

STATES OF JERSEY

OFFICIAL REPORT

FRIDAY, 12th DECEMBER 2025

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[9:30]

The Roll was called and the Dean led the Assembly in Prayer.

STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

1. The Minister for Infrastructure will make a Statement regarding the Expressions of Interest process for the Havre des Pas Bathing Pool and Café

1.1 Connétable A.N. Jehan of St. John (The Minister for Infrastructure):

On 10th November 2025, at the request of the Assistant Minister for Infrastructure, he and I met with representatives of Love Our Lido – a party to the Expressions of Interest, “E.O.I.”, process for the Havre des Pas Bathing Pool and Café. During that meeting, concerns were raised with us regarding the process. I committed to look into those concerns and confirmed that commitment in the States on 11th November 2025. I said that we would try and explore the concerns prior to the States sitting on 25th November, when P.94/2025 was due to be debated, and that we would ensure that any assessment was overseen with appropriate independence to ensure that it was both thorough and, importantly, seen to be thorough. Accordingly, I sought to agree a terms of reference for this independent review with both Love Our Lido and First Point Property Services; the 2 shortlisted parties. Agreement to the terms of reference was confirmed by the parties by 14th November 2025. I was grateful that Jurat Anthony Olsen, Lieutenant Bailiff, agreed to undertake the independent review. I thank him for his report. Having agreed a terms of reference with the parties, I then stepped away from this work, until such time as Jurat Olsen was ready to submit his findings. He did so to the Chief Minister on 9th December 2025. I was also grateful to Deputy Warr for deferring P.94 from the last sitting, in order to allow Jurat Olsen to complete his work uninterrupted by a States debate. It was very important that he was able to do so. My priority throughout this process has been to ensure that it has been fair, equitable, and robust at all times. That is why Jurat Olsen’s review was commissioned and, accordingly, I accept Jurat Olsen’s independent findings. Some of these findings provide reassurance regarding the process, while some of the findings clearly do not. The report has been circulated to Members and will be presented to the States so that it is publicly available. In the remarks that follow, I aim to accurately précis Jurat Olsen’s findings for the benefit of Members, but I recognise of course that it is not possible for me to be comprehensive in an oral statement. It is important to note that Jurat Olsen did not find any conflicts of interest arising from any party throughout the process. I note that this is contrary to some public commentary, including with respect to myself. In respect of Queree Property Consultants, who prepared the expressions of interest document and managed the process, Jurat Olsen found that: “There is no criticism on the part of either Love Our Lido or First Point of the role performed by Queree Property Consultants at any stage of the E.O.I. process.” Jurat Olsen was complimentary of the work of the independent panel, constituted of Deputy Gardiner, Deputy Le Hegarat, and Mr. Simon Matthews. He states that: “In terms of both the composition of the independent panel and the way in which it worked, it would be difficult to conceive of a more fair, robust and effective evaluation process.” I express my own gratitude to the independent panel who clearly did a very good and thorough job. Jurat Olsen states at paragraph 45 that: “The position accordingly is that, until Love Our Lido lost its preferred bidder status, in effect neither Love Our Lido nor First Point had any complaints to make about the E.O.I. process.” Jurat Olsen further finds in paragraph 46 that: “Effective as at mid-July 2025, the EOI process had been fair and it had been fairly administered.” With respect to this first phase of the process, I consider that Jurat Olsen has given it a clean bill of health. In paragraph 48, Jurat Olsen concludes that the existence of the deadline of 26th September for Love Our Lido, as the preferred bidder, to conclude an agreement with Jersey Property Holdings, was known to both parties. The relevant email correspondence has now been made available to him confirming this. Jurat Olsen has acknowledged receipt of that correspondence and confirmed that he has nothing to add to his report. He recognises in paragraph 56 that: “It is clear that by late September this year negotiations with Love Our Lido were effectively going nowhere. Taking those points and also those set out in

paragraph 55 above into account, it is not difficult to see why J.P.H. (Jersey Property Holdings) finally elected to confer preferred-applicant status on First Point.” It is from this stage in his report onwards that Jurat Olsen makes findings which are of concern. Jurat Olsen makes various comments regarding his impression of the parties and their respective approaches. These are not for me to dwell on now, but they are noteworthy, and I hope Members will take the time to consider them. With respect to the decision to withdraw preferred applicant status from Love Our Lido and commence negotiations with First Point as the reserve applicant, it is important to be clear that the decision confirmed on 29th September, and referenced in paragraphs 59 to 63, followed discussions involving myself, the Assistant Minister for Infrastructure, the chief officer of Infrastructure and Environment, and the director of Jersey Property Holdings. With the information provided to us regarding the progression of discussions with Love Our Lido and the recommendations of the independent panel, both the Assistant Minister and I supported the decision to move from the preferred to the reserve applicant. The collective nature of this decision was perhaps not made clear to Jurat Olsen and therefore is not reflected in his report.

[9:45]

The report highlights concerns regarding the representation of Love Our Lido’s charity status and whether they withdrew or were withdrawn from the process. Jurat Olsen finds that it is “patently not the case” that Love Our Lido were required to have charitable status in order for its bid to be successful. I accept this. Given that we ultimately reached agreement with First Point, it is evident that a bidding party did not have to be a charity in order to be awarded the lease. At paragraphs 71 to 75, Jurat Olsen finds that a briefing note to the Council of Ministers on 30th October 2025 stating that: “Love Our Lido later withdrew from the process on 24th September 2025 being unable to meet the requirements made by the independent panel to confirm their appointment. (One notable reason being that they were unable to secure Jersey Charity status.)” was “apt to mislead the Council of Ministers.” This means that it was likely to mislead. In this respect, Jurat Olsen finds that Love Our Lido did not withdraw from the process; they were removed from it. He reconfirms that charitable status was not a prerequisite for, or a condition precedent to, a successful bid by Love Our Lido. And he finds that the impression was given that Love Our Lido had had an application for charitable status refused, when it was in fact not proceeded with, because Love Our Lido never finalised its application as they were not going to be the new tenant at Havre des Pas. Jurat Olsen states: “So no application was refused; more accurately, it was not proceeded with.” Jurat Olsen comments, in respect of the statement made in the briefing note to the Council of Ministers: “I would be very surprised indeed had [the official] issued this statement deliberately knowing it to be false, and indeed I cannot think of any motive that he might have had for doing so.” In my view, this makes this an inadvertent and non-malicious error, and not a deliberate attempt to mislead. That is an important distinction. But it was nevertheless a mistake, and I have apologised to the Council of Ministers. Jurat Olsen found my officials to be “industrious, committed, personable and honest public servants who were trying their best.” I want to be clear that this has always been my impression of them as well. This has been a long-running and highly-politicised issue, and a challenging environment for Ministers, let alone officials, to work through. In R.158/2025, published on 3rd November 2025, a very similar statement was made, and Jurat Olsen again finds that: “This statement was incorrect and apt to mislead the States Assembly.” I categorically state that I did not intentionally or knowingly mislead the Assembly in R.158, and that I have acted in good faith at all times. If I had thought that a retraction was necessary, I would have made that retraction in response to Written Question 436/2025 on 24th November 2025. As I explained in the answer, I did not, at that time, believe that an error had been made. But an error has been found to have been made. In these circumstances, the Code of Conduct for Ministers and Assistant Ministers requires that it be corrected at the earliest opportunity. I will accordingly withdraw R.158/2025, and I apologise sincerely and unreservedly to the States Assembly for the circumstances that have arisen. They are deeply regrettable. Ultimately, Jurat Olsen states: “I am unable to conclude that the second part of the E.O.I. process was fairly conducted.” As I have

