



**THE STATES assembled on Wednesday
18th January 2017, at 09.30 a.m. under
the Presidency of the Bailiff,
William James Bailhache, Esquire.**

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

Senator Lyndon John Farnham – en défaut (défaut raised at 9.50 a.m.)
Senator Sir Philip Martin Bailhache – en défaut
Connétable Alan Simon Crowcroft of St. Helier – en défaut (défaut raised at 2.16 p.m.)
Connétable Stephen William Pallett of St. Brelade – ill
Deputy Geoffrey Peter Southern of St. Helier – en défaut (défaut raised at 9.50 a.m.)
Deputy Montfort Tadier of St. Brelade – ill
Deputy Richard John Rondel of St. Helier – ill
Deputy Louise Mary Catherine Doublet of St. Saviour – excused attendance

Prayers

Draft Public Elections (Amendment No. 7) (Jersey) Law 201- P.124/2016

THE STATES resumed consideration of the Draft Public Elections (Amendment No. 7) (Jersey) Law 201- and, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Articles 1 to 9.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Public Elections (Amendment No. 7) (Jersey) Law 201-.

Members present voted as follows –

POUR: 30

Senator P.F.C. Ozouf
Senator A.K.F. Green
Senator S.C. Ferguson
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 J.A. Martin (H)
Deputy of Grouville
Deputy of Trinity
Deputy E.J. Noel (L)
Deputy M.R. Higgins (H)
Deputy R.G. Bryans (H)
Deputy of St. Peter
Deputy S.Y. Mézec (H)

CONTRE: 6

Deputy J.A. Hilton (H)
Deputy J.A.N. Le Fondré (L)
Deputy K.C. Lewis (S)
Deputy J.M. Maçon (S)
Deputy S.J. Pinel (C)
Deputy of St. Martin

ABSTAIN: 0

Deputy A.D. Lewis (H)
 Deputy of St. Ouen
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy S.M. Bree (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 Public Elections (Amendment No. 8) (Jersey) Law 201- P.125/2016

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

Members present voted as follows –

POUR: 40

CONTRE: 0

ABSTAIN: 0

Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator L.J. Farnham
 Senator A.K.F. Green
 Senator S.C. Ferguson
 Connétable of St. Clement
 Connétable of St. Peter
 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 J.A. Martin (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 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 of St. Peter
 Deputy S.Y. Mézec (H)
 Deputy A.D. Lewis (H)
 Deputy of St. Ouen
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy S.M. Bree (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)

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 16.

THE STATES adopted Article 17.

Members present voted as follows –

POUR: 39

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator A.K.F. Green
 Connétable of St. Clement
 Connétable of St. Peter
 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 J.A. Martin (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 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 of St. Peter
 Deputy S.Y. Mézec (H)
 Deputy A.D. Lewis (H)
 Deputy of St. Ouen
 Deputy S.M. Wickenden (H)
 Deputy S.M. Bree (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)

CONTRE: 3

Senator S.C. Ferguson
 Deputy J.A.N. Le Fondré (L)
 Deputy R. Labey (H)

ABSTAIN: 0

THE STATES adopted Articles 18 to 26.

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

Draft Amendment (No. 30) of the Standing Orders of the States of Jersey P.126/2016

THE STATES, in pursuance of Article 48 of the States of Jersey Law 2005, made Amendment (No. 30) of the Standing Orders of the States of Jersey.

Draft Sea Fisheries (Amendment No. 3) (Jersey) Law 201- P.128/2016

THE STATES commenced consideration of the Draft Sea Fisheries (Amendment No. 3) (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 and 2.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Sea Fisheries (Amendment No. 3) (Jersey) Law 201-.

Draft Animal Health (Jersey) Law 2016 (Appointed Day) Act 201- P.129/2016

THE STATES, in pursuance of Article 35(2) of the Animal Health (Jersey) Law 2016, made an Act entitled the Animal Health (Jersey) Law 2016 (Appointed Day) Act 2017.

Draft Animal Health (Consequential Amendments) (Jersey) Regulations 201- P.131/2016

THE STATES commenced consideration of the Draft Animal Health (Consequential Amendments) (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 6.

THE STATES, in pursuance of Article 34(2) of the Animal Health (Jersey) Law 2016, made Regulations entitled the Animal Health (Consequential Amendments) (Jersey) Regulations 2017.

Future Hospital Funding Strategy P.130/2016

THE STATES commenced consideration of a proposition of the Minister for Treasury and Resources entitled 'Future Hospital Funding Strategy' (P.130/2016).

THE STATES commenced consideration of an amendment of the Connétable of St. John (P.130/2016 Amd.).

THE STATES approved the request of the Minister for Treasury and Resources, in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of an amendment to the amendment of the Connétable of St. John (P.130/2016. Amd.Amd.) in order that it might be debated at the present meeting.

THE STATES, adopting an amendment of the Minister for Treasury and Resources to the amendment of the Connétable of St. John (P.130/2016. Amd.Amd.), agreed that –

- (1) (a) after the words “provided that” there should be inserted the words “, based upon the latest available forecast as at 30th November 2016,”;
- (b) for the words “does not fall” there should be substituted the words “is not estimated to fall”;
- (c) for the words “before the practical completion of the new Jersey General Hospital” there should be substituted the words “at the estimated practical completion date of the new Jersey General Hospital 2025”;
- (2) for the number “20” there should be substituted the number “10”; and
- (3) in new paragraph (vi), for the words “practical completion of the new Jersey General Hospital” there should be substituted the words “the final account of the new Jersey General Hospital being presented”.

