



**THE STATES assembled on Thursday  
25th November 2021, at 9.30 a.m. under  
the Presidency of the Bailiff,  
Timothy John Le Cocq, Esquire.**

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

Deputy Montfort Tadier of St. Brelade – excused attendance (joined at 4.06 pm.)  
Deputy Jessica Harriet Perchard of St. Saviour – ill

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Prayers

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**Standing Order 55A – remote participation**

THE STATES, with reference to their Act dated 14th September 2021, in which they had agreed that, notwithstanding Standing Order 55A(1), members who did not wish to attend in the States Chamber might continue to take part in States meetings using Microsoft Teams (until the States had considered and voted upon a proposition to re-apply Standing Order 55A(1) or to repeal or vary the terms of the Standing Order), assembled in accordance with Standing Order 55A with members able to participate remotely using Microsoft Teams.

**Notification of lodged propositions**

Proposed Government Plan 2022-2025 (P.90/2021): third amendment.  
Maintenance of the Health Insurance Fund  
Lodged: 25th November 2021, *Deputy G.P. Southern of St. Helier.*

P.90/2021.  
Amd.(3).

**Assisted Dying P.95/2021**

THE STATES resumed consideration of the proposition of the Council of Ministers entitled ‘Assisted Dying’ (P.95/2021), as amended, and, adopting the proposition, having regard to the key recommendation of the Citizen’s Jury on Assisted Dying,

- (a) agreed, in principle, with the Jury that assisted dying should be permitted in Jersey; and that
  - (i) the Government of Jersey should make arrangements for the provision of an assisted dying service that was available to a person aged 18 or over who:
    - (1) had a voluntary, clear, settled and informed wish to end their own life; and
    - (2) had capacity to make the decision to end their own life; and
    - (3) had been diagnosed with a terminal illness, which was expected to result in unbearable suffering that could not be alleviated and was reasonably expected to die within six months; or, had an incurable physical condition, resulting in unbearable suffering that could not be alleviated;
  - (ii) an assisted dying service in Jersey might provide assistance in dying in one of the following two ways:

- (1) either by physician assisted suicide – whereby a registered medical professional might prescribe lethal drugs at the request of a person, who met defined eligibility criteria, to enable that person to self-administer the drugs to end their own life; or by
  - (2) voluntary euthanasia – where a person who met the defined eligibility criteria had their life ended, at their voluntary request, by a registered medical practitioner; and
- (iii) an assisted dying service in Jersey should be subject to the following safeguards:
- (1) assisted dying should be permitted with the direct assistance of registered medical practitioners and registered nurses only;
  - (2) the law should provide for a conscientious objection clause so that any nurse, medical practitioner or other professional was not under a legal duty to participate in assisted dying;
  - (3) assisted dying should be subject to a mandatory period of reflection;
  - (4) a withdrawal of request should be permitted at any time; and
  - (5) assisted dying should only be permitted at pre-approved locations.
- (b) agreed, in the event that paragraph (a) was adopted, that assisted dying should be available to Jersey residents only;
- (c) agreed, in the event that paragraph (a) was adopted, that assisted dying should be subject to a pre-approval process which, subject to further consultation, might involve a decision made by a court or specialist tribunal; and
- (d) requested the Council of Ministers to lodge final proposals (to include all processes and safeguards on assisted dying) for debate by the States Assembly, prior to the preparation of instructions for the Legislative Drafting Office, with the debate on such proposals to take place by October 2022, and with a view to draft legislation being available for debate by the States by the end of March 2023.

Members present voted as follows –

**POUR: 36**

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. Saviour  
 Connétable of Grouville  
 Connétable of St. Peter  
 Connétable of St. Ouen  
 Connétable of St. Martin  
 Connétable of St. John  
 Connétable of St. Clement  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy of Grouville  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy L.M.C. Doublet (S)  
 Deputy R. Labey (H)

**CONTRE: 10**

Senator I.J. Gorst  
 Senator S.C. Ferguson  
 Connétable of St. Helier  
 Connétable of St. Lawrence  
 Connétable of St. Brelade  
 Connétable of Trinity  
 Deputy K.C. Lewis (S)  
 Deputy of St. Ouen  
 Deputy J.H. Young (B)  
 Deputy L.B.E. Ash (C)

