



**THE STATES assembled on Tuesday
26th April 2022, at 9.30 a.m. under
the Presidency of
Dr. Mark Egan, Greffier of the States.**

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

Senator Ian Joseph Gorst – absent on States business
Connétable John Michael Le Bailly of St. Mary – en défaut (défaut raised at 9.37 a.m.)
Deputy Carolyn Fiona Labey of Grouville – ill
Deputy Scott Michael Wickenden of St. Helier – en défaut

Prayers read by the Deputy Greffier of the States

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.

Polish Ambassador to the United Kingdom – welcome

The Presiding Officer, on behalf of all members, welcomed His Excellency Mr. Piotr Wilczek, Ambassador of Poland to the Court of St James.

Documents presented

Office of the Comptroller and Auditor General Annual Report and Accounts 2021. R.58/2022.
Presented: 26th April 2022, *Comptroller and Auditor General*.

Regulations for the licence application, production and export of Medicinal Cannabis on Jersey (S.R.1.2022): Response of the Minister for Economic Development, Tourism, Sport and Culture. S.R.1/2022.
Presented: 26th April 2022, *Minister for Economic Development, Tourism, Sport and Culture*. Res.

Review of the Regulation of Jersey Estate Agents (S.R.3/2022): Response of the Minister for Economic Development, Tourism, Sport and Culture. S.R.3/2022.
Presented: 26th April 2022, *Minister for Economic Development, Tourism, Sport and Culture*. Res.

Empty Property Tax P.48/2022

THE STATES, adopting a proposition of Deputy Montfort Tadier of St. Brelade entitled ‘Empty Property Tax’ (P.48/2022) –

- (a) agreed that an effective mechanism should be introduced to discourage domestic properties from being left vacant for long periods; and
- (b) requested the Minister for Housing and Communities to initiate the necessary arrangements for the preparation of an options paper identifying potential mechanisms with a view to publication before the end of September 2022.

Members present voted as follows –

POUR: 41

Senator L.J. Farnham
 Senator J.A.N. Le Fondré
 Senator T.A. Vallois
 Senator K.L. Moore
 Senator S.Y. Mézec
 Connétable of St. Helier
 Connétable of St. Lawrence
 Connétable of St. Brelade
 Connétable of Grouville
 Connétable of Trinity
 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 K.C. Lewis (S)
 Deputy M. Tadier (B)
 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 of St. Mary
 Deputy G.J. Truscott (B)
 Deputy L.B. Ash (C)
 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 J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

CONTRE: 1

Connétable of St. Mary

ABSTAIN: 0

THE STATES noted that, in accordance with the provisions of Standing Order 106, Deputy John Hilary Young of St. Brelade declared an interest in the subject of the proposition of Deputy Montfort Tadier of

St. Brelade, in that he was the owner of an empty property, and, as the interest was a financial interest that was personal to him, he withdrew from the Chamber for the duration of the debate on the proposition.

Hustings filming P.49/2022

THE STATES, adopting a proposition of Deputy Jeremy Martin Maçon of St. Saviour entitled ‘Hustings filming’ (P.49/2022), referred to their Act of 6th November 2013, in which it was agreed, amongst other things, that conventional hustings meetings should be web streamed, and requested the Privileges and Procedures Committee to film hustings in parish halls at the next and subsequent general elections rather than only film proposed online hustings, as was currently suggested.

Members present voted as follows –

POUR: 34

Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator J.A.N. Le Fondré
 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 Trinity
 Connétable of St. Peter
 Connétable of St. Ouen
 Connétable of St. John
 Connétable of St. Clement
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy K.F. Morel (L)
 Deputy of St. Peter
 Deputy of Trinity
 Deputy of St. John
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

CONTRE: 7

Senator T.A. Vallois
 Connétable of St. Mary
 Connétable of St. Martin
 Deputy G.C.U. Guida (L)
 Deputy M.R. Le Hegarat (H)
 Deputy S.M. Ahier (H)
 Deputy J.H. Perchard (S)

ABSTAIN: 0

Changes in Presidency

Dr. Mark Egan, Greffier of the States, retired from the Chair prior to consideration of the proposition of Deputy Jeremy Martin Maçon of St. Saviour entitled ‘Hustings filming’ (P.49/2022) and the meeting continued under the Presidency of the Bailiff.