stated previously, neither I nor the Assistant Minister involved ourselves in the detail of the E.O.I. process. We were briefed at various stages, we consented to moving from negotiations with Love Our Lido as preferred bidder to First Point as the reserve bidder, and we became formally involved when an outcome was ready to be confirmed and communicated at the end of October. The independent review was commissioned in order to obtain an impartial assessment of the process, in light of concerns that had been raised with me and the Assistant Minister by Love Our Lido. Some of these findings are unquestionably uncomfortable, but I do not hide from them. This has been a necessary and important review. Following Jurat Olsen's findings, and the withdrawal of R.158/2025, we will re-run the second part of the process. I feel that this must be undertaken externally to Jersey Property Holdings. I have therefore asked Jersey Business to run and oversee this process to a conclusion. In the first instance, negotiations will recommence with Love Our Lido to seek to agree a lease by the end of January 2026. It is important to be clear that the financial terms on which an agreement is available to either party – that of a £60,000 annual payment towards the running and maintenance costs of the premises, subject to annual R.P.I. (retail price index) increases, remains the offer available. This was set out from the beginning of the process and, in the interests of fairness, no additional public funding is available to either party. In my view, it remains important that we take vacant possession of the site on or before 25th December 2025, to allow the process to be re-run properly. Not doing so risks the public not being able to take vacant possession and award a new lease to one of the parties. The Council of Ministers has considered this matter, with advice, and has taken a majority decision to proceed on this basis. Jurat Olsen's findings have shown that language and emphasis is important. Through misunderstanding and/or omission, a fully accurate account of Love Our Lido's status in the process, and their application for charitable status, was not given to the Council of Ministers or States Members. I note Jurat Olsen's finding that "[The official] could so easily have reported to the Council of Ministers that Love Our Lido and J.P.H. had been unable to reach agreement within the prescribed timescale, and therefore the reserve applicant had now become the preferred one, and left it at that. Alas he did not." The attempts that were made to explain the reasons as to why agreement could not be reached with Love Our Lido within the agreed timescale have fallen short. I note, in particular, that any reference to J.P.H. not being able to agree terms on the financial arrangements for a lease with Love Our Lido, in line with those set out from the beginning of the process, were not highlighted in the briefing note to the Council of Ministers or in R.158. This was arguably more relevant to reaching an agreement than their status or not as a registered charity. It is therefore clear that insufficient weight was given to the relevant reasons for not being able to agree terms with Love Our Lido. Equally, the language in respect of Love Our Lido's removal from the process was careless. There was no need to state that they had withdrawn when, in any event, the deadline had passed without reaching agreement with them. This was an unforced error. In respect of their charitable status, more considered language again could and should have been applied or reference to this could, and probably should, have been wholly omitted. In this respect, I think it is relevant to note that in various documents, including their initial submission, Love Our Lido stated themselves that they were a charity. This undoubtedly led to a focus on this point and likely deflected attention from the stronger point that we simply could not agree terms by the deadline within the financial envelope available. As I stated earlier, and as Jurat Olsen found, agreement for a lease did not have to be with a charitable body. In time, there will be a need for further and broader reflections on the outcome of this report. It is carefully worded and considered. I hope Members will recognise this. In this regard, I think it is important that we respond to Jurat Olsen's findings calmly, reflecting all aspects of his report. This will ensure that any wider response to the conduct of this process is both proportionate and appropriate. With that in mind, I will work with the Council of Ministers to ensure that we are giving Jersey Property Holdings the tools they need to effectively fulfil their remit. In closing, it is clear that mistakes have been made. I apologise again for the occasions where erroneous statements have occurred. I emphasise that those mistakes have been genuine and not deliberate. Importantly, there is no evidence of any conflicts of interest, and the review praised the independent panel. It found large parts of the process to have been fair

and fairly administered. There are, however, aspects where we have fallen short. In hindsight, I believe that independent oversight should have been maintained throughout. I intend that my actions to rectify the process will now enable us to bring it to a properly administered conclusion. I am grateful to Members for listening. **[Approbation]**

The Bailiff:

We now move to a period of 15 minutes of questions. The first question is from Deputy Moore.

1.1.1 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter:

I thank the Minister for his very full statement. It is in fact his statement is much longer than the report that has been issued to us. At the beginning of the report the Jurat sets out very clearly and scrupulously any perceived associations between himself and any of the protagonists with whom he has spoken with and engaged with during this process. What declarations of membership and/or associations of any groups or organisations has been conducted or held of the protagonists who are mentioned in this report?

The Connétable of St. John:

All of our Ministerial meetings start with any declarations of interest. I am not aware of any other declarations of interest that have either been asked for or made.

1.1.2 Deputy K.L. Moore:

Jurat Olsen says: "I would be very surprised indeed had [the official] issued the statement deliberately knowing it to be false, and indeed I cannot think of any motive that he might have had for doing so." In that case, how will the Minister enable himself to take responsibility for the mistakes that have clearly been made and have been found not once but twice to mislead different groups? How can he understand that these have been made?

The Connétable of St. John:

I thank the Deputy for her question. We have repeatedly asked, as I do with everything, for clarification, for assurances, and I can only act on the information that is available to me on any given data. The paper that was presented to the Council of Ministers was done so in good faith. The R.158 was presented to this Assembly in good faith with sought reassurances, and I continue to do that.

1.1.3 Deputy H.M. Miles of St. Brelade:

Could the Minister explain why he chose Jersey Business as the appropriate body to run the restarted second phase of the process?

The Connétable of St. John:

Yes, I am happy to do that. I am very familiar with Jersey Business, and we also received correspondence from the existing tenant to say that he was working with Jersey Business, which showed a degree of confidence in that organisation.

1.1.4 Deputy H.M. Miles of St. Brelade:

In view of appointing another agency to consider this expression of interest, will he be re-examining Jersey Property Holdings' interest in current expressions of interest and contract management, and I am thinking specifically about Les Creux.

The Connétable of St. John:

Jersey Business are one of our arm's-length organisations that award grants. They are very experienced in business, and I would like to take away what Deputy Miles has suggested, and I would have no hesitation in asking Jersey Business, providing they have got the capacity. I am as frustrated as Deputy Miles and her fellow St. Brelade's Deputies at the time it has taken to sort out Les Creux.

1.1.5 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

I thank the Minister for his statement. The Minister in his statement says that it deflected attention from the strong point about the financial envelope available. Would the Minister, when the second phase is restarted, also publish how much it costs for maintaining the Lido so that it is clear to both parties when they are looking again at this that they are able to handle the maintenance costs ahead of any agreement signed?