**ABSTAIN: 0**

Deputy S.M. Wickenden (H)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy K.F. Morel (L)  
 Deputy G.C.U. Guida (L)  
 Deputy of St. Peter  
 Deputy of Trinity  
 Deputy of St. John  
 Deputy M.R. Le Hegarat (H)  
 Deputy S.M. Ahier (H)  
 Deputy R.J. Ward (H)  
 Deputy C.S. Alves (H)  
 Deputy K.G. Pamplin (S)  
 Deputy I. Gardiner (H)

### **Principles for Jersey's Participation in United Kingdom Free Trade Agreements P.94/2021**

THE STATES commenced consideration of a proposition of the Minister for External Relations and Financial Services entitled 'Principles for Jersey's Participation in United Kingdom Free Trade Agreements' (P.94/2021) and, adopting the proposition, adopted the following principles upon which the Council of Ministers should determine Jersey's participation in future United Kingdom Free Trade Agreements –

- (a) Protecting Jersey's existing constitutional autonomy and cultural heritage;
- (b) Maintaining and strengthening Jersey's reputation as a well administered jurisdiction that was responsible for its own prosperity;
- (c) Upholding the long-established rights and privileges of Jersey residents and businesses that enabled them to trade and remain agile, innovative, and competitive as Jersey sought to grow and diversify its economy;
- (d) Maintaining or increasing the ability of the States Assembly and Government of Jersey to make decisions expeditiously in areas of domestic policy, including where close collaboration with the U.K. Government and other international partners was required;
- (e) Further to the current baseline of customs and goods participation, seeking the inclusion of extension provisions to enable Jersey's participation in additional provisions, post-ratification, and, where extension included the basis of new commitments, obtaining the consent of the States Assembly wherever practicable or otherwise reporting to the States at the earliest opportunity;
- (f) Taking into account commitments already undertaken in existing Free Trade Agreements which Jersey participated in; and,
- (g) Keeping the relevant Scrutiny Panel informed and up to date on all Free Trade Agreement negotiations with which the Government of Jersey was involved.

Members present voted as follows –

**POUR: 44**

**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. Lawrence

Connétable of St. Saviour  
 Connétable of St. Brelade  
 Connétable of Grouville  
 Connétable of Trinity  
 Connétable of St. Peter  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Martin  
 Connétable of St. John  
 Connétable of St. Clement  
 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 of St. Ouen  
 Deputy L.M.C. Doublet (S)  
 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 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 R.J. Ward (H)  
 Deputy C.S. Alves (H)  
 Deputy K.G. Pamplin (S)  
 Deputy I. Gardiner (H)

### **Provision of Affordable Housing Guidance P.96/2021**

THE STATES commenced consideration of a proposition of Senator Samuel Yves Mézec entitled 'Provision of Affordable Housing Guidance' (P.96/2021) and rejected an amendment of Senator Samuel Yves Mézec (P.96/2021 Amd.) that, after the words "at no less than", for the word "30%" there should be substituted "50%".

Members present voted as follows –

#### **POUR: 18**

Senator S.C. Ferguson  
 Senator T.A. Vallois  
 Senator S.W. Pallett  
 Senator S.Y. Mézec  
 Connétable of St. Lawrence  
 Connétable of St. Mary  
 Connétable of St. John  
 Deputy G.P. Southern (H)

#### **CONTRE: 28**

Senator I.J. Gorst  
 Senator L.J. Farnham  
 Senator J.A.N. Le Fondré  
 Senator K.L. Moore  
 Connétable of St. Brelade  
 Connétable of Grouville  
 Connétable of Trinity  
 Connétable of St. Peter

#### **ABSTAIN: 0**

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

THE STATES resumed consideration of the proposition of Senator Samuel Yves Mézec.

### **Adjournment**

THE STATES adjourned, having agreed to reconvene on Friday 26th November 2021 to continue consideration of the Senator Samuel Yves Mézec entitled ‘Provision of Affordable Housing Guidance’ (P.96/2021) and the other outstanding items of public business listed for the meeting.

THE STATES rose at 5.31 p.m.

**L.-M. HART**

*Deputy Greffier of the States*