



**THE STATES assembled on Tuesday
12th September 2017, at 09.30 a.m. under
the Presidency of the Bailiff,
Sir William James Bailhache.**

**His Excellency the Lieutenant Governor,
Air Chief Marshall Sir Stephen Dalton, G.C.B., LL.D. (Hon.), D.Sc. (Hon.), B.Sc., F.R.Ae.S.,
C.C.M.I. was present.**

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

Senator Paul Francis Routier, M.B.E. – en défaut (défaut raised at 2.49 p.m.)
Senator Philip Francis Cyril Ozouf – ill
Senator Sir Philip Martin Bailhache – ill
Senator Andrew Kenneth Francis Green, M.B.E. – ill

Prayers

The Very Reverend Michael Robert Keirle, Dean of Jersey – welcome

The Bailiff, on behalf of all members, welcomed the newly appointed Dean of Jersey, The Very Reverend Michael Robert Keirle.

Assistant Greffier of the States – welcome back

The Bailiff, on behalf of all members, welcomed back Mrs. Anna Goodyear, Assistant Greffier of the States, following a period of maternity leave.

Subordinate enactments tabled

The following enactments were tabled, namely –

EU Legislation (Sanctions – Libya) (Amendment No. 5) (Jersey) Order 2017. <i>Minister for External Relations.</i>	R&O.82/2017.
Companies (Transfers of Shares – Exemptions) (Amendment No. 4) (Jersey) Order 2017. <i>Chief Minister.</i> <i>[Signed by Deputy Chief Minister, Senator A.K.F. Green, M.B.E., for and on behalf of the Chief Minister]</i>	R&O.83/2017.
EU Legislation (Sanctions – Iran) (Amendment No. 3) (Jersey) Order 2017. <i>Minister for External Relations.</i>	R&O.84/2017.
Sea Fisheries (Spider Crabs – Restrictions on Fishing) (Jersey) Order 2017. <i>Minister for the Environment.</i>	R&O.85/2017.
Humane Live Traps (Approval) (Jersey) Order 2017. <i>Minister for the Environment.</i>	R&O.86/2017.

Taxation (Exchange of Information with Third Countries) (Date in Force (Belgium)) (Jersey) Order 2017. <i>Minister for External Relations.</i>	R&O.87/2017.
EU Legislation (Sanctions – Libya) (Amendment No. 6) (Jersey) Order 2017. <i>Minister for External Relations.</i>	R&O.88/2017.
Income Support (General Provisions) (Amendment No. 21) (Jersey) Order 2017. <i>Minister for Social Security.</i>	R&O.90/2017.
Road Traffic (St. Saviour) (Amendment No. 11) (Jersey) Order 2017. <i>Minister for Infrastructure.</i>	R&O.91/2017.
Health Insurance (Medical Benefit) (General Provisions) (Amendment No. 9) (Jersey) Order 2017. <i>Minister for Social Security.</i>	R&O.92/2017.

Documents presented

Bailiff of Jersey: cessation of dual role and the appointment of an elected Speaker of the States (P.62/2017) – comments. Presented: 21st August 2017. <i>Privileges and Procedures Committee.</i>	P.62/2017. Com.
Draft Act annulling the Motor Traffic (Cabs – Fares and Charges) (Jersey) Order 2017 Presented: 11th September 2017. <i>Minister for Infrastructure.</i>	P.64/2017. Com.
States Assembly: selection and appointment of Ministers, Committees and Panels – return to secret ballots (P.73/2017) – comments. Presented: 7th September 2017. <i>Privileges and Procedures Committee.</i>	P.73/2017. Com.
Chief Minister: election by Island-wide vote of registered electors (P.78/2017) – comments. Presented: 7th September 2017. <i>Privileges and Procedures Committee.</i>	P.78/2017. Com.
States of Jersey Complaints Board: findings – complaint against the States Employment Board by Mrs. X regarding the way in which her request for ill-health retirement was handled (R.53/2017) – response of the States Employment Board. Presented: 24th July 2017. <i>States Employment Board.</i>	R.53/2017. Res.
Jersey Competition and Regulatory Authority: appointment of Board members. Presented: 21st July 2017. <i>Chief Minister.</i>	R.89/2017.
Land Transactions under Standing Order 168(3) – (a) Beaumont Inn, St. Peter – acquisition of land; (b) Grouville Primary School – sale of land to the owner of the property known as “Touche Bouais”. Presented: 21st July 2017. <i>Minister for Infrastructure.</i>	R.90/2017.