Revised code of practice for engagement between ‘scrutiny panels and the Public Accounts Committee’ and ‘The Executive’ P.50/2022

THE STATES commenced consideration of a proposition of the Scrutiny Liaison Committee entitled ‘Revised code of practice for engagement between ‘scrutiny panels and the Public Accounts Committee’ and ‘The Executive’ (P.50/2022) and, adopting an amendment of Senator Tracey Anne Vallois (P.50/2022 Amd.), agreed that, after the words “this proposition”, there should be inserted the words “except that, in Appendix 1 –

- (a) before paragraph 14, there should be inserted the following paragraph, with the subsequent paragraphs re-numbered accordingly –

“14. Within the first two weeks of each calendar year, the Council of Ministers will provide the Scrutiny Liaison Committee with a schedule for that year of policy and legislative priorities, with timelines for their completion.”;

- (b) in paragraph 35, for the words “consider providing” there should be substituted the word “provide”;

- (c) in paragraph 47, after the words “States Greffe” there should be inserted the words “in advance of its provision”;

- (d) for paragraph 66, there should be substituted the following paragraph –

“66. Ministers (Chief Officers/Accounting Officers in the case of PAC) will provide updates to the Scrutiny Liaison Committee every quarter on progress in implementing accepted recommendations, including their status on any ‘tracker’ that is maintained and the reasons for any delay that may have been incurred in their implementation.”; and

- (e) for paragraph 73, there should be substituted the following paragraph –

“73. Where the issue cannot be satisfactorily resolved, the Privileges and Procedures Committee will be notified of the impasse and will determine the appropriate action based on information provided by Ministers/Accounting Officers/the Chief Executive and the Scrutiny Liaison Committee in accordance with the requirements of this code of engagement.”

THE STATES, adopting the proposition of the Scrutiny Liaison Committee, as amended, approved the revised Code of Practice for Engagement between ‘Scrutiny Panels and the Public Accounts Committee’ and ‘the Executive’ as set out in Appendix 1 to the report accompanying this proposition except that, in Appendix 1 –

- (a) before paragraph 14, there should be inserted the following paragraph, with the subsequent paragraphs re-numbered accordingly –

“14. Within the first two weeks of each calendar year, the Council of Ministers will provide the Scrutiny Liaison Committee with a schedule for that year of policy and legislative priorities, with timelines for their completion.”;

- (b) in paragraph 35, for the words “consider providing” there should be substituted the word “provide”;
- (c) in paragraph 47, after the words “States Greffe” there should be inserted the words “in advance of its provision”;
- (d) for paragraph 66, there should be substituted the following paragraph –

“66. Ministers (Chief Officers/Accounting Officers in the case of PAC) will provide updates to the Scrutiny Liaison Committee every quarter on progress in implementing accepted recommendations, including their status on any ‘tracker’ that is maintained and the reasons for any delay that may have been incurred in their implementation.”; and

- (e) for paragraph 73, there should be substituted the following paragraph –

“73. Where the issue cannot be satisfactorily resolved, the Privileges and Procedures Committee will be notified of the impasse and will determine the appropriate action based on information provided by Ministers/Accounting Officers/the Chief Executive and the Scrutiny Liaison Committee in accordance with the requirements of this code of engagement.”

Members present voted as follows –

POUR: 41

CONTRE: 0

ABSTAIN: 0

Senator L.J. Farnham
 Senator S.C. Ferguson
 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 Trinity
 Connétable of St. Peter
 Connétable of St. Mary
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 Deputy J.H. Young (B)
 Deputy L.B. Ash (C)
 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 J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)
 Deputy I. Gardiner (H)

Ministerial Responsibilities P.52/2022

THE STATES commenced consideration of a proposition of Deputy John Hilary Young of St. Brelade entitled ‘Ministerial Responsibilities’ (P.52/2022) and, adopting an amendment of the Council of Ministers (P.52/2022 Amd.), agreed that –

in Paragraph (a), after the words “and to request the” there should be inserted the words “Council of Ministers in consultation with the”;

in Paragraph (a), after the words “for presentation to the new” for the words “States Employment Board” there should be substituted the words “Council of Ministers”; and

in Paragraph (c), after the words “with a view to presenting a report” insert the words “before 1st January 2023 and annually thereafter, in accordance with Article 30A of the States of Jersey Law 2005”.

