



**THE STATES assembled on Friday  
25th September 2020, at 9.30 a.m. under  
the Presidency of  
Dr. Mark Egan, Greffier of the States.**

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

Senator Ian Joseph Gorst – excused attendance (joined at 2.15 p.m.)  
Senator Sarah Craig Ferguson – ill  
Connétable Leonard Norman of St. Clement – excused attendance (joined at 9.50 a.m.)  
Connétable Sadie Anthea Le Sueur-Rennard of St. Saviour – excused attendance (joined at 9.57 a.m.)  
Connétable Christopher Hugh Taylor of St. John – excused attendance (joined at 9.40 a.m.)  
Connétable Philip Bond Le Sueur of Trinity – excused attendance (joined at 9.40 a.m.)  
Deputy Louise Mary Catherine Doublet of St. Saviour – excused attendance  
Deputy Gregory Charles Umberto Guida of St. Lawrence – excused attendance (joined at 9.50 a.m.)  
Deputy Kevin Glyn Pamplin of St. Saviour – excused attendance (joined at 9.55 a.m.)

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Prayers

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**Standing Order 55A – meeting held remotely**

THE STATES assembled remotely, in accordance with Standing Order 55A, as the Bailiff considered that it was not possible to convene or maintain a quorate meeting in view of a substantial risk to the health of both States Members and the public.

**Notification of lodged propositions**

Draft Data Protection (Amendment of Law) (Jersey) Regulations 202-. P.121/2020.  
Lodged: 25th September 2020.  
*Minister for Economic Development, Tourism, Sport and Culture.*

**Foreshore: policy for alleged encroachment payments P.101/2020**

THE STATES resumed consideration of a proposition of the Deputy of Grouville entitled ‘Foreshore: policy for alleged encroachment payments’ (P.101/2020) and, adopting part 1 of an amendment of the Minister for Infrastructure (P.101/2020 Amd.), agreed that, for paragraph (a), there should be substituted the following paragraph –

“(a) that no further land transactions should take place between the Public and third parties in respect of strips or parcels of reclaimed foreshore until a revised foreshore encroachment policy has been debated;”.

Members present voted as follows –

**POUR: 25**

**CONTRE: 10**

**ABSTAIN: 0**

Senator L.J. Farnham  
Senator J.A.N. Le Fondré

Senator S.W. Pallett

Senator T.A. Vallois	Connétable of St. John
Senator K.L. Moore	Connétable of Trinity
Senator S.Y. Mézec	Connétable of St. Peter
Connétable of St. Helier	Deputy J.M. Maçon (S)
Connétable of St. Lawrence	Deputy S.M. Wickenden (H)
Connétable of St. Saviour	Deputy L.B.E. Ash (C)
Connétable of St. Brelade	Deputy of St. Peter
Connétable of Grouville	Deputy of St. John
Connétable of St. Mary	Deputy J.H. Perchard (S)
Connétable of St. Ouen	Deputy K.G. Pamplin (S)
Connétable of St. Martin	Deputy I. Gardiner (H)
Deputy J.A. Martin (H)	
Deputy of Grouville	
Deputy K.C. Lewis (S)	
Deputy M. Tadier (B)	
Deputy M.R. Higgins (H)	
Deputy of St. Martin	
Deputy of St. Ouen	
Deputy of St. Mary	
Deputy G.J. Truscott (B)	
Deputy J.H. Young (B)	
Deputy K.F. Morel (L)	
Deputy G.C.U. Guida (L)	
Deputy M.R. Le Hegarat (H)	
Deputy S.M. Ahier (H)	
Deputy R.J. Ward (H)	
Deputy C.S. Alves (H)	

THE STATES, adopting part 2 of the amendment of the Minister for Infrastructure, agreed that, in paragraph (b), the words “and should confirm the date from which the deemed encroachments will be determined and be accompanied by a map clearly showing the boundaries used to establish land ownership” should be deleted.