[10:00]

The Connétable of St. John:

Yes, I think Jurat Olsen finds that the initial paperwork that was shared with parties that were interested was of a very high standard. In fact, it is paragraph 51 where Jurat Olsen comments that parties had ample opportunity to raise queries or concerns in relation to the lease; so, yes.

1.1.6 Deputy H.L. Jeune:

I am just wondering, again in the statement it says that it will be £60,000 - I have not checked it - but I thought that the discussion since to the new preferred bidder it moved to £66,000. I was wondering why the difference.

The Connétable of St. John:

I am delighted to clarify that it is £60,000; it has been £60,000. I am aware that at least one of the local media following a briefing reported £66,000, but they reported that in error. At no time has the £60,000 increased.

1.1.7 Deputy K.M. Wilson of St. Clement:

I wonder if the Minister could just explain what improvement he will now make to the oversight function that he has around J.P.H. and if there are any other discussions that need to be had with the agents who actually put forward a bid, and to see what confidence they have in the process that he has now outlined.

The Connétable of St. John:

I can confirm that this morning I have spoken to both of the parties that were involved and explained, and apologised to them personally for the situation we find ourselves in. I was interested to read Deputy Moore's amendment to the Budget where she mentioned Property Holdings. We have worked tirelessly over the last 2 years to get a grip on Property Holdings. I would say, we have made significant progress. We have got a team of dedicated individuals, which was recognised by Jurat Olsen in his report. These individuals work incredibly hard. They have made mistakes. I think that is down to the volume of work and the pressure of work. I do not believe there has been any intent to mislead people. But clearly, as I have said in my statement, I need to work with the chief executive and the Council of Ministers to see how we can improve things further.

1.1.8 Deputy K.M. Wilson:

One of the things that I think would assure members of the public is that there are some immediate steps taken to strengthen the accountability and for Ministers to provide assurance that nothing like this will happen again in relation to other schemes that are underway. Could the Minister tell us what systems of governance he will ensure will be put in place following the recommendations made by Jurat Olsen?

The Connétable of St. John:

We have got various responsibilities. We have got a responsibility to the welfare of our employees. We have got processes and procedures in place to work through when we find there have been problems. I can assure you that both of those will be taken very seriously and very professionally.

Having this come to light makes life very difficult for all of us. I can assure Members that we have not been careless or lacklustre. I am an experienced executive director and non-executive director. I can assure Members that I take my role incredibly seriously and I do question. One of my colleagues who I have breakfast with quite frequently always asks me: “Are you sure, Andy? Are you sure?” I have always replied: “I was sure” because I had confidence in these people and they have done their best. But clearly we find ourselves in an unenviable position. I have apologised to the parties involved, I have apologised to the Council of Ministers, and I have apologised to this Assembly.

1.1.9 Deputy J. Renouf of St. Brelade:

Taking on board the comment that the Minister made in his statement about the need to take vacant possessions and agreeing with it, will the Minister state whether he has confidence that he will be able, or the Government of J.P.H., will be able to take vacant possession in line with the timetable he outlined?

The Connétable of St. John:

There are some positive discussions that have taken place with the existing tenants, with the aim of enabling the tenant to give us vacant possession on 25th December or before.

Deputy J. Renouf:

I do not know if I am allowed to pivot and ask an unrelated question as my follow up.

The Bailiff:

Not really, no. You can perhaps ask one in a minute though. You might be the next person anyway. Any other questions? Deputy Renouf. **[Laughter]**

1.1.10 Deputy J. Renouf:

Yes, it is a tangential point, but it is one I would like to ask the Minister’s opinion on or to answer a question relating to the expressions of conflicts of interest, which Deputy Moore referred to, at the beginning of the report, were full and comprehensive. Does the Minister consider this to be a useful model that might apply more widely within Government.

The Connétable of St. John:

Yes, and I am pleased to inform the Deputy that within the Parish St. John, we also do the very same procedure. We have the standing agenda item around conflicts of interest. I note that we were given an email from the Greffe earlier this week about conflicts, and we are going to get further information. I look forward to receiving that and do my utmost to comply.

1.1.11 Deputy D.J. Warr of St. Helier South:

I would like to thank the Minister for giving me an early morning briefing this morning about this ahead of this Assembly meeting. The Assembly has been misled, the Council of Ministers have been misled. I just wonder how many more times we can ... the public have got to have confidence in all of these processes. My question really is: what are the consequences of misleading the Government and misleading this Assembly? Who takes the blame?

The Connétable of St. John:

I think it is important to reiterate that Jurat Olsen has found that we have not been deliberately misled, but we have been misled. As I said earlier, we have got process about welfare and also about any procedures which will be followed. I was pleased to meet the Deputy earlier this morning. He asked me a question about a previous issue with the same property when we were given information which was incorrect, and I can confirm that the person that gave us incorrect information left the Government organisation shortly afterwards.

1.1.12 Deputy D.J. Warr:

One of the problems I have is that the Minister references a Written Question that I put in in connection with the statement made in the Report 158, I think it was, in which, clearly, that must raise a red flag, when someone is putting in a Written Question about a paragraph within that report which is incorrect. Surely it is beholden upon the Minister to check that out properly. Can the Minister confirm that he did actually take it seriously? Who in his department, which officers, said this statement is correct around the situation with Love Our Lido's ability to gain charitable status? Which officer said to the Minister: "No, Minister, you are absolutely right not to withdraw that"? I maybe do not need to name the names, but we just want to understand who is doing the checks?

The Connétable of St. John:

I can categorically confirm to the Deputy that we did have confirmation. I should also point out, once again, that Love Our Lido made their initial bid in the name of a charity. They did not have charity status at that time. And during one of my Scrutiny hearings, when the Deputy asked me about the Havre des Pas, I said - so it is a matter of public record - I understood that it was against the Charities Law to call yourself a charity if you were not a charity.

1.1.13 Deputy K.L. Moore:

In a recent report, the Comptroller and Auditor General said of Jersey Property Holdings that, and I paraphrase, in the 25 years since its creation Jersey Property Holdings has failed to meet its strategic objectives. What does the Minister intend to do to ensure that this organisation does meet its strategic objectives going forward and to restore public confidence in this organisation?

The Connétable of St. John:

It is a good question. I tried to answer that earlier, when I said that the department, in my opinion and the opinion of others, has made significant improvements in the last 2 years. For example, we now have service level agreements with our colleagues in Education that makes it very clear as to what Property Holdings are responsible for and what the tenant is responsible for. It took 25 years for that to happen. That is far too long. We still have people who are running properties of ours, the public of Jersey, who think they belong to them personally and we cannot get access to some of those properties out of hours. We are working tirelessly to improve that. Every fortnight I am given an update on each of the empty properties, their rentable value and their saleable value, and I am given an update on what progress has been made since the last meeting. I believe that we have got a much better grip than there has been in the past. That does not mean to say that we cannot do better. We have more people working in property in the Education Department than we do in the Property Department. That says a lot for me.

The Bailiff:

The 15 minutes has expired. Do Members wish to extend the time for another 15 minutes? Or there are no further questions? There are no further questions. Thank you, Minister.

