



**THE STATES assembled on Tuesday
25th November 2014, at 09.30 a.m. under
the Presidency of the Bailiff,
Sir Michael Birt.**

**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 Philip Francis Cyril Ozouf – absent on States business
Senator Lyndon John Farnham – en défaut (défaut raised at 9.41 a.m.)
Connétable Alan Simon Crowcroft of St. Helier – excused attendance (arrived in the Chamber
at 9.42 a.m.)
Deputy Geoffrey Peter Southern of St. Helier – en défaut (défaut raised at 9.37 a.m.)

Prayers

**His Excellency Dr. Dalhatu Sarki Tafida, OFR, MBBS, MRCP, FNMCP, FWACP, Nigerian High
Commissioner to the United Kingdom and Mrs. Salama Tafida – welcome**

The Bailiff, on behalf of all members, welcomed His Excellency Dr. Dalhatu Sarki Tafida, Nigerian High Commissioner to the United Kingdom, accompanied by Mrs. Salama Tafida together with a group of official delegates from the Nigerian High Commission.

Tribute to the late Air Marshal Sir John Sutton, former Lieutenant Governor

The Bailiff paid tribute to the late Air Marshal Sir John Sutton, who had been Lieutenant Governor of the Island from 1990 to 1995.

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

Subordinate enactments tabled

The following enactments were tabled, namely –

Conservation of Wildlife (Amendment No. 6) (Jersey) Order 2014. <i>Minister for Planning and Environment.</i>	R&O.179/2014.
Road Traffic (St. Helier) (Amendment No. 29) (Jersey) Order 2014. <i>Minister for Transport and Technical Services.</i>	R&O.180/2014.
Road Traffic (Public Parking Places – Miscellaneous Amendments No. 3) (Jersey) Order 2014. <i>Minister for Transport and Technical Services.</i>	R&O.181/2014.

Documents presented or laid

Appointment of Assistant Ministers: consent of the Chief Minister. Presented: 17th November 2014. <i>Chief Minister.</i>	R.160/2014.
States of Jersey Law 2005: delegation of functions – Education, Sport and Culture. Presented: 17th November 2014. <i>Minister for Education, Sport and Culture.</i>	R.161/2014.
States of Jersey Law 2005: delegation of functions – Social Security – revised delegations November 2014. Presented: 18th November 2014. <i>Minister for Social Security.</i>	R.162/2014.
States of Jersey Law 2005: delegation of functions – Health and Social Services – revised delegations November 2014. Presented: 20th November 2014. <i>Minister for Education, Sport and Culture.</i>	R.163/2014.
Appointment of Deputy Chief Minister. Presented: 20th November 2014. <i>Chief Minister.</i>	R.164/2014.
States of Jersey Law 2005: delegation of functions – Treasury and Resources – revised delegations November 2014. Presented: 20th November 2014. <i>Minister for Treasury and Resources.</i>	R.165/2014.
Land Transactions under Standing Order 168(3) – Cotil des Vaux, Carteret de Bas, Mont Matthieu, St. Ouen – proposed sale. Presented: 21st November 2014. <i>Minister for Treasury and Resources.</i>	R.166/2014.
Annual Update to the MTFP Department Annex for 2015. Presented: 25th November 2014. <i>Minister for Treasury and Resources.</i>	R.167/2014.
Land Transactions under Standing Order 168(3) – Jersey Petanque Club, Les Quennevais Sports Complex, Les Quennevais, St. Brelade – lease. Presented: 25th November 2014. <i>Minister for Treasury and Resources.</i>	R.168/2014.
Radon (S.R.11/2014): response of the Minister for Social Security. Presented: 17th November 2014. <i>Minister for Social Security.</i>	S.R.11/2014. Res.(3)

Notification of lodged propositions

Draft Budget Statement 2015 (P.129/2014): addendum. P.129/2014.
Presented: 25th November 2014. Add.
Minister for Treasury and Resources.

Freedom of Information: extension to companies owned or controlled by the States P.149/2014.
(P.149/2014) – comments. Com.
Presented: 24th November 2014.
Council of Ministers.

Written Questions

(see Official Report/Hansard)

The Chief Minister tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding balancing the Consolidated Fund.