Members present voted as follows –

**POUR: 26**

Senator L.J. Farnham  
 Senator J.A.N. Le Fondré  
 Senator S.Y. Mézec  
 Connétable of St. Helier  
 Connétable of St. Lawrence  
 Connétable of St. Saviour  
 Connétable of St. Brelade  
 Connétable of Grouville  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Martin  
 Deputy J.A. Martin (H)  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy M.R. Higgins (H)  
 Deputy of St. Ouen  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy J.H. Young (B)

**CONTRE: 16**

Senator T.A. Vallois  
 Senator K.L. Moore  
 Connétable of St. John  
 Connétable of Trinity  
 Connétable of St. Peter  
 Deputy of Grouville  
 Deputy J.M. Maçon (S)  
 Deputy of St. Martin  
 Deputy R. Labey (H)  
 Deputy S.M. Wickenden (H)  
 Deputy L.B.E. Ash (C)  
 Deputy of St. Peter  
 Deputy of St. John  
 Deputy J.H. Perchard (S)  
 Deputy K.G. Pamplin (S)  
 Deputy I. Gardiner (H)

**ABSTAIN: 0**

Deputy K.F. Morel (L)  
 Deputy G.C.U. Guida (L)  
 Deputy of Trinity  
 Deputy M.R. Le Hegarat (H)  
 Deputy S.M. Ahier (H)  
 Deputy R.J. Ward (H)  
 Deputy C.S. Alves (H)

THE STATES, adopting part 3 of the amendment of the Minister for Infrastructure, agreed that, for paragraph (c), there should be substituted the following paragraph –

“(c) that upon a revised policy being agreed by the Assembly, the Minister for Infrastructure should re-consider Finding 8.15 of the States of Jersey Complaints Board’s report (R.71/2018) in respect of refunding the difference (if any) between the considerations paid under the two respective land transactions and the considerations that would have been paid had the new policy been in place at the time;”.

Members present voted as follows –

**POUR: 33****CONTRE: 8****ABSTAIN: 0**

Senator J.A.N. Le Fondré  
 Senator T.A. Vallois  
 Senator S.W. Pallett  
 Senator S.Y. Mézec  
 Connétable of St. Helier  
 Connétable of St. Lawrence  
 Connétable of St. Saviour  
 Connétable of St. Brelade  
 Connétable of Grouville  
 Connétable of St. Peter  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Martin  
 Deputy J.A. Martin (H)  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy of St. Martin  
 Deputy of St. Ouen  
 Deputy S.M. Wickenden (H)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy J.H. Young (B)  
 Deputy G.C.U. Guida (L)  
 Deputy of Trinity  
 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)  
 Deputy I. Gardiner (H)

Senator L.J. Farnham  
 Senator K.L. Moore  
 Connétable of St. John  
 Deputy of Grouville  
 Deputy R. Labey (H)  
 Deputy L.B.E. Ash (C)  
 Deputy of St. Peter  
 Deputy of St. John

THE STATES, adopting part 4 of the amendment of the Minister for Infrastructure, agreed that, in paragraph (d), for the word “2020” there should be substituted the words “Quarter 1 of 2021”.

Members present voted as follows –

**POUR: 27**

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. Lawrence  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of St. Peter  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Deputy J.A. Martin (H)  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy J.M. Maçon (S)  
 Deputy of St. Ouen  
 Deputy S.M. Wickenden (H)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy J.H. Young (B)  
 Deputy G.C.U. Guida (L)  
 Deputy of Trinity  
 Deputy M.R. Le Hegarat (H)  
 Deputy S.M. Ahier (H)  
 Deputy R.J. Ward (H)  
 Deputy C.S. Alves (H)

**CONTRE: 15**

Senator L.J. Farnham  
 Connétable of St. Brelade  
 Connétable of St. John  
 Connétable of St. Martin  
 Deputy of Grouville  
 Deputy M.R. Higgins (H)  
 Deputy of St. Martin  
 Deputy R. Labey (H)  
 Deputy L.B.E. Ash (C)  
 Deputy K.F. Morel (L)  
 Deputy of St. Peter  
 Deputy of St. John  
 Deputy J.H. Perchard (S)  
 Deputy K.G. Pamplin (S)  
 Deputy I. Gardiner (H)

**ABSTAIN: 0**

THE STATES resumed consideration of the proposition of the Deputy of Grouville, as amended, and, adopting the proposition, as amended –

- (a) agreed that no further land transactions should take place between the Public and third parties in respect of strips or parcels of reclaimed foreshore until a revised foreshore encroachment policy had been debated;
- (b) agreed that such a policy should be brought forward for debate by the Assembly by January 2021;
- (c) agreed that upon a revised policy being agreed by the Assembly, the Minister for Infrastructure should re-consider Finding 8.15 of the States of Jersey Complaints Board’s report (R.71/2018) in respect of refunding the difference (if any) between the considerations paid under the two respective land transactions and the considerations that would have been paid had the new policy been in place at the time; and
- (d) requested that the Department for Infrastructure published, by the end of Quarter 1 of 2021, a map of all public accesses, footpaths and rights of way to the foreshore.