PUBLIC BUSINESS - resumption

2. Draft Social Security Law (Jersey) Amendment Regulations 202- (P.92/2025)

The Bailiff:

We now return to the Order Paper. The next item is the Draft Social Security Law Amendment Regulations lodged by the Minister for Social Security. The main respondent is the chair of the Health and Social Security Scrutiny Panel. I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Social Security Law (Jersey) Amendment Regulations 202-. The States make these Regulations under Articles 50 and 51 of the Social Security (Jersey) Law 1974.

2.1 Deputy L.V. Feltham of St. Helier Central (The Minister for Social Security):

I am bringing these regulations to amend the Social Security Law to temporarily reduce the States grant to the Social Security Fund until 2029. This is a consequence of the States' Assembly approving the Budget 2026-2029. These regulations make a small change to part of the Social Security Law that makes this happen. The States grant will return to its full value in legislation in 2030. The States grant helps to create a regular level of total income into the Social Security Fund each year. Temporarily reducing the grant allows us to invest in priority areas without compromising the ability of the Social Security Fund to meet its commitments into the future. The Social Security Funds have approximately £2.5 billion of reserves. This is equivalent to over 7 years' worth of social security pensions and contributory benefits. Even with this reduction in the States grant, the fund is forecast to still have more than 7 years' worth of spend in 2029. The independent actuaries of the Social Security Fund have also assessed the long-term impact of this temporary change. Their updated projections show that the fund would be expected to have enough reserves until the late 2060s. This is a reduction of around 10 years on their previous projections, based on proven assumptions. We expect to use some of the fund's reserves over the next 20 years to pay for the sharply increasing cost of social security pensions for the ageing demographic. The actuaries will carry out a special review of the Social Security Fund next year to provide information and options for the long-term objectives and approach of the Social Security Fund for the next Government to consider. I am certain that this change will not compromise the ability of the Social Security Fund to pay out social security pensions in the future, nor the contributory benefits like our sickness and incapacity benefits and parental benefits to people who need them. I propose the principles.

The Bailiff:

Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles of the regulations?

2.1.1 Deputy J. Renouf of St. Brelade:

Yes, Sir, for one more time. I will start with a point relating to a point that Deputy Ferey made yesterday about pensions, when he corrected a statement about when we reach our pension age, and said that it is 67. I actually have a particular interest in that issue, if I could clarify that point a little bit. The age at which people have to work until 67, the qualifying date is 1st March 1964.

[10:15]

If you are born after 1st March 1964 then you have to work to the age of 67. I was born on 6th March 1964 **[Laughter]**.

Deputy L.J. Farnham of St. Mary, St. Ouen and Trnity:

Shame, they could have retired earlier.

Deputy J. Renouf:

Thank you. **[Laughter]** Never mind. So political boundaries move in increments. For a long while Jersey did not borrow. Then that rubicon was crossed, accompanied by promises about keeping it small scale and limited and so on. Now we have steadily inched our way to £1.3 billion of borrowing, with interest payments forecast to eat up £50 million per year. That is more than 4 Environment Departments in terms of revenue. Money that is going to go to the banks rather than to fund services, because we cannot afford to pay for what we are spending now, but are heaping the costs on to future taxpayers. Of course, there are reasonable arguments about that, but I think it is important to remember that simple fact. So it is with the Social Security Funds. Initially, the Government of which I was a part started off trying to borrow from the fund with a promise to pay back. That was rejected on the grounds that the fund should not be used for current spending. Last year, £20 million was approved to come from the grant on the basis that it was time-limited and it was not for current

spending. This year, all those Ministers who argued the previous year that they still had not reached the idea that the fund should not be used for current spending have happily ditched that commitment. Yes, a deep sigh, but it is true. So incrementally, we move the barriers further forward. The Social Security Fund is in play. We must hope, for all our sakes, that the Government's gamble pays off. But it is a gamble. It is wrong that the Government, and in particular the Minister for Social Security, did not take more care to ensure that the Social Security funds could take the hit. The Minister for Social Security said yesterday that she had been subject to deeply personal attacks in relation to this matter. I suspect that I was at least in part the target of that comment. I want to address that point, because it is important. I want to place on record that I have great respect for the Minister, who I think has demonstrated in her time in office a considerable command of her brief, a collaborative approach to dealing with Scrutiny, and a willingness to address the issues that have been raised by Back-Benchers or by Scrutiny. But no Minister is above criticism, and we obviously have the right to criticise the conduct of a Minister and to question their judgment. To the extent that this will inevitably feel personal, I guess I have to plead guilty, but I would draw a very clear distinction between criticism of the conduct of a Minister and criticism of the individual's character. I hope very much I stay in the former space. But if I do stray into the latter, then I apologise, because that is wrong. Which brings me back to the issue at hand. After Monday's question time and debate on Deputy Bailhache's fourth amendment, I was contacted by several members of the public, who I did not know, who were genuinely perplexed. "Why had the Minister for Social Security not answered your questions about not taking advice from the actuaries?" they asked. Members will recall that the letter from the actuaries upon which the Minister has placed so much weight dealt with the assumptions regarding investment returns that the money in the fund could be expected to deliver in the future. The Minister had, in effect, told the actuary to assume that more money was coming into the fund than the previous assumption. Not surprisingly, that reduced the impact of the reduction in the social security grant. It was a good question that those people asked, and I hope the Minister will take this one last opportunity to answer it. The nearest the Minister has come to an explanation was on social media, where she argued that she had asked the actuary to consider several different scenarios in the second letter that she wrote. They all led to "a very strong position for the fund, therefore, there was no need" I presume, to ask which scenario was the most appropriate. I think there are a couple of problems here. First, it is at least questionable whether there is a "very strong position" under all scenarios. Under all but the most extreme immigration scenarios, the Social Security Reserve Fund is emptied earlier, as the Minister said, 10 years earlier, and in some cases, in fact between 2060 and 2070, well within the lifetime of people who would expect to receive pensions who are working today. But leaving that aside for a moment, there is a bigger point. The actuary offered to consider what scenarios would be most appropriate. The Minister's defence assumes that because she has chosen a range of options to model, one of them would be right. This is not good enough. Let me explain with an example that happily comes from my time at the BBC. **[Approbation]** Sometime in the early 2000s, I became part of a management group looking at the BBC's estate strategy. This was the estate strategy for the whole country, all the regional buildings, as well as the big well-known ones in London, probably including Jersey, although I do not remember that being a part of the specific discussions. The reason we were looking at an estate strategy was because the BBC had a problem. A few years earlier they had looked at various different scenarios for the BBC's future estate; what kind of building estate would be needed in the future in order to work out what leases to sign, what investments to make in renovating property, and so on. They considered 3 specific scenarios: a high-growth strategy, where lots more property would be required; a medium-growth strategy, somewhere in the middle; and a low-growth strategy, where not much growth in the BBC's estate would happen. I know we have had a long week but I am sure Members can spot there are some pretty key strategies missing from that range of considerations. What about zero growth or negative growth? What if the BBC actually shrank rather than kept on growing, as it had for the last few years? Where were the low, medium and high contraction scenarios. Nobody had considered them. They assumed the future would carry on much like the recent past. Yet,