Public Records (Jersey) Law 2002: Annual Report 2016 on the work of Jersey Heritage and the Archivist. Presented: 24th July 2017. <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	R.91/2017.
Social Security Department: Minister's Report 2016. Presented: 24th July 2017. <i>Minister for Social Security.</i>	R.92/2017.
States of Jersey Police Force: Chief Officer and Deputy Chief Officer – interim appointments. Presented: 24th July 2017. <i>Minister for Home Affairs.</i>	R.93/2017.
States of Jersey Law 2005: delegation of functions – Social Security – revised delegations July 2017. Presented: 25th July 2017. <i>Minister for Social Security.</i>	R.94/2017.
Office of the Data Protection/Information Commissioner: Annual Report 2016. Presented: 26th July 2017. <i>Chief Minister.</i>	R.95/2017.
Jersey Gambling Commission: 2016 Annual Report and Accounts. Presented: 28th July 2017. <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	R.96/2017.
Jersey Gambling Commission: 2015 Annual Report and Accounts. Presented: 28th July 2017. <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	R.97/2017.
Land Transactions under Standing Order 168(3) – (a) Le Clos de Mon Séjour, St. Helier – sale of land to “Darwell Cottage”; (b) Le Boulevard, La Grande Route des Sablons, Grouville – sale. Presented: 8th August 2017. <i>Minister for Infrastructure.</i>	R.98/2017.
States of Jersey Law 2005: delegation of functions – Environment – Scheme of delegations – August 2017. Presented: 9th August 2017. <i>Minister for the Environment.</i>	R.99/2017.
Association of Jersey Charities 2017 Service Level Agreement. Presented: 21st August 2017. <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	R.100/2017.
Howard Davis Farm Trust: Report and Financial Statements for the year ended 31st December 2016. Presented: 21st August 2017. <i>Minister for Treasury and Resources.</i>	R.101/2017.
Commissioner for Standards: appointment. Presented: 22nd August 2017. <i>Privileges and Procedures Committee.</i>	R.102/2017.

States of Jersey Law 2005: delegation of functions – Treasury and Resources – revised delegations August 2017. Presented: 29th August 2017. <i>Minister for Treasury and Resources.</i>	R.103/2017.
Social Security Consultation Paper: Draft Discrimination (Disability) (Jersey) Regulations 201-. Presented: 5th September 2017. <i>Minister for Social Security.</i>	R.104/2017.
Office of the Comptroller and Auditor General – Annual Report and Accounts for the year ended 31 December 2016. Presented: 5th September 2017. <i>Comptroller and Auditor General.</i>	R.105/2017.
Land Transactions under Standing Order 168(3) – Warwick Farm, La Grande Route de St. Jean, St. Helier – lease. Presented: 6th September 2017. <i>Minister for Infrastructure.</i>	R.106/2017.
Risk Management. Presented: 7th September 2017. <i>Comptroller and Auditor General.</i>	R.107/2017.
States of Jersey Complaints Board: findings – complaint by Mr. and Mrs. A. against a decision of the Minister for Education regarding an appeal in respect of the student grant for their son (Mr. A. (Junior)). Presented: 7th September 2017. <i>Privileges and Procedures Committee.</i>	R.108/2017.
Parliamentary Privilege: report to the Privileges and Procedures Committee from Sir Malcolm Jack. Presented: 12th September 2017. <i>Privileges and Procedures Committee.</i>	R.109/2017
Future Hospital Funding Strategy (S.R.4/2017): response of the Minister for Treasury and Resources. Presented: 30th August 2017. <i>Minister for Treasury and Resources.</i>	S.R.4/2017. Res.
Review of Police Station HQ. Presented: 11th August 2017. <i>Public Accounts Committee.</i>	P.A.C.2/2017.