Members present voted as follows –

**POUR: 29****CONTRE: 13****ABSTAIN: 0**

Senator L.J. Farnham  
 Senator T.A. Vallois  
 Senator K.L. Moore  
 Senator S.W. Pallett  
 Connétable of St. Helier  
 Connétable of St. Lawrence  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of St. John  
 Connétable of Trinity  
 Connétable of St. Ouen  
 Deputy J.A. Martin (H)  
 Deputy of Grouville  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy of St. Martin  
 Deputy of St. Ouen  
 Deputy R. Labey (H)  
 Deputy S.M. Wickenden (H)  
 Deputy of St. Mary  
 Deputy J.H. Young (B)  
 Deputy L.B.E. Ash (C)  
 Deputy K.F. Morel (L)  
 Deputy of St. Peter  
 Deputy of St. John  
 Deputy M.R. Le Hegarat (H)  
 Deputy J.H. Perchard (S)  
 Deputy K.G. Pamplin (S)  
 Deputy I. Gardiner (H)

Senator S.Y. Mézec  
 Connétable of St. Clement  
 Connétable of St. Brelade  
 Connétable of St. Peter  
 Connétable of St. Mary  
 Connétable of St. Martin  
 Deputy K.C. Lewis (S)  
 Deputy G.J. Truscott (B)  
 Deputy G.C.U. Guida (L)  
 Deputy of Trinity  
 Deputy S.M. Ahier (H)  
 Deputy R.J. Ward (H)  
 Deputy C.S. Alves (H)

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(a), Senator Ian Joseph Gorst and Deputy Susan Jane Pinel of St. Clement declared an interest and withdrew from the Chamber for the duration of the debate on the proposition of the Deputy of Grouville.

**Changes in Presidency**

Dr. Mark Egan, Greffier of the States, retired from the Chamber during consideration of the proposition of the Deputy of Grouville entitled ‘Foreshore: policy for alleged encroachment payments’ (P.101/2020) and the meeting continued under the Presidency of the Bailiff.

**States meetings in 2021: move to a three-week cycle P.106/2020**

THE STATES commenced consideration of a proposition of the Privileges and Procedures Committee entitled ‘States meetings in 2021: move to a three-week cycle’ (P.106/2020) and, adopting and amendment of Deputy Inna Gardiner of St. Helier (P.106/2020 Amd.) agreed that, after paragraph (a), there should be inserted the following new paragraph and the remaining paragraph re-designated accordingly –

“(b) to request the Privileges and Procedures Committee to bring forward amendments to the Standing Orders of the States of Jersey to establish a procedure during the trial whereby Written Questions may be submitted and answered outside of States meetings, ensuring that the

procedure allows States Members either the same or a greater opportunity to submit Written Questions than exists at present;”

THE STATES, resuming consideration of the proposition of the Privileges and Procedures Committee, as amended, and, adopting an amendment of Deputy Jeremy Martin Maçon of St. Saviour (P.106/2020 Amd.(2)), agreed that, after paragraph (a), there should be inserted the following new paragraph –

“(b) to request the Privileges and Procedures Committee to bring forward amendments to Standing Orders of the States of Jersey for the duration of the trial with the purpose of:

(i) ensuring that, in addition to a period of 30-minutes Oral Questions Without Notice to Ministers at each meeting, there is also a 15-minute period of Oral Questions Without Notice to the Chief Minister; and

(ii) providing an additional 20 minutes of Oral Questions with notice at each meeting.”

THE STATES, resumed consideration of the proposition of the Privileges and Procedures Committee, as amended, and, adopting the proposition, as amended –

(a) agreed that meetings of the Assembly in 2021 should follow a 3-weekly cycle, on a trial basis, in accordance with the schedule of dates contained within Appendix (a) of the proposition;

(b) requested the Privileges and Procedures Committee to bring forward amendments to Standing Orders of the States of Jersey for the duration of the trial with the purpose of –

(i) ensuring that, in addition to a period of 30-minutes Oral Questions Without Notice to Ministers at each meeting, there was also a 15-minute period of Oral Questions Without Notice to the Chief Minister; and

(ii) providing an additional 20 minutes of Oral Questions with notice at each meeting;

(c) requested the Privileges and Procedures Committee to bring forward amendments to the Standing Orders of the States of Jersey to establish a procedure during the trial whereby Written Questions might be submitted and answered outside of States meetings, ensuring that the procedure allowed States Members either the same or a greater opportunity to submit Written Questions than existed at present; and

(d) requested that, having monitored the impact of the trial, the Privileges and Procedures Committee bring forward, for debate by the Assembly before September 2021, any proposals to permanently alter the frequency of future States meetings.