unfortunately, the reason why we were having these meetings was because it had not. The BBC was shrinking. It meant that a whole load of leases and property development that had been entered into on the basis of sunny confidence about the BBC's endless expansion were now millstones around the organisation's neck. It meant that we and the science department, which I was a member, were coming under pressure to move into more expensive buildings purely to help pay the rent under the BBC's internal market. I think I do not need to labour the point. It should not be the Minister deciding what scenarios to give to the actuary. It is worth recalling the only reason any other scenarios were considered, other than it was because the Minister came under pressure from Scrutiny and Back-Benchers, even under that pressure, she did not take the simple step of taking the actuary up from their offer to assess the validity of her assumptions. I think, given that, we are entitled to come to our own conclusions. The law of Occam's razor comes into play. The simplest explanation is usually the best. The simplest explanation is surely that the Government did not ask the actuary for advice on this matter because of the risk the answer would not be the one they wanted to hear. The risk was too great because the entire Budget does indeed depend on that measure. The other thing I would think to say is that this has all, of course, happened post the Budget having been decided. It was also possible, given that every Back-Bencher knew from very early in the start of this year that the Government was going to need a source of revenue. The Minister for Health and Social Services had been shouting from the rooftops about the need for more money. It was surely evident to everyone that the Government was going to need a source of revenue. It could have been possible at some point to do that piece of work within the timeframe, which, let us recall, the Minister has now set a 6-month time frame for a review that will inform the next Government. Had that work been begun earlier in the year, we would be in a position to know. We could have started with the question not: is it possible to take £50 million a year from the Reserve Fund? We could have started with the question: how much money can the Reserve Fund afford to lose? That would have been a very different question. That question option was no longer available. Finally, perhaps from great relief from Members, from me, I do want to just ask people to remember this. That even if it turns out that that £50 million a year was affordable, and we can do without that quarter of a billion pounds in the Reserve Fund, that does not mean it has been cost free. It closes down our options. Because had we not done that, other options would have presented themselves. There could have been a smaller reduction in the States grant, but a sustainable reduction in the States grant that could have carried on for ever. That option is likely to be precluded, because so much money has been taken out of the fund via the reduction in the grant, that the fund will need a restoration of the grant. Options for tapering, options for considering a much smaller reduction, but over a much longer period, are no longer going to be available. Those points I put to the Assembly as an explanation for why I will vote against this. I say again, I hope very much that the Government's confidence on this matter is well-founded. We will all be in a lot of trouble if it is not. But it is not a cost-free decision, even if the gamble pays off. We will still be in a position, come 2029, of needing to cover £50 million at least ... £60 million I think it has risen to by then; £60 million of unfunded public spending, and that is a cruel legacy to leave another Government.

2.1.2 Deputy L.M.C. Doublet of St. Saviour:

I will be very brief, and I wanted to echo my vice-chair's comments about our respect for this Minister. I also note that this Minister is very responsive to concerns raised by the panel and by Back-Benchers. Honestly, I have been impressed by the work of this Minister and her competence. I also am impressed and grateful to have such an intelligent and hardworking Scrutiny Panel. I am grateful to have a vice-chair who gives such attention to detail. We do give a very robust scrutiny to both of our Ministers, and particularly so in this case where there were some big concerns on the panel. There are a variety of views on my panel. My personal views are perhaps not as strong as every member of my panel, but I do share the concerns. I do think that we have done the right thing in following the threads of evidence and scrutinising this issue to the extent that we have done. I also wanted to note that it is okay for us to disagree. Indeed, it would be worrying if we did not disagree

at times. While we can note the competence of this Minister, it is okay for us to disagree at times with the choices made. This is a political choice, one that was not isolated to the Minister for Social Security, but it is shared by Government. My own views on it are I am worried. I do wish that I had had more information with which to scrutinise this particular move. I do not want it to set a precedent for coming years. All things that have been spoken about in far greater detail by other Members, and indeed members of my panel. If I do vote in favour of this, and I am still not quite sure whether I am going to, I feel obviously this is a consequential measure that goes with the Budget and it probably will be and should be approved by Members. I do want my concerns to be put on record and my firm view that this should not set a precedent for future use of the fund in this way.

2.1.3 Deputy S.Y. Mézec of St. Helier South:

I, for one, wanted to take the opportunity to praise this Minister for Social Security's prudence and indefatigability throughout this entire process.

[10:30]

Serving as her Assistant Minister, I have more confidence than I have ever had that these public funds are in safe hands under the custodianship of somebody who understands their purpose properly, and is in support of doing the best for the working people of Jersey. I have always been impressed at the way that she has conducted herself throughout all of that. I think that some mountains have been made of molehills in this process. I appreciate once you have picked a hill to die on, then there is nothing a Minister can say to reassure you. That is normal in politics. But it does, I think, need to be said that this is one piece of the Budget, and the plans that this Government has pursued is something that I have the utmost confidence history will vindicate in the future, because this has been examined in a prudent way. I am not going to point this at anyone in this Assembly, but outside of the Assembly there has been a lot of very worrying misinformation about this part of the Government Plan, and that has made it difficult to have a discourse on it. I have bumped into the odd person in the street, usually a pensioner, who because of something they have read somewhere in the local media has been worried about their pension and I have had to reassure them and say: "I am very sorry that you have felt that way but what you read was misinformation and not actually what has been proposed by the Government" and I think that is sad when that happens. Because if people get that kind of anxiety because of misinformation it does make it harder for us to have a proper debate on that, so it has been disappointing to see that outside of the Chamber. But as I said, history will vindicate the decisions made by this Government and that of the Minister for Social Security who has been prudent in this at all times. I am sure there will be more to say on some of the detail that has been raised in this debate in the future but Members ought to support this and let us go with it.

2.1.4 Deputy B. Ward of St. Clement:

I have spoken many times on this subject about pension funds and whatever, and I am still very passionate about protecting funding streams that go into a pension scheme, and I make no apologies for that passion and wanting to protect pensions. Time passed when Governments wanted money, there is always a promise to return to the full formula under 9A of the law. But I have yet to see that. I hear the Minister saying we will be returning to the normal formula in 2030. Well, I hope that we see that. My serious worry is what happens in 2030 because the money that is being used, obviously just to balance the books, and it is to help fund services, but these are everyday ongoing situations. It is not a one-off. It is not to build one thing. It is going to be ongoing, so who is going to be funding this in 2030? Is the social security scheme or the funding stream going to be interfered with again, saying: "Oh, I know we promised but we do not have the money to do it and we need to continue with those services." We have to stop this behaviour. We have to wait for the actuaries' full report, not a 2-side piece of paper, a full report and to put that about funding streams about what the 9A of the law says, what is the right figure to keep our pension scheme absolutely spot on and safe. As I said, I am in a dilemma because of my position as Assistant Minister for Health and Social Services

and obviously we are having a benefit for that, so I am in 2 camps and because of that I have previously abstained and I will be abstaining again. Thank you very much, Members, for listening.