The Minister for Home Affairs tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding balancing the Consolidated Fund.

The Minister for Social Security tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding balancing the Consolidated Fund.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding balancing the Consolidated Fund.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding balancing the Consolidated Fund.

The Chief Minister tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding registration cards.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the cost of the new police station.

The Minister for Home Affairs tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding a submission made by the former Chief Officer of the States of Jersey Police.

The Minister for Economic Development tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding grants made from the Innovation Fund.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the Service Level Agreement between the Department and Les Amis.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the minimum wage.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the delivery of Gigabit Jersey.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding tax revenues and the 2016 budget.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding an alleged dispute between Gigabit employees and their employer.

Oral Questions

(see Official Report/Hansard)

Deputy S.Y. Mézec of St. Helier asked a question of the Minister for Housing regarding security of tenure for residents of lodging houses.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding the contractual relationship between Gigabit Field Force and CH2M.

Deputy A.D. Lewis of St Helier asked a question of the Minister for Transport and Technical Services regarding the disposal of Guernsey's waste.

Deputy J.A. Hilton of St. Helier asked a question of the Assistant Minister for Health and Social Services regarding the Department's Deputy Directors of Commissioning.

Deputy M. Tadier of St. Brelade asked a question of the Chairman of the Education and Home Affairs Scrutiny Panel regarding the implementation of the recommendations contained within S.R.7/2009.

Deputy M.R. Higgins of St. Helier asked a question of the Minister for Treasury and Resources regarding the possibility of a structural deficit in States finances from 2016.

Deputy J.A. Hilton of St. Helier asked a question of the Assistant Chief Minister regarding the status of the Joint Safeguarding Board.

Deputy S.Y. Mézec of St. Helier asked a question of the Minister for Treasury and Resources regarding an apparent dispute with workers on the Gigabit project.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Treasury and Resources regarding the gap between the rich and poor in Jersey society.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the use of zero-hours contracts.

Deputy M.R. Higgins of St. Helier asked a question of the Chief Minister regarding the proposed International Finance Centre.

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Treasury and Resources answered questions without notice from members.

The Chief Minister answered questions without notice from members.

Draft Freedom of Information (Jersey Heritage Trust) (Jersey) Regulations 201- P.146/2014

THE STATES commenced consideration of the Draft Freedom of Information (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 Articles 17 and 53 of the Freedom of Information (Jersey) Law 2011, made Regulations entitled the Freedom of Information (Jersey) Regulations 2014.

Members present voted as follows –

POUR: 34

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator Z.A. Cameron
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy M. Tadier (B)
 Deputy of St. John
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)
 Deputy S.Y. Mézec (H)
 Deputy of St. Ouen
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy S.M. Brée (C)
 Deputy M.J. Norton (B)
 Deputy T.A. McDonald (S)
 Deputy P.D. McLinton (S)

Draft Freedom of Information (Schedule 1 to Law) (Amendment No. 2) (Jersey) Regulations 201-P.154/2014

THE STATES commenced consideration of the Draft Freedom of Information (Schedule 1 to Law) (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, commenced consideration of Regulation 1 and, adopting an amendment of the Chief Minister, agreed that for the words “In Schedule 1” up to and including “A parish.’.” there should be substituted the following paragraphs –

“(1) In Schedule 1 to the Freedom of Information (Jersey) Law 2011 after paragraph 6 there should be inserted the following paragraph –

‘6A Andium Homes Limited, registered on 13th May 2014 under registration number 115713.’.

(2) In Schedule 1 to the Freedom of Information (Jersey) Law 2011 after paragraph 7 there should be added the following paragraph –

‘8 A parish.’.”.

THE STATES adopted Regulation 1, as amended.

THE STATES commenced consideration of Regulation 2 and, adopting an amendment of the Chief Minister, agreed that for the words “These Regulations” up to and including “1st September 2015.” there should be substituted the following paragraphs –

“(1) These Regulations may be cited as the Freedom of Information (Schedule 1 to Law) (Amendment No. 2) (Jersey) Regulations 201-.

(2) Regulation 1(1) shall come into force on the same date that the Freedom of Information (Jersey) Law 2011 comes into force.

(3) Regulation 1(2) shall come into force on 1st September 2015.”.