Members present voted as follows –

**POUR: 26**

Senator L.J. Farnham  
 Senator J.A.N. Le Fondré  
 Senator T.A. Vallois  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of St. Lawrence  
 Connétable of Grouville  
 Connétable of St. John  
 Connétable of Trinity  
 Connétable of St. Ouen  
 Deputy J.A. Martin (H)

**CONTRE: 20**

Senator I.J. Gorst  
 Senator K.L. Moore  
 Senator S.W. Pallett  
 Senator S.Y. Mézec  
 Connétable of St. Brelade  
 Connétable of St. Peter  
 Connétable of St. Mary  
 Connétable of St. Martin  
 Deputy G.P. Southern (H)  
 Deputy M. Tadier (B)  
 Deputy M.R. Higgins (H)

**ABSTAIN: 0**

Deputy of Grouville	Deputy of St. Mary
Deputy K.C. Lewis (S)	Deputy J.H. Young (B)
Deputy J.M. Maçon (S)	Deputy L.B.E. Ash (C)
Deputy S.J. Pinel (C)	Deputy K.F. Morel (L)
Deputy of St. Martin	Deputy M.R. Le Hegarat (H)
Deputy of St. Ouen	Deputy S.M. Ahier (H)
Deputy R. Labey (H)	Deputy J.H. Perchard (S)
Deputy S.M. Wickenden (H)	Deputy R.J. Ward (H)
Deputy G.J. Truscott (B)	Deputy K.G. Pamplin (S)
Deputy G.C.U. Guida (L)	
Deputy of St. Peter	
Deputy of Trinity	
Deputy of St. John	
Deputy C.S. Alves (H)	
Deputy I. Gardiner (H)	

### Arrangement of public business for future meetings

THE STATES, having previously noted on 9th September 2020 that the e-petition ‘Write off income tax liability for prior year if moved to current year basis’ had attracted more than 5,000 signatures, rejected a proposition of the Chair of the Privileges and Procedures Committee that the e-petition be considered during the debate on the Draft Income Tax (Amendment No. 46) (Jersey) Law 202-.

Members present voted as follows –

#### **POUR: 9**

Senator J.A.N. Le Fondré  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of Trinity  
 Connétable of St. Ouen  
 Deputy J.A. Martin (H)  
 Deputy K.C. Lewis (S)  
 Deputy S.J. Pinel (C)  
 Deputy L.B.E. Ash (C)

#### **CONTRE: 31**

Senator L.J. Farnham  
 Senator T.A. Vallois  
 Senator K.L. Moore  
 Senator S.W. Pallett  
 Senator S.Y. Mézec  
 Connétable of St. Lawrence  
 Connétable of St. Brelade  
 Connétable of Grouville  
 Connétable of St. John  
 Connétable of St. Peter  
 Connétable of St. Martin  
 Deputy G.P. Southern (H)  
 Deputy of Grouville  
 Deputy M. Tadier (B)  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy of St. Martin  
 Deputy R. Labey (H)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy J.H. Young (B)  
 Deputy K.F. Morel (L)  
 Deputy G.C.U. Guida (L)  
 Deputy of St. Peter  
 Deputy of St. John  
 Deputy M.R. Le Hegarat (H)  
 Deputy S.M. Ahier (H)  
 Deputy J.H. Perchard (S)

#### **ABSTAIN: 0**

Deputy R.J. Ward (H)  
 Deputy C.S. Alves (H)  
 Deputy I. Gardiner (H)

THE STATES, adopting a proposition of the Chair of the Privileges and Procedures Committee, agreed that it would consider the e-petition ‘Write off income tax liability for prior year if moved to current year basis’ in-Committee at the meeting of 20th October 2020.