2.1.5 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter:

I was not going to speak because I felt that there had been many fine speeches before me, but I simply wanted to respond to the point made by Deputy Mézec who acknowledged that people outside this Assembly are stopping him in the street to express their concern about the state of the public finances. I hear those conversations too. Many people have contacted me in recent weeks to express the same concern, and people are right to be concerned. You just have to read the Corporate Services Scrutiny Panel report, which identifies the fragility of our position, the difficulty in the global outlook and therefore the unsustainable situation that this Government is handing to the next. Deputy Renouf reminded us that the fund will run out 10 years earlier than it was due to under this current proposal and there will be a £50 million-plus hole to fill in 2029 and going forwards. We have seen from the debates this week that it is extremely difficult to identify savings and efficiencies in the public sector, but those are going to have to be found. What we need to provide for our public is the reassurance that there will be people here in this Assembly from next year who will be able to deliver those fundings and those savings and efficiencies because it is going to be a very difficult job indeed, and I am sorry to say that there is not a member of the current Council of Ministers who has demonstrated an ability to do so properly. Deputy Bailhache just yesterday said that £100 million needs to be saved on a year-to-year basis. Well, good luck. The Minister herself in a speech earlier this week talked about her concern for her daughter. She is absolutely right to be concerned. I am concerned about our children, our grandchildren, our great-grandchildren. Just earlier this week, the Jersey Opinions and Lifestyle Survey came out which on a periodic basis asks people how they feel with regards to their personal finances. Only 17 per cent of pensioners - our current pensioners - said that they feel financially stretched. Only 17 per cent. However, 70 per cent of single parents did and our pensioners, as we all know, are the best off of any age group for time immemorial really. We do need to be concerned about our children and our grandchildren and our great-grandchildren, *et cetera*, and I am afraid that supporting this proposal today does nothing to assist them.

2.1.6 Deputy Sir P.M. Bailhache of St. Clement:

I just want to add a few words to what Deputy Renouf has said and they go to the question of duty. Ministers have a duty in relation to the Social Security Fund, 2 of them. The Minister for Treasury and Resources has a duty to advise in relation to the investment of the fund but the Minister for Social Security has a duty to protect the fund and, contrary to the indications given by Deputy Mézec, I am not really convinced that the Minister for Social Security understands that duty. She certainly has given me no impression at all that any protest was issued on behalf of pensioners, on behalf of prospective pensioners, on behalf of those who benefit from the Social Security Fund to the Government when the Government made a pragmatic decision to use funds due to the Social Security Fund for extraneous purposes. I think that is a pity, and I hope that the Minister for Social Security will reflect upon this because, if not, the Social Security Fund really is in peril. It is not a pot of money which is to be used for extraneous purposes at the will of the Government. It is a pot of money which has been established for a particular purpose, and it is a very important particular purpose which affects a huge number of people in the Island. I do not want to say any more than that other than that I am extremely disappointed that the amendment which I brought, which would have moderated the taking away of money from the fund, was not successful. I accept that, of course, as part of the democratic process but I am not going to condone it and, like Deputy Renouf, I am going to vote against the principles.

2.1.7 Deputy M.B. Andrews of St. Helier North:

Yes, I must say I was very disappointed when I saw the proposal that the States grant would be partially withheld. It was probably about a year ago that I had a conversation with the Minister for

Treasury and Resources about government finances with her senior officers, and obviously I have been very critical of the Government and for good reason. We are unfortunately going down this path whereby withholding the States grant, the Government has then been able to increase expenditure. We now have a deficit of about £12 million, and I was very disappointed to see that be presented before the Assembly when it was lodged in September because I just do not think that is really good enough. I felt that the points that the Council of Ministers could have argued, they never did, and I just do not think some of the Ministers really understood what was happening themselves in regard to the partial withholding of the States grant. For instance, they did not really explain the relationship with growth in the Social Security Reserve. That could have been a point where they could have argued that in terms of the growth in the Social Security Reserve is a positive one exceeding that of the transfers that are going to be made to the Social Security Fund itself. That was an argument that they could have put forward to try and ease some people's concerns, and they never really did that. It is a shame that they never really tried to explore more options where they could have been engaging people as to why they were doing what they were doing because I think many people are concerned. Of course, there has been a mention of a word "plundering" as well and that was mainly, I think, Deputy Bailhache who mentioned the word plundering of the Social Security Fund. In fact, it is the transfer from the Consolidated Fund to the Social Security Fund that is being reduced. There is a difference and essentially the Social Security Reserve Fund is a transfer to supplement that shortfall. I think there have probably been some issues because certain people maybe have misunderstood what has been going on but then you also need to come back to the real problem, and I do not think things have really been explained enough. I know there have been a couple of reports in the media covering the topic but even when people are reading some of the reports that journalists have been doing, they come away and they still do not really understand what truly is happening. I think that has happened several times unfortunately this term. I know it is a very complex matter. Some people have insinuated it is clever accounting to confuse the public, but it could be explained, I think, in a much easier way for the lay member of the public to truly understand what is going on. With that said, you can see across a period of the Government Budget, withholding the States grant in my view is not really satisfactory. I think if you are to do it, you would be looking at creating a current account surplus. If the public sector is in a surplus then you could be saying: "Well, at year end, we can be making transfers to the Reserve Fund", and that is not really the case. My major concern is, of course, with the borrowing for the hospital as well and also the depletion of the Strategic Reserve, we could be looking at a drawdown of potentially £277 million.

[10:45]

How are we then going to be paying that back if we are then dealing with a deficit? Whoever comes into the next States Assembly and whoever forms the next Council of Ministers is going to have to make some very tough decisions. Obviously, I would be advocating for a public sector surplus; I think we all would be, but we are probably in a very difficult position moving into next term because inevitably, we have got to get to grips with Government expenditure. If we do not do that then I can see the States grant continually being withheld, and I think that is something that is totally unacceptable, but unfortunately, it is more or less going to be inevitable depending on who the personnel are among the Council of Minister. I will just leave it there.

2.1.8 Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter:

Perhaps I will start by putting Deputy Renouf's mind at rest. I think he was begrudging the fact of the date of his birthday. Had he been born on a different day, of course, in that year, it would only have affected him by 2 months, not the great leap from 65 to 67 as he rather amusingly suggested, but anyway, that is another issue. Trying to ensure that pension age rose in a stepped way and not drastically detrimentally to anyone who was working, and I am sure that the Revenue Service will be delighted with the tax on that extra 2 months' worth of labour. I am pleased to follow Deputy Andrews because he does make a very fair point about communication, understanding pensions and

