



**THE STATES assembled on Tuesday  
9th October 2018, at 09.30 a.m. under  
the Presidency of the Bailiff,  
Sir William James Bailhache.**

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**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.**

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

Deputy Jeremy Martin Maçon of St. Saviour – en défaut  
Deputy Gregory Charles Umberto Guida of St. Lawrence – en défaut

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Prayers

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### **Centenary of Armistice Day – programme of events**

The Bailiff informed members that a programme of the events to be held to mark the centenary of Armistice Day would be circulated for members' attention.

### **Subordinate enactments tabled**

The following enactments were tabled, namely –

Capacity and Self-Determination (Miscellaneous Provisions and Prescribed Fees and Forms) (Jersey) Order 2018. <i>Minister for Health and Social Services.</i>	R&O.97/2018.
Mental Health (Miscellaneous Provisions and Prescribed Forms) (Jersey) Order 2018. <i>Minister for Health and Social Services.</i>	R&O.98/2018.
Mental Health and Capacity (Review Tribunal) (Procedure) (Jersey) Order 2018. <i>Minister for Health and Social Services.</i>	R&O.99/2018.
Sea Fisheries (Bag Limits) (Amendment No. 3) (Jersey) Order 2018. <i>Minister for the Environment.</i>	R&O.100/2018.
Motor Traffic (Cabs – Fares and Charges) (Amendment) (Jersey) Order 2018. <i>Minister for Infrastructure.</i>	R&O.101/2018.

### **Documents presented**

States of Jersey Complaints Board: findings – complaint by Mr. I. Barette against the Minister for the Environment, regarding the processing of the planning applications relating to the property known as Broughton Lodge Farm, St. Mary (R.111/2018) – response of the Minister for the Environment. Presented: 8th October 2018. <i>Minister for the Environment.</i>	R.111/2018. Res.
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Jersey Competition Regulatory Authority: appointment of Non-Executive Director. Presented: 26th September 2018. <i>Chief Minister.</i>	R.128/2018.
States of Jersey Law 2005: delegation of functions – Minister for Children and Housing – housing-related legislation – October 2018. Presented: 4th October 2018. <i>Minister for Children and Housing.</i>	R.129/2018.
Common Strategic Policy 2018–22: Draft Indicative Programme for Government Plan 2020–23. Presented: 9th October 2018. <i>Council of Ministers.</i>	R.130/2018.
Residential Property Transactions (S.R.2/2018): response of the Chief Minister. Presented: 27th September 2018. <i>Chief Minister.</i>	S.R.2/2018. Res.

### Notification of lodged propositions

Draft Road Traffic and Vehicles (Vienna Convention – Miscellaneous Amendments) (Jersey) Regulations 201-. Lodged: 26th September 2018. <i>Minister for Infrastructure.</i>	P.109/2018.
Proposed Common Strategic Policy 2018–22. Lodged: 3rd October 2018. <i>Council of Ministers.</i>	P.110/2018.
Draft Education (Provided Schools – Amendment of Law No. 2) (Jersey) Regulations 201-. Lodged: 3rd October 2018. <i>Minister for Education.</i>	P.111/2018.
Draft Motor Vehicles (Removal from Private Land) (Jersey) Law 201-. Lodged: 5th October 2018. <i>Minister for Home Affairs.</i>	P.112/2018.
Medicinal Cannabis: right to prescribe by medical professionals. Lodged: 9th October 2018. <i>Deputy M. Tadier of St. Brelade.</i>	P.113/2018.
Draft Budget Statement 2019. Lodged: 9th October 2018. <i>Minister for Treasury and Resources.</i>	P.114/2018.

### Written Questions

(see *Official Report/Hansard*)

- WQ.157/2018** 1. The Chairman of the States Employment Board tabled an answer to a question asked by Deputy M.R. Le Hegarat of St. Helier regarding the ‘One Gov’ modernisation of the States of Jersey.