Members present voted as follows –

**POUR: 34****CONTRE: 2****ABSTAIN: 0**

Senator L.J. Farnham  
 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. Brelade  
 Connétable of Grouville  
 Connétable of St. Peter  
 Connétable of St. Mary  
 Connétable of St. Martin  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy of Grouville  
 Deputy K.C. Lewis (S)  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy R. Labey (H)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy J.H. Young (B)  
 Deputy L.B.E. Ash (C)  
 Deputy K.F. Morel (L)  
 Deputy G.C.U. Guida (L)  
 Deputy of St. Peter  
 Deputy of St. John  
 Deputy M.R. Le Hegarat (H)  
 Deputy S.M. Ahier (H)  
 Deputy C.S. Alves (H)  
 Deputy I. Gardiner (H)

Deputy M. Tadier (B)  
 Deputy R.J. Ward (H)

THE STATES agreed the following arrangement of public business for future meetings proposed, as amended, by the Chair of the Privileges and Procedures Committee in accordance with the provisions of Standing Order 88(3) –

**6th October 2020**

Jersey and the slave trade.  
 Lodged: 12th June 2020.  
*Deputy M. Tadier of St. Brelade.*

P.78/2020.



Jersey and the slave trade (P.78/2020): amendment. Lodged: 1st September 2020. <i>Deputy J.H. Perchard of St. Saviour.</i>	P.78/2020. Amd.
Drinks Promotions. Lodged: 20th August 2020. <i>Deputy L.B.E. Ash of St. Clement.</i>	P.105/2020.
Bus Service: revised ticket and fares policy. Lodged: 28th August 2020. <i>Deputy M. Tadier of St. Brelade.</i>	P.107/2020.
Repair of the Steam Clock. Lodged: 8th September 2020. <i>Deputy M. Tadier of St. Brelade.</i>	P.108/2020.
Draft Amendment (No. 47) of the Standing Orders of the States of Jersey. Lodged: 8th September 2020. <i>Privileges and Procedures Committee.</i>	P.109/2020.
Draft Shops (Regulation of Opening) (Amendment – General Practitioner Surgeries and Pharmacies) (Jersey) Regulations 202- (re-issue). Lodged: 21st September 2020. <i>Minister for Economic Development, Tourism, Sport and Culture.</i>	P.112/2020. (re-issue)

**20th October 2020**

Deployment and use of Energy Conductive Devices ('Tasers') by the States of Jersey Police. Lodged: 28th July 2020. <i>Minister for Home Affairs</i>	P.97/2020.
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'Write off income tax liability for prior year if moved to current year basis' (e-petition)  
(Consideration In-Committee)

**3rd November 2020**

Draft Wildlife (Jersey) Law 202-. Lodged: 11th September 2020. <i>Minister for the Environment.</i>	P.110/2020.
Encroachments on the Foreshore: revised policy. Lodged: 18th September 2020. <i>Minister for Infrastructure.</i>	P.111/2020.
Draft Social Security (Amendment of Law No. 13) (Jersey) Regulations 202-. Lodged: 21st September 2020. <i>Minister for Social Security.</i>	P.113/2020.
Jersey Care Model. Lodged: 22nd September 2020. <i>Minister for Health and Social Services.</i>	P.114/2020

Draft Statistics and Census (Amendment of Law) (Jersey) Regulations 202-. P.115/2020.  
Lodged: 22nd September 2020.  
*Chief Minister.*

Draft Census (Appointed Day) Act 202-. P.116/2020.  
Lodged: 22nd September 2020.  
*Chief Minister.*

Our Hospital: alternative site selection proposals. P.117/2020.  
Lodged: 22nd September 2020.  
*Deputy T. Pointon of St. John.*

Draft Income Tax (Amendment No. 46) (Jersey) Law 202-. P.118/2020.  
Lodged: 22nd September 2020.  
*Minister for Treasury and Resources.*

Immigration Acts: extension to Jersey by Order in Council. P.119/2020.  
Lodged: 22nd September 2020.  
*Chief Minister.*

Migration and Population Data. P.120/2020.  
Lodged: 23rd September 2020.  
*Deputy J.H. Perchard of St. Saviour.*

**17th November 2020**

Draft Data Protection (Amendment of Law) (Jersey) Regulations 202-. P.121/2020.  
Lodged: 25th September 2020.  
*Minister for Economic Development, Tourism, Sport and Culture.*

THE STATES rose at 5.06 p.m.

**T.A. OLDHAM**

*Acting Greffier of the States*