how the old age pension in Jersey is funded and it is not well-known. I would say the Deputy sitting directly behind, who is in her seat, does know pensions well from her role on pensions management committees, and that is why I have been particularly grateful that during this Budget she has rightly, to my mind, decided to abstain because she sees the arguments on both sides. I think that that is important because we are going to need to over time very clearly see the arguments from both sides. As we all know in this Assembly, I hope, the old age pension is funded by those who are in work receiving a salary. They pay a contribution. Their employers pay a contribution and the taxpayer per se as a whole makes a contribution as well and the argument has been - and not just in this Government Plan but in previous Government's Government Plans - the amount that the taxpayer should contribute into that fund. We all know that the fund, in effect, was created through increasing the employee and the employer contributions a number of years ago to rightly make a long-term decision to prepare us for the ageing demographic, and we find ourselves starting to be in the foothills of the ageing demographic. It is those who are of my age, not older, who are the real problem of the ageing demographic because there are ... it depends which way you look at it, I will be careful how I address you on this matter, Sir, do I not? There are potentially too many of us, let us just put it like that. That means that we will be getting to retirement age and needing to drawdown on our pension. We paid in advance and those that went before us paid in advance to ensure that we have a fund in place to smooth out that ageing demographic. That fund there, through not just the good governance of this Minister for Social Security, as my colleague Minister said, but through previous good governance of previous Ministers for Social Security as well, has grown to £2.5 billion and is projected to continue to grow as well. I take slight issue with some commentary around the motivations of the current Minister for Social Security in choosing the 2 per cent growth. I do not think that that is an unreasonable choice and, to my mind, the simple answer to the simple question is that is what the actuaries have previously suggested and therefore she simply took what the actuaries have previously suggested. I do not think that we should try and allocate any other motive to her. I think that is unreasonable and unfair to do so. What does this Government Plan do? We know that during COVID the amount that the taxpayer put into the fund was foregone. I think we would all in hindsight agree with that, and what this Budget does is recognise that the ageing demographic is multifaceted because the biggest challenge, as we are in the foothills of the ageing demographic, is healthcare. It seems perfectly proportionate with the overall philosophy that rather than the taxpayer putting money into the fund with £2.5 billion, it recognises that the ageing demographics challenge is also about access to healthcare. It supports the work that the Health team is doing, which is driven by a number of factors but overarching, as we live longer, we will have more conditions, and those conditions will cost more and will require more care. I do not think philosophically it is unreasonable to do what this Government Plan proposes and, of course, all we are doing here is changing the legislation to give effect to the decisions that we have already made in the Budget. Maybe I should just sit down but once I have got started ... I do not think it is philosophically inappropriate. It is reasonable and at this stage sensible because the money that the Health Department is going to take and use that the taxpayer is giving - it is not coming from the fund, we remind ourselves of that - to the Health Department is kickstarting the digitisation of the health service. How many times have we experienced from either family members or members of our community who have had a lovely letter from the Health Department arriving in the post telling them that they should have been in hospital 3 days ago for a medical treatment? It is not in their interest; it is not in the Health Department's interest. Let us be honest, in the modern world, it is a nonsense. Why cannot members of the public receive a WhatsApp message? Although, to be fair, that is changing. Messages are now going out on mobile phones and that is good progress, but it is a total transformation that is needed. If we are to get ahead of the health issue for the ageing demographic, we also need to focus much more on preventive health, and that is where another good portion of this money is going to. I think the case can be made philosophically that it is the right approach to take to stimulate that change. That does not mean to say there are not challenges for an incoming Government because in stimulating the change that can happen in the short term, there

needs to be a longer-term solution and the Minister herself is committed to doing that. There will be a full actuary review that will help Members of this Assembly think about that, and a number of amendments have really during the course of the Budget driven at that particular point. What is the long-term answer rather than just this short-term stimulation of support for the health service? That will be the decision for the future. Therefore, I do think it is appropriate. I should also say that a number of Members have said: "Well, it is okay dealing with this matter but what about young people?" I would just remind Members that there is also some of this forgone money that the taxpayer is providing going to the Minister for Education and Lifelong Learning to support young children in nursery. I think there can be a case that can be made that this is the right thing to do at this point in time.

2.1.9 Deputy M. Tadier of St. Brelade:

I was only prompted to speak by the comments of Deputy Moore when I was listening outside the Chamber, when I think she mischaracterised one of the comments made by the Minister for Social Security when she spoke of her daughter. Deputy Moore interpreted what she said a couple of days ago as: "I am worried about my daughter with regard to the pension pot", and that is not at all what I heard, and I have just confirmed it with the Minister. What she is saying is that she has a young daughter and that if she were worried about the real impact that this would have on her pension when she is older, then she would not be doing this now. She was making the point, I think, that we have been getting a lot of worried correspondence from current pensioners because of what I can only call, perhaps, political gaslighting of the public by not giving them the full facts and creating unnecessary worry that somehow there is going to be an imminent crisis about people's pension pots when this could not be further from the truth. I think what the Minister is saying is that if anyone was to be worried because we were going to stop payments for ever, it would take 7 years, and that it is future generations that would need to be worried, not the current ones, and that we can afford to withhold the payments at the moment because the pot is very healthy. It leads me to the next point, which is that one of the alternatives ... we have Members, especially Back-Bench Members or Opposition Members, as they seem to want to be, when somebody makes a speech saying that they want smaller Government, you see the heads nodding: "Yes, we want smaller Government. Government is spending too much." The heads start nodding. A proposition comes up for extra spending for the police, for environment over and above what this Government is doing already which, of course, this Government is being criticised on the one hand for spending too much on health and for spending too much on education: "Why do they get a free pass when other departments have to make savings?" Those same Members will say: "Yes, let us increase Government spending." Why? Presumably because they believe in it or maybe because they are getting strong lobbying from sections of the community and they want to appease those sections of the community. What is happening is that we get complete cognitive dissonance from Members of the Assembly who have the luxury of not needing to be intellectually or politically consistent. Is that not what we have got in front of us? I would say, especially to those Members who are saying: "We do not want you to put a smaller amount into these funds for the future", when we are being told that they are very healthy and these funds are being built up by taxpayers and contributors over the years, that we can do that. What are the alternatives? Because these Members are also saying: "We do not want any new taxes. We do not want any new charges and even the current taxes and charges we have got, we do not want them to go up either. We do want to selectively increase public spending, but we want to keep the right to kick Government because they are spending too much and we want more money to be going into the Social Security Fund." It is complete political nonsense, and I hope that when they go back to the electorate, if they do, any Members or any candidates wishing to stand, because we do have a wider political movement outside the Assembly that is emerging, which is saying exactly the same thing. They are saying: "We have got a cost-of-living crisis. People cannot afford to put food on the tables. The cost of housing is too expensive", yet they do not propose any solutions to tackle the key fundamentals of the cost of living and the housing crisis. It is simply cut, cut, cut, small Government,

and it is completely contradictory. What I would do, as somebody who does like to stand up and critique Ministers when they deserve it, is recognise that I think this is probably the best job that this Government can do.

[11:00]

It is a status quo Budget. There will be longer-term solutions that are needed to make sure that all of these funds, and indeed all of our public services, when they are set at the right level can be sustainably funded. I think those discussions will need to be had in the future but certainly I do not think this particular debate, where the decision has already been made, should be reopened now. I do call for some political reality from Members, one side or the other.