THE STATES, resuming consideration of the amendment of the Connétable of St. John, as amended, agreed that –

- (1) in paragraph (d)(i), after the words “in accordance with paragraph (c)” there should be inserted the words –

“provided that, based upon the latest available forecast as at 30th November 2016, the capital value of the Strategic Reserve is not estimated to fall below the minimum level set in the Budget Statement 2015 (P.129/2014) at the estimated practical completion date of the new Jersey General Hospital 2025”.
- (2) after paragraph (d)(i) there should be inserted the following new paragraph –

“(ii) in agreeing to the borrowing specified in paragraph (c) above, the Strategic Reserve should not be used for any further purposes, including capital spending, deficit management or fiscal stimulus (save for those sums already agreed to by the Assembly) for a minimum period of 10 years;”,

and paragraphs (ii) and (iii) should be renumbered accordingly.
- (3) after renumbered paragraph (iv) there should be inserted the following new paragraphs –

“(v) any contingency expenditure (as referred to in paragraph (a) above) which would exceed a total for such expenditure of £36 million shall be notified to the Assembly by separate report at least 15 working days before a decision to incur that expenditure is taken;

(vi) on the final account of the new Jersey General Hospital being presented, any unspent monies from either contingency provision or savings from the overall construction project shall be returned to the Strategic Reserve Fund;”.

Members present voted as follows –

POUR: 37

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator A.K.F. Green
 Senator S.C. Ferguson

CONTRE: 1

Deputy J.A. Martin (H)

ABSTAIN: 1

Deputy S.Y. Mézec (H)

Connétable of St. Peter
Connétable of St. Lawrence
Connétable of St. Ouen
Connétable of St. Martin
Connétable of St. Saviour
Connétable of Grouville
Connétable of St. John
Connétable of Trinity
Deputy G.P. Southern (H)
Deputy of Grouville
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy K.C. Lewis (S)
Deputy E.J. Noel (L)
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 of St. Peter
Deputy A.D. Lewis (H)
Deputy of St. Ouen
Deputy R. Labey (H)
Deputy S.M. Wickenden (H)
Deputy S.M. Bree (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)

THE STATES resumed consideration of the proposition of the Minister for Treasury and Resources, as amended, and commenced consideration of a proposition of the Deputy of St. Ouen that, in accordance with Standing Order 79(1), the Corporate Services Scrutiny Panel should be requested to consider having the proposition of the Minister for Treasury and Resources, as amended, referred to it.

Suspension of meeting

The Bailiff, during consideration of the proposition of the Deputy of St. Ouen, suspended the meeting, in accordance with Standing Order 46, for a period of 10 minutes, in order to allow time for H.M. Solicitor General to consider questions which had been raised by the Assembly during the debate on the proposition.

Future Hospital Funding Strategy P.130/2016

THE STATES reconvened to continue its consideration of the proposition of the Minister for Treasury and Resources entitled 'Future Hospital Funding Strategy' (P.130/2016), as amended, and of the proposition of the Deputy of St. Ouen that in accordance with Standing Order 79(1) the Corporate Services Scrutiny Panel should be requested to consider having the proposition, as amended, referred to it.

Suspension of meeting

The Bailiff, during consideration of the proposition of the Deputy of St. Ouen, suspended the meeting, in accordance with Standing Order 46, for as such time as was necessary for the Minister for Treasury and Resources to obtain information relevant to the debate on the Minister's proposition entitled 'Future Hospital Funding Strategy' (P.130/2016), as amended, in order that such information might subsequently be provided by the Minister to members.

Future Hospital Funding Strategy P.130/2016

THE STATES, reconvening to continue its consideration of the proposition of the Minister for Treasury and Resources entitled 'Future Hospital Funding Strategy' (P.130/2016), as amended, and of the proposition of the Deputy of St. Ouen that in accordance with Standing Order 79(1) the Corporate Services Scrutiny Panel should be requested to consider having the proposition, as amended, referred to it, agreed to defer continuation of the debate until 19th January 2017 in order to allow the Minister for Treasury and Resources and H.M. Solicitor General sufficient time to consider further questions which had been raised by the Assembly.

Draft Prison (Independent Prison Monitoring Board) (Jersey) Regulations 201- P.132/2016

THE STATES commenced consideration of the Draft Prison (Independent Prison Monitoring Board) (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 11.

THE STATES, in pursuance of Article 6 of the Prison (Jersey) Law 1957, made Regulations entitled the Prison (Independent Prison Monitoring Board) (Jersey) Regulations 2017.

Members present voted as follows –

POUR: 41**CONTRE: 0****ABSTAIN: 0**

Senator P.F. Routier
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator S.C. Ferguson
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Peter
 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 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 of Trinity

Deputy K.C. Lewis (S)
Deputy E.J. Noel (L)
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 of St. Peter
Deputy S.Y. Mézec (H)
Deputy A.D. Lewis (H)
Deputy of St. Ouen
Deputy R. Labey (H)
Deputy S.M. Wickenden (H)
Deputy S.M. Bree (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)

Adjournment

THE STATES adjourned, having agreed to reconvene on Thursday 19th January 2017 to continue consideration of the proposition of the Deputy of St. Ouen that, in accordance with Standing Order 79(1), the Corporate Services Scrutiny Panel should be requested to consider having the proposition of the Minister for Treasury and Resources entitled 'Future Hospital Funding Strategy' (P.130/2016), as amended, referred to it, and other outstanding items of public business.

THE STATES rose at 4.48 p.m.

L.- M. HART

Deputy Greffier of the States