- WQ.173/2018** 2. The Minister for the Environment tabled an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the response to the Asian hornet threat to Jersey.
- WQ.174/2018** 3. The Minister for Education tabled an answer to a question asked by the Deputy of St. Peter regarding the education of visually-impaired children.
- WQ.175/2018** 4. The Assistant Minister for Education tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the funding of Higher Education students at University College Jersey.
- WQ.176/2018** 5. The Minister for Treasury and Resources tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding pay offers to the controlling executives of States-owned bodies.
- WQ.177/2018** 6. The Minister for Economic Development, Tourism, Sport and Culture tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding the return to States funds arising from the triathlon series brought to Jersey.
- WQ.178/2018** 7. The Minister for Economic Development, Tourism, Sport and Culture tabled an answer to a question asked by Deputy R.J. Ward of St. Helier regarding busking licences.
- WQ.179/2018** 8. The Chairman of the Comité des Connétables tabled an answer to a question asked by Senator S.Y. Mézec regarding a workshop held in respect of recruitment to the Honorary Police.
- WQ.181/2018** 9. The Minister for Education tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding departmental funding of fee-paying schools.
- WQ.182/2018** 10. The Minister for Health and Social Services tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding recruitment within mental health services.
- WQ.183/2018** 11. The Minister for Children and Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding a review of the policy underpinning the sale of social rented homes.
- WQ.184/2018** 12. The Chairman of the States Employment Board tabled an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the subsidising of rents for essential employees.
- WQ.185/2018** 13. The Minister for Infrastructure tabled an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the lease agreements for States-owned properties on the Waterfront.
- WQ.186/2018** 14. The Minister for Education tabled an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the provisions for students diagnosed with Autism.
- WQ.187/2018** 15. The Minister for Education tabled an answer to a question asked by Deputy C.S. Alves of St. Helier regarding the support for students who were home-schooled.
- WQ.188/2018** 16. H.M. Attorney General for tabled an answer to a question asked by Senator S.C. Ferguson regarding the constitutionality of the Bailiff ceasing to be President of the States.
- WQ.189/2018** 17. The Chairman of the States Employment Board tabled an answer to a question asked by Deputy M.R. Le Hegarat of St. Helier regarding the recruitment of Director Generals.
- WQ.190/2018** 18. The Minister for the Environment tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding air quality in the Tunnel.

- WQ.191/2018** 19. The Minister for Education tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding students taking GCSEs or A-Levels in modern foreign languages.
- WQ.192/2018** 20. The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding parking permits on Andium Homes sites.
- WQ.193/2018** 21. The Chief Minister tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding access to, and education in, French in the Island.
- WQ.194/2018** 22. The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the value for money of expenditure on communications.
- WQ.195/2018** 23. The Chief Minister tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the survey of health staff in respect of the new hospital development.
- WQ.196/2018** 24. The Minister for Economic Development, Tourism, Sport and Culture tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding grants and loans provided to arable farmers.
- WQ.197/2018** 25. The Minister for Economic Development, Tourism, Sport and Culture tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding grants and loans provided to dairy farmers.
- WQ.198/2018** 26. The Minister for Economic Development, Tourism, Sport and Culture tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding grants and loans to Woodside Farms.

### Oral Questions

*(see Official Report/Hansard)*

- OQ.152/2018** 1. Deputy M.R. Higgins of St. Helier asked a question of the Minister for Children and Housing regarding a meeting with the lawyer representing children who had been sent to Les Chênes children's home.
- OQ.138/2018** 2. Deputy S.M. Ahier of St. Helier asked a question of the Minister for Health and Social Services regarding the death of an elderly man at the Jersey General Hospital.
- OQ.136/2018** 3. Deputy L.M.C. Doublet of St. Saviour asked a question of the Minister for Health and Social Services regarding the decision not to fund a lead midwife with responsibility for breastfeeding.
- OQ.148/2018** 4. The Connétable of St. Helier asked a question of the Minister for Infrastructure regarding strategies to encourage travel by bicycle or on foot.
- OQ.137/2018** 5. Deputy R. Labey of St. Helier asked a question of the Chief Minister regarding the implementation of the People's Directory.
- OQ.142/2018** 6. The Deputy of St. John asked a question of the Chief Minister regarding the availability of parking, and the ease of accessibility at the La Motte Street location for a single access point to front-of-house services.
- OQ.135/2018** 7. The Connétable of St. Ouen asked a question of the Chairman of the Privileges and Procedures Committee regarding the working party established to examine the Bailiff's role.
- OQ.134/2018** 8. Senator K.L. Moore asked a question of the Minister for Infrastructure regarding facilities for breastfeeding mothers in States-owned buildings.