Notification of lodged propositions

Draft Amendment (No. 33) to the Standing Orders of the States of Jersey (P.59/2017): amendment. Lodged: 24th August 2017. <i>Privileges and Procedures Committee.</i>	P.59/2017. Amd.
Bailiff of Jersey: cessation of dual role and the appointment of an elected Speaker of the States (P.62/2017) – amendment. Lodged: 6th September 2017. <i>Senator Sir P.M. Bailhache.</i>	P.62/2017. Amd. (re-issue)

Draft Asian Infrastructure Investment Bank (Immunities and Privileges) (Jersey) Regulations 201- Lodged: 21st July 2017. <i>Minister for External Relations.</i>	P.68/2017. (re-issue)
Draft Taxation (Implementation) (International Tax Compliance) (Common Reporting Standard) (Amendment) (Jersey) Regulations 201- Lodged: 25th July 2017. <i>Minister for External Relations.</i>	P.69/2017.
Jersey Financial Services Commission: appointment of Commissioner. Lodged: 27th July 2017. <i>Chief Minister.</i>	P.70/2017.
Draft Statutory Nuisances (Jersey) Regulations 201- Lodged: 31st July 2017. <i>Minister for the Environment.</i>	P.71/2017.
States Employment Board: living wage 2017. Lodged: 31st July 2017. <i>Deputy G.P. Southern of St. Helier.</i>	P.72/2017.
States Assembly: selection and appointment of Ministers, Committees and Panels – return to secret ballots. Lodged: 10th August 2017. <i>Deputy R. Labey of St. Helier.</i>	P.73/2017.
States Assembly: selection and appointment of Ministers, Committees and Panels – return to secret ballots (P.73/2017) – amendment. Lodged: 24th August 2017. <i>Deputy S.Y. Mézec of St. Helier.</i>	P.73/2017. Amd.
Draft Sea Fisheries (Trawling, Netting and Dredging) (Amendment No. 4) (Jersey) Regulations 201- Lodged: 14th August 2017. <i>Minister for the Environment.</i>	P.74/2017.
Warwick Farm: feasibility study for incorporating the site into the St. Helier Country Park. Lodged: 18th August 2017. <i>Connétable of St. Helier.</i>	P.75/2017.
Vote of Censure: Deputy A.D. Lewis of St. Helier. Lodged: 18th August 2017. <i>Privileges and Procedures Committee.</i>	P.76/2017.
Draft Air and Sea Ports (Incorporation) (Transfer No. 2) (Jersey) Regulations 201- Lodged: 24th August 2017. <i>Council of Ministers.</i>	P.77/2017.
Chief Minister: election by Island-wide vote of registered electors. Lodged: 24th August 2017. <i>Deputy R. Labey of St. Helier.</i>	P.78/2017.

Draft Building Loans (Amendment No. 13) (Jersey) Law 201-. P.79/2017.
Lodged: 5th September 2017.
Minister for Housing.

Draft Health and Safety at Work (Freight Containers Safety Convention) P.80/2017.
(Amendment) (Jersey) Regulations 201-.
Lodged: 12th September 2017.
Minister for Social Security.

Withdrawal of lodged propositions

THE STATES noted that, in accordance with Standing Order 34(1), the proposers of the following propositions lodged “au Greffe” had informed the Greffier of the States that they had been withdrawn –

Draft Drainage (Jersey) Law 2005 (Appointed Day) Act 201-. P.38/2017.
Lodged: 18th May 2017. (re-issue)
Council of Ministers.

States’ approval for household liquid or solid waste charges prior to implementation. P.57/2017.
Lodged: 20th June 2017.
Minister for Infrastructure.