THE STATES, adopting the proposition of Deputy John Hilary Young of St. Brelade, as amended, agreed –

- (a) that for each department of the States there should be one Minister who is ultimately accountable for all aspects of the work of that department, and to request the Council of Ministers in consultation with the States Employment Board to commission officers to draw up options for achieving this, for presentation to the new Council of Ministers in autumn 2022;
- (b) that the proposed establishment of a single legal entity for the Government of Jersey, in place of ministerial corporations sole, as set out in the Machinery of Government (Miscellaneous Amendments) (Jersey) Law 2018, should not be proceeded with and the part of that legislation dealing with this matter should be rescinded, and to request the Chief Minister to issue law drafting instructions to this effect, so a *projet* can be considered by the next States Assembly in autumn 2022; and
- (c) that the Chief Minister should be requested to review ministerial portfolios within the six months following a general election, with a view to presenting a report before 1st January 2023 and annually thereafter, in accordance with Article 30A of the States of Jersey Law 2005 to the States on the outcome of that review and bringing forward Standing Order changes to alter ministerial portfolios or legislative or Standing Order changes to address any other matters relating to the selection of ministers and ministerial roles arising from the outcome of the review.

Members present voted as follows –

POUR: 41

CONTRE: 1

ABSTAIN: 0

Senator L.J. Farnham
 Senator S.C. Ferguson
 Senator T.A. Vallois

Deputy J.A. Martin (H)

Senator K.L. Moore
Senator S.W. Pallett
Senator S.Y. Mézec
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 G.P. Southern (H)
Deputy K.C. Lewis (S)
Deputy M. Tadier (B)
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 of St. Mary
Deputy G.J. Truscott (B)
Deputy J.H. Young (B)
Deputy L.B. Ash (C)
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 J.H. Perchard (S)
Deputy R.J. Ward (H)
Deputy C.S. Alves (H)
Deputy K.G. Pamplin (S)
Deputy I. Gardiner (H)

Changes in Presidency

The Bailiff retired from the Chair during consideration of the proposition of Deputy John Hilary Young of St. Brelade entitled ‘Ministerial Responsibilities’ (P.52/2022) and the meeting continued under the Presidency of Dr. Mark Egan, Greffier of the States.

Draft Unlawful Public Entertainments (Jersey) Regulations 202- P.55/2022

THE STATES commenced consideration of the Draft Unlawful Public Entertainments (Jersey) Regulations 202- 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 5.

THE STATES made Regulations entitled the Unlawful Public Entertainments (Jersey) Regulations 2022 under the Order in Council dated 14th April 1884.

Members present voted as follows –

POUR: 31

CONTRE: 0

ABSTAIN: 0

Senator T.A. Vallois
 Senator S.W. Pallett
 Senator S.Y. Mézec
 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
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 Deputy G.C.U. Guida (L)
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 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)

Amendments to Standing Orders – Written Questions P.57/2022

THE STATES, adopting a proposition of the Privileges and Procedures Committee entitled Amendment to ‘Standing Orders – Written Questions’ (P.57/2022), agreed a series of amendments to the Standing Orders of the States of Jersey, with immediate effect.

Amendments to Standing Orders – Land Transactions P.58/2022

THE STATES, adopting a proposition of the Privileges and Procedures Committee entitled Amendment to ‘Standing Orders – Land Transactions’ (P.58/2022), agreed an amendment to the Standing Orders of the States of Jersey, with immediate effect.

Amendments to Standing Orders – Election Declaration Form P.59/2022

THE STATES, adopting a proposition of the Privileges and Procedures Committee entitled Amendment to ‘Standing Orders – Election Declaration Form’ (P.59/2022), agreed a series of amendments to the Standing Orders of the States of Jersey, with immediate effect.

Amendments to Standing Orders – Removal of references to Senator P.60/2022

THE STATES, adopting a proposition of the Privileges and Procedures Committee entitled Amendment to ‘Standing Orders – Removal of references to Senator’ (P.60/2022), agreed a series of amendments to the Standing Orders of the States of Jersey, with effect from 27th June 2022.

Members present voted as follows –

POUR: 40**CONTRE: 1****ABSTAIN: 0**

Senator T.A. Vallois
 Senator K.L. Moore
 Senator S.W. Pallett
 Senator S.Y. Mézec
 Connétable of St. Helier
 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 K.C. Lewis (S)
 Deputy M. Tadier (B)
 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 of St. Mary
 Deputy G.J. Truscott (B)
 Deputy J.H. Young (B)
 Deputy L.B. 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 J.H. Perchard (S)
 Deputy R.J. Ward (H)
 Deputy C.S. Alves (H)
 Deputy K.G. Pamplin (S)

Senator S.C. Ferguson

Deputy I. Gardiner (H)

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 27th April 2022 to consider the outstanding items of public business listed for the meeting.

THE STATES rose at 5.26 p.m.

L.-M. HART

Deputy Greffier of the States