THE STATES adopted Regulation 2, as amended.

THE STATES, in pursuance of Article 6 of the Freedom of Information (Jersey) Law 2011, made Regulations entitled the Freedom of Information (Schedule 1 to Law) (Amendment No. 2) (Jersey) Regulations 2014.

Members present voted as follows –

POUR: 37

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
Senator A.J.H. Maclean
Senator I.J. Gorst
Senator L.J. Farnham
Senator P.M. Bailhache

Senator Z.A. Cameron
Connétable of St. Helier
Connétable of St. Lawrence
Connétable of St. Mary
Connétable of St. Martin
Connétable of St. Saviour
Connétable of Grouville
Connétable of St. John
Connétable of Trinity
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy M. Tadier (B)
Deputy of St. John
Deputy M.R. Higgins (H)
Deputy J.M. Maçon (S)
Deputy S.J. Pinel (C)
Deputy of St. Martin
Deputy R.G. Bryans (H)
Deputy R.J. Rondel (H)
Deputy S.Y. Mézec (H)
Deputy of St. Ouen
Deputy L.M.C. Doublet (S)
Deputy R. Labey (H)
Deputy S.M. Wickenden (H)
Deputy S.M. Brée (C)
Deputy M.J. Norton (B)
Deputy T.A. McDonald (S)
Deputy of St. Mary
Deputy G.J. Truscott (B)
Deputy P.D. McLinton (S)

Freedom of Information: extension to companies owned or controlled by the States P.149/2014

THE STATES, adopting parts (a) and (b) of a proposition of the Deputy of Grouville, agreed that the scope of the Freedom of Information (Jersey) Law 2011 should be extended so that it would apply to –

- (i) the States of Jersey Development Company, Jersey Post, Jersey Telecom and all other companies wholly-owned by the States;
- (ii) the Jersey Electricity Company, Jersey Water and all other companies in which the States hold a controlling interest as majority shareholder;

and requested the Chief Minister to bring forward for approval the necessary legislation to give effect to the proposal, with the measures to come into force as soon as practicable after the coming into force of the Freedom of Information (Jersey) Law 2011.

Members present voted as follows –

POUR: 22

Senator Z.A. Cameron
 Connétable of St. Lawrence
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Connétable of St. John
 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 M. Tadier (B)
 Deputy of St. John
 Deputy J.M. Maçon (S)
 Deputy S.Y. Mézec (H)
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Brée (C)
 Deputy T.A. McDonald (S)
 Deputy G.J. Truscott (B)
 Deputy P.D. McLinton (S)

CONTRE: 19

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator A.K.F. Green
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of Trinity
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)
 Deputy S.M. Wickenden (H)
 Deputy M.J. Norton (B)
 Deputy of St. Mary

ABSTAIN: 0

THE STATES, adopting part (c) of a proposition of the Deputy of Grouville, requested the Chief Minister to investigate the feasibility and desirability of further extending the scope of the Freedom of Information (Jersey) Law 2011 to other entities that received a majority of their funding from the States, and to report back to the States with recommendations within 6 months.

Members present voted as follows –

POUR: 28

Senator Z.A. Cameron
 Connétable of St. Lawrence
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy of St. John

CONTRE: 12

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator A.K.F. Green
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy of St. Peter

ABSTAIN: 0

Deputy J.M. Maçon (S)
Deputy R.G. Bryans (H)
Deputy R.J. Rondel (H)
Deputy S.Y. Mézec (H)
Deputy of St. Ouen
Deputy R. Labey (H)
Deputy S.M. Brée (C)
Deputy M.J. Norton (B)
Deputy T.A. McDonald (S)
Deputy of St. Mary
Deputy G.J. Truscott (B)
Deputy P.D. McLinton (S)

Draft Pet Travel Scheme (Amendment) (Jersey) Regulations 201- P.150/2014

THE STATES commenced consideration of the Draft Pet Travel Scheme (Amendment) (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 of the European Communities Legislation (Implementation) (Jersey) Law 1996, made Regulations entitled the Pet Travel Scheme (Amendment) (Jersey) Regulations 2014.

