable of St. Saviour Deputy R.C. Duhamel (S) Deputy R.G. Le Hérissier (S) Deputy of St. Ouen Deputy of Grouville 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) Deputy J.H. Young (B) Deputy J.H. Young (B) Deputy S.J. Pinel (C) Deputy of St. Martin Deputy R.G. Bryans (H) Deputy R.G. Bryans (H) Deputy R.J. Rondel (H)
--	--

THE STATES rejected paragraph (b) of a proposition of Deputy Geoffrey Peter Southern of St. Helier that the period for which a maternity allowance was payable should be increased from 18 weeks to 26 weeks.

Members present voted as follows -

## POUR: 9

**CONTRE: 32** 

ABSTAIN: 0

Senator A. Breckon Deputy R.C. Duhamel (S) Deputy R.G. Le Hérissier (S) Deputy G.P. Southern (H) Deputy of Grouville Deputy M. Tadier (B) Deputy M.R. Higgins (H) Deputy N.B. Le Cornu (H) Deputy S.Y. Mézec (H)

Senator P.F. Routier Senator P.F.C. Ozouf 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. Peter Connétable of St. Mary Connétable of St. John Connétable of St. Brelade Connétable of St. Martin Connétable of St. Saviour Deputy of St. Ouen 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) Deputy A.K.F. Green (H) Deputy G.C.L. Baudains (C) 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)

Following the rejection of paragraphs (a) and (b), the Deputy Bailiff informed the Assembly that paragraph (c) of the proposition was deemed to have been withdrawn.

## Draft Employment (Amendment No. 8) (Jersey) Law 201- P.109/2014

THE STATES commenced consideration of the Draft Employment (Amendment No. 8) (Jersey) Law 201- and adopted the principles.

Members present voted as follows -

## **POUR: 26**

Senator P.F. Routier Senator A. Breckon Senator B.I. Le Marquand Senator F. du H. Le Gresley Senator P.M. Bailhache Connétable of St. Helier Connétable of St. Clement Connétable of St. Peter Connétable of St. Mary Connétable of St. Brelade Connétable of St. Martin Connétable of St. Saviour Deputy R.C. Duhamel (S) Deputy J.A. Martin (H) Deputy G.P. Southern (H) Deputy of St. Ouen Deputy of Grouville Deputy of Trinity Deputy M. Tadier (B) Deputy M.R. Higgins (H) Deputy A.K.F. Green (H) Deputy J.H. Young (B) Deputy S.J. Pinel (C) Deputy R.G. Bryans (H) Deputy N.B. Le Cornu (H) Deputy S.Y. Mézec (H)

# **CONTRE: 7**

Senator A.J.H. Maclean Senator L.J. Farnham Connétable of St. John Deputy S.S.P.A. Power (B) Deputy G.C.L. Baudains (C) Deputy J.P.G. Baker (H) Deputy of St. Mary

# **ABSTAIN: 1**

Deputy of St. Martin

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 5.

THE STATES adopted Article 6.

Members present voted as follows -

## **POUR: 24**

Senator P.F. Routier Senator A. Breckon 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. Peter Connétable of St. Mary Connétable of St. Brelade Connétable of St. Martin Connétable of St. Saviour Deputy R.C. Duhamel (S) Deputy J.A. Martin (H) Deputy of Grouville Deputy of Trinity

## **CONTRE: 4**

**ABSTAIN: 0** 

Connétable of St. John Deputy S.S.P.A. Power (B) Deputy G.C.L. Baudains (C) Deputy J.P.G. Baker (H) Deputy K.C. Lewis (S) Deputy M. Tadier (B) Deputy M.R. Higgins (H) Deputy A.K.F. Green (H) Deputy J.H. Young (B) Deputy S.J. Pinel (C) Deputy R.G. Bryans (H) Deputy S.Y. Mézec (H)

THE STATES adopted Articles 7 to 14.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Employment (Amendment No. 8) (Jersey) Law 201-.

Members present voted as follows -

## **POUR: 24**

Senator P.F. Routier

Senator A. Breckon

Senator L.J. Farnham Senator P.M. Bailhache Connétable of St. Clement Connétable of St. Peter Connétable of St. Mary Connétable of St. Brelade Connétable of St. Martin Connétable of St. Saviour Deputy R.C. Duhamel (S) Deputy J.A. Martin (H) Deputy of Grouville Deputy of Trinity Deputy K.C. Lewis (S) Deputy M. Tadier (B) Deputy M.R. Higgins (H) Deputy A.K.F. Green (H) Deputy J.H. Young (B) Deputy S.J. Pinel (C) Deputy R.G. Bryans (H) Deputy S.Y. Mézec (H)

Senator B.I. Le Marquand Senator F. du H. Le Gresley

#### **CONTRE: 4**

Connétable of St. John Deputy S.S.P.A. Power (B) Deputy G.C.L. Baudains (C) Deputy J.P.G. Baker (H)

# ABSTAIN: 1

Deputy of St. Martin

Changes in Presidency

The Deputy Bailiff retired from the Chair during consideration of the Draft Employment (Amendment No. 8) (Jersey) Law 201- (P.109/2014) and the meeting continued under the Presidency of Mr. Michael Nelson de la Haye, O.B.E., Greffier of the States.