- OQ.143/2018** 9. Deputy R.J. Ward of St. Helier asked a question of the Minister for Education regarding fees for Higher Education courses at Highlands College.
- OQ.150/2018** 10. Deputy G.P. Southern of St. Helier asked a question of the Minister for Economic Development, Tourism, Sport and Culture regarding the recent real-term decrease in Gross Domestic Product (G.D.P.) per head of population.
- OQ.140/2018** 11. Deputy K.G. Pamplin of St. Saviour asked a question of the Chief Minister regarding the registration of charities by the Charity Commissioner.
- OQ.146/2018** 12. Deputy M. Tadier of St. Brelade asked a question of the Minister for Infrastructure regarding health hazards at Fort Regent.
- OQ.144/2018** 13. Deputy R.J. Ward of St. Helier asked a question of the Minister for Treasury and Resources regarding the funding available for restructuring of the public sector.
- OQ.141/2018** 14. Deputy K.G. Pamplin of St. Saviour asked a question of the Minister for Health and Social Services regarding governance arrangements for health and social care.
- OQ.153/2018** 15. Deputy M.R. Higgins of St. Helier asked a question of the Minister for Treasury and Resources regarding the application of the Goods and Services Tax (G.S.T.) to goods imported into the Island.
- OQ.151/2018** 16. Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding measures to improve productivity.
- OQ.147/2018** 17. Deputy M. Tadier of St. Brelade asked a question of the Minister for Education regarding acts of worship in schools.
- OQ.149/2018** 18. The Connétable of St. Helier asked a question of the Minister for Home Affairs regarding the level of public safety in Jersey.
- OQ.139/2018** 19. Deputy S.M. Ahier of St. Helier asked a question of the Minister for Health and Social Services regarding recycling at the Hospital.
- OQ.145/2018** 20. Deputy L.M.C. Doublet of St. Saviour asked a question of the Chief Minister regarding civil partnerships for mixed-sex couples.

**Oral Questions without notice**

*(see Official Report/Hansard)*

The Minister for Children and Housing answered questions without notice from members.

The Chief Minister answered questions without notice from members.

**Ratification of the Agreement between the Government of Jersey and the Government of the United Kingdom of Great Britain and Northern Ireland for the Elimination of Double Taxation with respect to Taxes on Income and on Capital Gains and the Prevention of Tax Evasion and Avoidance P.97/2018**

THE STATES, adopting a proposition of the Minister for External Relations, ratified the Agreement between the Government of Jersey and the Government of the United Kingdom of Great Britain and Northern Ireland for the Elimination of Double Taxation with respect to Taxes on Income and on Capital Gains and the Prevention of Tax Evasion and Avoidance, as set out in Appendix 1 to the report of the Minister for External Relations dated 24th July 2018.

Members present voted as follows –

**POUR: 46**

**CONTRE: 0**

**ABSTAIN: 0**

Senator I.J. Gorst  
Senator L.J. Farnham  
Senator S.C. Ferguson  
Senator J.A.N. Le Fondré  
Senator T.A. Vallois  
Senator K.L. Moore  
Senator S.W. Pallett  
Senator S.Y. Mézec  
Connétable of St. Helier  
Connétable of St. Clement  
Connétable of St. Lawrence  
Connétable of St. Saviour  
Connétable of St. Brelade  
Connétable of Grouville  
Connétable of St. John  
Connétable of Trinity  
Connétable of St. Peter  
Connétable of St. Mary  
Connétable of St. Ouen  
Connétable of St. Martin  
Deputy J.A. Martin (H)  
Deputy of Grouville  
Deputy K.C. Lewis (S)  
Deputy M. Tadier (B)  
Deputy M.R. Higgins (H)  
Deputy S.J. Pinel (C)  
Deputy of St. Martin  
Deputy R.J. Rondel (H)  
Deputy of St. Ouen  
Deputy L.M.C. Doublet (S)  
Deputy R. Labey (H)  
Deputy S.M. Wickenden (H)  
Deputy of St. Mary  
Deputy G.J. Truscott (B)  
Deputy J.H. Young (B)  
Deputy L.B. Ash (C)  
Deputy K.F. Morel (L)  
Deputy of St. Peter  
Deputy of Trinity  
Deputy of St. John  
Deputy M.R. Le Hegarat (H)  
Deputy S.M. Ahier (H)  
Deputy J.H. Perchard (S)  
Deputy R.J. Ward (H)  
Deputy C.S. Alves (H)  
Deputy K.G. Pamplin (S)