Draft Financial Services Ombudsman (Jersey) Law 2014 (Appointed Day) Act 201- P.152/2014

THE STATES, in pursuance of Article 27 of the Financial Services Ombudsman (Jersey) Law 2014, made an Act entitled the Financial Services Ombudsman (Jersey) Law 2014 (Appointed Day) Act 2014.

Draft Freedom of Information (Costs) (Jersey) Regulations 201- P.155/2014

THE STATES commenced consideration of the Draft Freedom of Information (Costs) (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 5.

THE STATES, in pursuance of Articles 16 and 53 of the Freedom of Information (Jersey) Law 2011, made Regulations entitled the Freedom of Information (Costs) (Jersey) Regulations 2014.

Greville Bathe Fund: appointment of Jurats P.159/2014

THE STATES, adopting a proposition of the Minister for Treasury and Resources, approved the appointments of Jurat Suzanne Elizabeth Marett-Crosby, née Marett, and Jurat Charles Richard Blampied, for the purpose of administering the income of the Greville Bathe Fund.

Draft International Criminal Court (Jersey) Law 2014 (Appointed Day) Act 201- P.161/2014

THE STATES, in pursuance of Article 59(2) of the International Criminal Court (Jersey) Law 2014, made an Act entitled the International Criminal Court (Jersey) Law 2014 (Appointed Day) Act 2014.

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 December 2014

Bedrocan BV: possession for treatment purposes – petition. Lodged: 16th July 2014. <i>Deputy M. Tadier of St. Brelade.</i>	P.126/2014.
Bedrocan BV: possession for treatment purposes – petition (P.126/2014) – comments. Presented: 9th September 2014. <i>Minister for Health and Social Services.</i>	P.126/2014. Com.
Sativex: possession for treatment purposes – petition. Lodged: 16th July 2014. <i>Deputy M. Tadier of St. Brelade.</i>	P.127/2014.
Sativex: possession for treatment purposes – petition (P.127/2014) – comments. Presented: 8th September 2014. <i>Minister for Health and Social Services.</i>	P.127/2014. Com.
Cannabis: possession of cannabis for treatment purposes – petition. Lodged: 16th July 2014. <i>Deputy M. Tadier of St. Brelade.</i>	P.128/2014.
Cannabis: possession of cannabis for treatment purposes – petition (P.128/2014) – comments. Presented: 8th September 2014. <i>Minister for Health and Social Services.</i>	P.128/2014. Com.
Draft Financial Services Commission (Amendment No. 6) (Jersey) Law 201-. Lodged: 22nd September 2014. <i>Chief Minister.</i>	P.151/2014.
Draft Employment (Minimum Wage) (Amendment No. 11) (Jersey) Regulations 201-. Lodged: 21st October 2014. <i>Minister for Social Security.</i>	P.157/2014.
Draft Proceeds of Crime (Amendment – Financial Intelligence) (Jersey) Law 201-. Lodged: 21st October 2014. <i>Chief Minister.</i>	P.158/2014.

- Draft Criminal Justice (Insane Persons) (Amendment) (Jersey) Law 201-. P.160/2014.
Lodged: 27th October 2014.
Chief Minister.
- Draft Freedom of Information (Exemptions – Amendment of Law) (Jersey) P.162/2014.
Regulations 201-.
Lodged: 29th October 2014.
Chief Minister.
- Draft Freedom of Information (Jersey) Law 2011 (Appointed Day) Act 201-. P.153/2014.
Lodged: 23rd September 2014.
Chief Minister.
- Council of Ministers’ meetings: public access. P.163/2014.
Lodged: 3rd November 2014.
Deputy M. Tadier of St. Brelade.
- Draft Air Navigation (Jersey) Law 2014 (Appointed Day) Act 201-. P.164/2014.
Lodged: 11th November 2014.
Minister for External Relations.
- Jersey Employment and Discrimination Tribunal: appointment of members. P.165/2014.
Lodged: 11th November 2014.
Minister for Social Security.
- Planning Applications Panel: appointment of members. P.166/2014.
Lodged: 11th November 2014.
Minister for Planning and Environment.
- 20th January 2015**
- Gas Place: petition. P.156/2014.
Lodged: 24th September 2014.
Connétable of St. Helier.

THE STATES rose at 2.49 p.m.

L.M. HART

Deputy Greffier of the States