THE STATES re-assembled after the lunch adjournment under the Presidency of the Bailiff.

# **Roll call**

Following the lunchtime adjournment, the Bailiff, in accordance with Standing Order 56(2), directed that elected members be summoned as the Assembly was inquorate. In accordance with Standing Order 56(2), having allowed such time as he considered reasonable for elected members to return to the Chamber, the Bailiff asked the Greffier to call the roll, as he believed that the States remained inquorate. The following members were present in the Chamber for this second roll call –

Senator P.F. Routier Senator A. Breckon Senator B.I. Le Marquand 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. Brelade Connétable of St. Martin Connétable of St. Saviour Deputy R.C. Duhamel (S) Deputy J.A. Martin (H) Deputy J.A.N. Le Fondré (L) Deputy S.S.P.A. Power (B) Deputy K.C. Lewis (S) Deputy M.R. Higgins (H) Deputy A.K.F. Green (H) Deputy G.C.L. Baudains (C) Deputy J.P.G. Baker (H) Deputy J.H. Young (B) Deputy S.J. Pinel (C) Deputy of St. Mary Deputy of St. Martin

After the roll had been taken, the States remained inquorate and the Bailiff, in accordance with Standing Order 56(3)(2), suspended the meeting for 5 minutes.

## Draft Social Security (Amendment of Law No. 8) (Jersey) Regulations 201- P.106/2014

THE STATES commenced consideration of the Draft Social Security (Amendment of Law No. 8) (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 and 2.

THE STATES, in pursuance of Article 50(1)(d) and (4) of the Social Security (Jersey) Law 1974, made Regulations entitled the Social Security (Amendment of Law No. 8) (Jersey) Regulations 2014.

Members present voted as follows -

<b>POUR: 29</b>	CONTRE: 2	ABSTAIN: 0
Senator P.F. Routier	Connétable of St. John	
Senator A. Breckon Senator S.C. Ferguson	Deputy G.C.L. Baudains (C)	

Senator A.J.H. Maclean Senator B.I. Le Marquand Senator F. du H. Le Gresley Senator P.M. Bailhache Connétable of St. Helier Connétable of St. Clement Connétable of St. Peter Connétable of St. Lawrence Connétable of St. Mary Connétable of St. Brelade Connétable of St. Martin Connétable of St. Saviour Deputy R.C. Duhamel (S) Deputy J.A. Martin (H) Deputy G.P. Southern (H) Deputy J.A.N. Le Fondré (L) Deputy S.S.P.A. Power (B) Deputy K.C. Lewis (S) Deputy M.R. Higgins (H) Deputy A.K.F. Green (H) 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.J. Rondel (H)

#### Draft Charities (Jersey) Law 201- P.108/2014

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

Members present voted as follows -

POUR: 36	CONTRE: 0	ABSTAIN: 1
Senator P.F. Routier		Senator P.M. Bailhache
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. 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		

#### 454

Deputy R.C. Duhamel (S) Deputy J.A. Martin (H) Deputy of St. Ouen Deputy of Grouville Deputy J.A.N. Le Fondré (L) Deputy of Trinity Deputy S.S.P.A. Power (B) Deputy K.C. Lewis (S) Deputy T.A. Vallois (S) Deputy M.R. Higgins (H) Deputy A.K.F. Green (H) Deputy G.C.L. Baudains (C) 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)

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 44 and the Schedules.

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

Members present voted as follows -

# **POUR: 37**

**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 L.J. Farnham 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. John Connétable of St. Brelade Connétable of St. Martin Connétable of St. Saviour Deputy R.C. Duhamel (S) Deputy J.A. Martin (H) Deputy of St. Ouen Deputy of Grouville Deputy J.A.N. Le Fondré (L) Deputy of Trinity

Deputy S.S.P.A. Power (B) Deputy K.C. Lewis (S) Deputy T.A. Vallois (S) Deputy M.R. Higgins (H) Deputy A.K.F. Green (H) Deputy G.C.L. Baudains (C) 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)

# Arrangement of public business for the current meeting

THE STATES, adopting a proposition of the Deputy Chief Minister, agreed in accordance with Standing Order 26(7) to reduce the minimum lodging period in respect of the amendment of the Chief Minister to the Draft Criminal Justice (Life Sentences) (Jersey) Law 201- (P.113/2014) in order that the matter could be considered at the present meeting.

# Draft Criminal Justice (Life Sentences) (Jersey) Law 201- P.113/2014

THE STATES commenced consideration of the Draft Criminal Justice (Life Sentences) (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 21.

THE STATES commenced consideration of Article 22 and, adopting an amendment of the Chief Minister, agreed that in Article 22 the words ", bail or a guilty plea" should be deleted.

THE STATES adopted Article 22, as amended.

THE STATES commenced consideration of Article 23 and, adopting an amendment of the Chief Minister, agreed that in Article 23 for the words "before this Law comes into force" there should be substituted the words "before the date that this Law comes into force or to a person who, having been charged with an offence (regardless of the plea entered), has not been sentenced before that date".