States of Jersey Budget 2017: allocation of funds for Parish infrastructure projects. P.61/2017.
Lodged: 28th June 2017.
Connétable of St. Helier.

Public Accounts Committee – resignation of members

The Bailiff notified the Assembly that, in accordance with Standing Order 133(2), he had received letters of resignation from the Public Accounts Committee from Connétable Alan Simon Crowcroft of St. Helier, Deputy Judith Ann Martin of St. Helier and Mr. Gary Drinkwater.

Written Questions

(see Official Report/Hansard)

- 1(459) 1. Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the recently announced increase in the States pension.
- 1(460) 2. Deputy M. Tadier of St. Brelade asked a question of the Minister for Health and Social Services regarding the number of deaths from overdoses or drug-related causes.
- 1(461) 3. Deputy S.Y. Mézec of St. Helier asked a question of the Chief Minister regarding implementation of the Strategic Plan 2015–18.
- 1(462) 4. Deputy S.Y. Mézec of St. Helier asked a question of the Chief Minister regarding legislation to enable same-sex marriages.
- 1(463) 5. Deputy S.Y. Mézec of St. Helier asked a question of the Minister for Social Security regarding communication with benefit claimants.
- 1(464) 6. Deputy S.Y. Mézec of St. Helier asked a question of the Chairman of the Comité des Connétables regarding measures to increase public participation in elections for Parish roles.

- 1(465) 7. Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the generation of economic growth.
- 1(466) 8. Deputy M. Tadier of St. Brelade asked a question of the Chairman of the Privileges and Procedures Committee regarding the Committee's plans to address under-representation in certain Parishes.
- 1(467) 9. Deputy M. Tadier of St. Brelade asked a question of the Minister for Social Security regarding the prospect of introducing shared paternity leave.
- 1(468) 10. The Deputy of St. Ouen asked a question of the Minister for Health and Social Services regarding assessment processes and intervention thresholds in respect of children in care.
- 1(469) 11. Senator S.C. Ferguson asked a question of the Minister for Treasury and Resources regarding the profit arising from the completion of the first building of the Jersey International Finance Centre.
- 1(470) 12. Senator S.C. Ferguson asked a question of the Minister for Treasury and Resources regarding the prospective payment of £50 million to the States for the regeneration of St. Helier.
- 1(471) 13. The Connétable of St. Helier asked a question of the Minister for Infrastructure regarding improvement works in Midvale Road.
- 1(472) 14. The Connétable of St. Helier asked a question of the Minister for Infrastructure regarding legislation concerning driving whilst using a mobile phone.
- 1(473) 15. The Connétable of St. Helier asked a question of the Minister for Treasury and Resources regarding the payment of rates on States properties.
- 1(474) 16. Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the Chief Minister's response to 'Raising the minimum wage: economic and fiscal impacts' (R.83/2017).
- 1(475) 17. Deputy M. Tadier of St. Brelade asked a question of the Minister for the Environment regarding air quality in the Tunnel.
- 1(476) 18. Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the use of zero-hour contracts.
- 1(477) 19. Deputy M.R. Higgins of St. Helier asked a question of the Minister for Home Affairs regarding the procedures for dealing with illegal immigration and political asylum.
- 1(478) 20. Deputy M.R. Higgins of St. Helier asked a question of the Minister for Home Affairs regarding the repatriation of prisoners.
- 1(479) 21. Deputy M.R. Higgins of St. Helier asked a question of the Minister for Treasury and Resources regarding inflation in the Island.
- 1(480) 22. Deputy M.R. Higgins of St. Helier asked a question of the Minister for Treasury and Resources regarding the measurement of productivity in Jersey.
- 1(481) 23. Deputy G.P. Southern of St. Helier asked a question of the Minister for Health and Social Services regarding plans for a new governance model for Jersey's health service.