**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) –

**23rd October 2018**

Public impact of Propositions: proposed amendment to Standing Orders. P.96/2018.  
Lodged: 3rd August 2018.  
*Deputy G.C.U. Guida of St. Lawrence.*

Public impact of Propositions: proposed amendment to Standing Orders (P.96/2018) – P.96/2018.  
comments. Com.  
Presented: 23rd August 2018.  
*Privileges and Procedures Committee.*

Public impact of Propositions: proposed amendment to Standing Orders (P.96/2018) – P.96/2018.  
comments. Com.(2).  
Presented: 10th September 2018.  
*Chief Minister.*

Public impact of Propositions: proposed amendment to Standing Orders (P.96/2018) – P.96/2018.  
amendment. Amd.  
Lodged: 20th August 2018.  
*Deputy S.M. Wickenden of St. Helier.*

Public impact of Propositions: proposed amendment to Standing Orders (P.96/2018) – P.96/2018.  
second amendment. Amd.(2).  
Lodged: 22nd August 2018.  
*Senator S.C. Ferguson.*

Ratification of the Agreement between Jersey and the Principality of Liechtenstein for P.102/2018.  
the Elimination of Double Taxation with Respect to Taxes on Income and on Capital  
and the Prevention of Tax Evasion and Avoidance.  
Lodged: 30th August 2018.  
*Minister for External Relations.*

**6th November 2018**

Draft Amendment (No. 37) of the Standing Orders of the States of Jersey. P.103/2018.  
Lodged: 18th September 2018.  
*Privileges and Procedures Committee.*

Importation of Waste for treatment in the Jersey Energy from Waste plant. P.104/2018.  
Lodged: 20th September 2018.  
*Minister for Infrastructure.*

Immigration (Biometric Information) (Jersey) Order 2018: extension to Jersey by P.105/2018.  
Order in Council.  
Lodged: 24th September 2018.  
*Chief Minister.*

Draft Sexual Offences (Consequential Amendments) (Jersey) Regulations 201-. P.106/2018.  
Lodged: 24th September 2018.  
*Minister for Home Affairs.*

Draft Marriage and Civil Status (Sexual Offences Amendment) (Jersey) Regulations 201-. P.107/2018.  
Lodged: 24th September 2018.  
*Minister for Home Affairs.*

Draft Sexual Offences (Jersey) Law 2018 (Appointed Day) Act 201-. P.108/2018.  
Lodged: 24th September 2018.  
*Minister for Home Affairs.*

Medicinal Cannabis: right to prescribe by medical professionals. P.113/2018.  
Lodged: 9th October 2018.  
*Deputy M. Tadier of St. Brelade.*

### **20th November 2018**

Draft Road Traffic and Vehicles (Vienna Convention – Miscellaneous Amendments) (Jersey) Regulations 201-. P.109/2018.  
Lodged: 26th September 2018.  
*Minister for Infrastructure.*

Proposed Common Strategic Policy 2018–22. P.110/2018.  
Lodged: 3rd October 2018.  
*Council of Ministers.*

Draft Education (Provided Schools – Amendment of Law No. 2) (Jersey) Regulations 201-. P.111/2018.  
Lodged: 3rd October 2018.  
*Minister for Education.*

Draft Motor Vehicles (Removal from Private Land) (Jersey) Law 201-. P.112/2018.  
Lodged: 5th October 2018.  
*Minister for Home Affairs.*

### **4th December 2018**

Rejection of Planning Application relating to Retreat Farm, La Rue de La Frontière, St. Mary and Rue des Varvots, St. Lawrence: rescindment of Ministerial Decision. P.100/2018.  
Lodged: 20th August 2018.  
*Deputy S.M. Wickenden of St. Helier.*

Draft Budget Statement 2019. P.114/2018.  
Lodged: 9th October 2018.  
*Minister for Treasury and Resources.*

THE STATES rose at 12.25 p.m.

**DR. M. EGAN**

*Greffier of the States*