THE STATES adopted Article 23, as amended.

THE STATES adopted Articles 24 to 28.

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

Members present voted as follows –

## **POUR: 32**

## **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 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. Mary Connétable of St. John Connétable of St. Brelade Connétable of St. Martin Connétable of St. Saviour Deputy R.C. Duhamel (S) Deputy J.A. Martin (H) Deputy of St. Ouen Deputy J.A.N. Le Fondré (L) Deputy of Trinity Deputy S.S.P.A. Power (B) Deputy K.C. Lewis (S) Deputy M.R. Higgins (H) Deputy A.K.F. Green (H) Deputy G.C.L. Baudains (C) Deputy J.P.G. Baker (H) Deputy S.J. Pinel (C) Deputy of St. Mary Deputy R.G. Bryans (H) Deputy R.J. Rondel (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) –

## 9th September 2014

Committee of Inquiry: sale of Broad Street post office building.	P.61/2014.
Lodged: 28th April 2014.	
Senator A. Breckon.	
$C_{1} = \frac{1}{12} + \frac$	D(1/2014)

Committee of Inquiry: sale of Broad Street post office building (P.61/2014) – comments.P.61/2014.Presented: 27th June 2014.Com.Minister for Treasury and Resources.Com.

# STATES MINUTES

Committee of Inquiry: sale of Broad Street post office building (P.61/2014) – comments. Presented: 27th June 2014. <i>Council of Ministers</i> .	P.61/2014. Com.(2)
Draft Income Support (Special Payments) (Child Personal Care) (Jersey) Regulations 201 Lodged: 20th May 2014. <i>Minister for Social Security (continuation of Second Reading).</i>	P.90/2014.
Draft Income Support (Amendment No. 12) (Jersey) Regulations 201 Lodged: 20th May 2014. <i>Minister for Social Security.</i>	P.91/2014.
Draft Income Support (Amendment No. 12) (Jersey) Regulations 201- (P.91/2014): amendment. Lodged: 12th June 2014. Deputy J.A. Martin of St. Helier.	P.91/2014. Amd.
Draft Income Support (Special Payments) (Cold Weather Payments) (Amendment No. 2) (Jersey) Regulations 201 Lodged: 20th May 2014. <i>Minister for Social Security</i> .	P.92/2014.
Draft Employment of States of Jersey Employees (Amendment No. 7) (Jersey) Regulations 201 Lodged: 21st May 2014. States Employment Board	P.97/2014.
Draft Employment of States of Jersey Employees (Amendment No. 7) (Jersey) Regulations 201- (P.97/2014): amendment. Lodged: 30th June 2014. <i>Chief Minister.</i>	P.97/2014. Amd.
Draft Criminal Justice (Compensation Orders) (Amendment No. 2) (Jersey) Law 201 Lodged: 16th June 2014. <i>Chief Minister</i> .	P.115/2014.
Draft Criminal Justice (Amendment No. 3) (Jersey) Law 201 Lodged: 16th June 2014. <i>Chief Minister</i> .	P.116/2014.
Milli's Contact Centre: funding. Lodged: 17th June 2014. Deputy G.P. Southern of St. Helier.	P.119/2014.
Kerbside Recycling: feasibility study. Lodged: 18th June 2014. Deputy M. Tadier of St. Brelade.	P.121/2014.
Kerbside Recycling: feasibility study (P.121/2014) – amendment. Lodged: 8th July 2014. <i>Minister for Transport and Technical Services.</i>	P.121/2014. Amd.

Survivor's Benefit: repeal of 2012 changes. Lodged: 19th June 2014. Deputy G.P. Southern of St. Helier.	P.122/2014.
Funding for Women's Refuge. Lodged: 26th June 2014. Deputy of St. Martin.	P.124/2014.
Springfield Stadium: maintaining amenity space. Lodged: 14th July 2014. <i>Connétable of St. Helier</i> .	P.125/2014.
Bedrocan BV: possession for treatment purposes – petition. Lodged: 16th July 2014. Deputy M. Tadier of St. Brelade.	P.126/2014.
Sativex: possession for treatment purposes – petition. Lodged: 16th July 2014. Deputy M. Tadier of St. Brelade.	P.127/2014.
Cannabis: possession of cannabis for treatment purposes – petition. Lodged: 16th July 2014. Deputy M. Tadier of St. Brelade.	P.128/2014.
22nd September 2014	
Draft Budget Statement 2015. Lodged: 18th July 2014. <i>Minister for Treasury and Resources.</i>	P.129/2014.
Draft Income Tax (Amendment No. 44) (Jersey) Law 201 Lodged: 18th July 2014. <i>Minister for Treasury and Resources.</i>	P.130/2014.
Freedom For Life Ministries: grant from Criminal Offences Confiscation Fund. Lodged: 25th June 2014. Deputy M.R. Higgins of St. Helier.	P.123/2014.

THE STATES rose at 3.45 p.m.

# M.N. DE LA HAYE, O.B.E.

Greffier of the States