Oral Questions*(see Official Report/Hansard)*

- 1(489) 1. Deputy M. Tadier of St. Brelade asked a question of the Minister for Social Security regarding the rental component of Income Support.
- 1(488) 2. Deputy K.C. Lewis of St. Saviour asked a question of the Assistant Minister for Economic Development, Tourism, Sport and Culture regarding the securing of restricted areas of Fort Regent.
- 1(457) 3. Deputy J.M. Maçon of St. Saviour asked a question of the Minister for Education regarding the work of his Department to prepare young people to participate in the upcoming elections.
- 1(490) 4. Deputy S.Y. Mézec of St. Helier asked a question of the Minister for Social Security regarding her Department's communication with benefits claimants.
- 1(483) 5. Deputy R. Labey of St. Helier asked a question of the Chief Minister regarding the consultation paper: 'Judicial Independence and the Establishment of a Judicial and Legal Services Commission'.
- 1(486) 6. Deputy G.P. Southern of St. Helier asked a question of the Minister for Housing regarding recent changes to rent levels set by Andium Homes.
- 1(484) 7. The Deputy of Grouville asked a question of the Minister for Infrastructure regarding the pursuit of payments for encroachments on the foreshore.
- 1(482) 8. Senator S.C. Ferguson asked a question of the Minister for the Environment regarding the revision of the masterplan for the St. Helier Waterfront.
- 1(485) 9. The Connétable of St. Helier asked a question of the Minister for Infrastructure regarding the introduction of solid and liquid waste charges on the commercial sector.
- 1(493) 10. Deputy M.R. Higgins of St. Helier asked a question of the Minister for Home Affairs regarding external reviews of the States of Jersey Police.
- 1(494) 11. Deputy M.R. Higgins of St. Helier asked a question of the Minister for Home Affairs regarding the response of the former Chief Officer of the States of Jersey Police to the 'Wiltshire Report'.
- 1(458) 12. Deputy J.M. Maçon of St. Saviour asked a question of the Minister for Treasury and Resources regarding a solution for funding students going to university in 2017.
- 1(492) 13. Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the state of Jersey's economy.
- 1(491) 14. Deputy S.Y. Mézec of St. Helier asked a question of the Minister for Infrastructure regarding work undertaken during the summer recess on the proposed waste disposal tax.

Oral Questions without notice*(see Official Report/Hansard)*

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

The Minister for Education answered questions without notice from members.

Personal statement*(see Official Report/Hansard)*

Deputy Andrew David Lewis of St. Helier, in accordance with Standing Order 16(1), made a personal statement regarding allegations that he had lied to the Assembly and to the Independent Jersey Care Inquiry.

Statements on a matter of official responsibility*(see Official Report/Hansard)*

The Chairman of the Care of Children in Jersey Review Panel made a statement regarding the formation of the Panel.

The Minister for Housing made a statement regarding the acquisition of the former Gas Works site by Andium Homes.

Vote of Censure: Deputy A.D. Lewis of St. Helier P.76/2017

THE STATES, adopting a proposition of the Privileges and Procedures Committee, censured Deputy Andrew David Lewis of St. Helier whom the Committee had determined breached the Code of Conduct for Elected Members by failing to maintain the integrity of the States.

Members present voted as follows –

POUR: 29

Senator P.F. Routier
 Senator I.J. Gorst
 Senator S.C. Ferguson
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy of St. John
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy of St. Martin
 Deputy of St. Peter
 Deputy S.Y. Mézec (H)
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy S.M. Wickenden (H)
 Deputy S.M. Bree (C)
 Deputy M.J. Norton (B)
 Deputy T.A. McDonald (S)

CONTRE: 16

Senator A.J.H. Maclean
 Senator L.J. Farnham
 Connétable of St. Peter
 Connétable of St. Martin
 Connétable of St. John
 Connétable of Trinity
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy S.J. Pinel (C)
 Deputy R.G. Bryans (H)
 Deputy A.D. Lewis (H)
 Deputy of St. Ouen
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy P.D. McLinton (S)

ABSTAIN: 0

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 13th September 2017 to consider the outstanding items of public business.

THE STATES rose at 6.52 p.m.

DR. M. EGAN

Greffier of the States