2.1.10 Deputy M.R. Scott of St. Brelade:

I would like to apologise to States Members for not exercising my vote on the Budget yesterday while processing a comment by the Minister for Treasury and Resources. The States Assembly nevertheless approved the Budget through a democratic vote and democracy needs to be respected. The language that has been used, as Deputy Tadier says, has been somewhat emotive. The “plundering of the pension pot” rather than characterising this as making more productive use of taxpayer’s funds that otherwise would be going towards a fund that is more than adequately funded on the basis of investment advisers, who probably also are aware that interest rates do not look like they are going to be rising in the near future either. One way to look at this is that the reduction of the Social Security grant is intended to help people, like pensioners, in real time by helping them with things like the health service and what they get from it rather than create a surplus that is going to be carried over and from which they are unlikely to benefit. In all reality, just like with G.S.T. (goods and services tax) - I believe that when you look at the numbers and the way that they are applied by Government it is rather like G.S.T. - there is an argument for saying: “Do we want to take that off food when that can benefit people who can afford this?”, rather than when we can give targeted income support. Similarly, I do not really see a future where pension increases will suddenly be much more than inflation for this reason, and that income support will remain the way to support people who are in true need. I am going to respect the democratic decision; I am going to respect the reasoning too and vote in favour of this proposition.

2.1.11 Deputy M.E. Millar of St. John, St. Lawrence and Trinity:

I am not going to say a great deal because I think much of what I would like to say has already been said, but what I would just really like to emphasise is that we seem to be redebating the Budget here. We have had all these arguments. We voted on the Budget yesterday. The Budget has been approved, and this is simply effecting that Budget. We are just going over the same old ground, and I would just remind people that we have accepted the Budget. This is just effecting the Budget and we really just need to get on with it.

The Bailiff:

Does any other Member wish to speak on the principles? I call upon the Minister to reply.

2.1.12 Deputy L.V. Feltham:

Members will be happy to know that I do take the same view as the Minister for Treasury and Resources and I intend to keep this short but there are some things that I think do need to be addressed. Just to reaffirm, following what Deputy Renouf said about the pension age, I do want to make it absolutely clear that I have made absolutely no changes to the pension age. Deputy Gorst is decidedly saying that it is all his fault. I have no intention to make any further changes to the pension age, so I did just want to make that absolutely clear. Deputy Bailhache suggested that I did not understand my duty as guardian of the fund. I do want to remind Deputy Bailhache of what I had said in my Scrutiny hearing, which is around the challenge that I placed to both Treasury officials and the Minister for Treasury and Resources around this decision. I take my duty incredibly seriously and I

hope that my colleagues understand that, but I do, and as my colleagues and Members around the Council of Ministers' table know, I am not a quiet Member of the Council. I make my views known and I challenge where challenge is due, and I want to make that absolutely clear. It was good to hear from the Scrutiny chair acknowledging that we work well together. I have a lot of respect for the Scrutiny process, and I take my time as Minister to take that process seriously. However, unfortunately, in this instance, there are some inaccuracies that have been made both in the Scrutiny comments and in comments made by panel members, which I think are concerning but I do not think that the floor of this Chamber is the place for me to pick that up, so I will pick that up more formally in writing with the panel. For the benefit of Members relating to this vote, I do want to give Members assurance that I am very open, and I work collaboratively with Scrutiny. I sent 4 letters in relation to this matter to the Scrutiny Panel. I explained the first letter that I had received from actuaries and, again, this demonstrates the fact that I did not just take the information that I was given by Treasury and the projections that I was given by Treasury. I took the time to seek additional advice from the actuaries, and I think that has been misrepresented in some of this debate today. I explained the first letter that I had from the actuaries to Scrutiny and why I had sought that advice. I also provided Scrutiny with the second actuarial letter. That is publicly available and that focused specifically on this Budget process and the effect that this change makes. I provided extra information to Scrutiny about the earnings assumptions that had been made, and I also agreed the investment returns scenarios with Scrutiny. I think that is important to note. I do not think I have a lot more to add. Deputy Gorst talked about why these assumptions are prudent. I am sure Treasury would have preferred me to use higher assumptions, in fact, but I chose to use a range of assumptions, including lower assumptions as well to those that had been included in the previous actuarial review. I do not think there is a lot more to add at this point, so I maintain the principles and I call for the appel.

The Bailiff:

The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I announce the principles have been adopted.

Pour: 31		Contre: 9		Abstained: 6
Connétable of St. Helier		Connétable of Trinity		Connétable of St. Clement
Connétable of St. Brelade		Deputy I. Gardiner		Deputy L.M.C. Doublet
Connétable of St. Martin		Deputy K.L. Moore		Deputy H.L. Jeune
Connétable of St. John		Deputy Sir P.M. Bailhache		Deputy M.R. Ferey
Connétable of Grouville		Deputy H.M. Miles		Deputy B. Ward
Connétable of St. Ouen		Deputy J. Renouf		Deputy L.K.F. Stephenson
Connétable of St. Mary		Deputy A.F. Curtis		
Connétable of St. Saviour		Deputy K.M. Wilson		
Deputy G.P. Southern		Deputy M.B. Andrews		
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I.J. Gorst				

Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy M.R. Scott				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy R.S. Kovacs				

The Bailiff:

Minister, do you wish to propose the Regulations?

2.2 Deputy L.V. Feltham:

Yes, Sir, and I will take them *en bloc* please.

The Bailiff:

Are the regulations seconded? **[Seconded]** Does any Member wish to speak on the regulations in Second Reading?

2.2.1 Deputy L.M.C. Doublet:

I wanted to comment on the Minister's statement in her previous speech that there are inaccuracies in the Scrutiny comments, but she did not specify what. I am somewhat troubled by that comment because we do take great care to produce reports that are entirely accurate. I wonder if the Minister would consider withdrawing that because I do consider that quite a serious accusation, and I am happy to have a discussion with her outside of the Assembly.

The Bailiff:

Does any other Member wish to speak on the Regulations? I call upon the Minister to reply.

2.2.2 Deputy L.V. Feltham:

It is my view that there are some inaccuracies in what has been presented but I will follow that up in writing. I call for the appel.

The Bailiff:

The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I announce the regulations have been adopted in Second Reading

Pour: 31		Contre: 7		Abstained: 7
Connétable of St. Helier		Connétable of Trinity		Deputy L.M.C. Doublet
Connétable of St. Brelade		Deputy I. Gardiner		Deputy J. Renouf
Connétable of St. Martin		Deputy K.L. Moore		Deputy H.L. Jeune
Connétable of St. John		Deputy Sir P.M. Bailhache		Deputy M.R. Ferey

Connétable of Grouville		Deputy H.M. Miles		Deputy A.F. Curtis
Connétable of St. Ouen		Deputy K.M. Wilson		Deputy B. Ward
Connétable of St. Mary		Deputy M.B. Andrews		Deputy L.K.F. Stephenson
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy M.R. Scott				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy R.S. Kovacs				

Minister, do you propose the matter in Third Reading?

2.3 Deputy L.V. Feltham:

Yes, Sir, I do.

The Bailiff:

Is the matter seconded in Third Reading? **[Seconded]** Does any Member wish to speak on the Articles as adopted in Second Reading in Third Reading?

2.3.1 Deputy L.M.C. Doublet:

I wonder, as the Minister has reiterated her view, if she could specify what she believes the inaccuracy was and whether ...

The Bailiff:

Forgive me, the purpose of Third Reading is to discuss the Articles as adopted in Second Reading.

Deputy L.M.C. Doublet:

I understand, Sir.

The Bailiff:

Does any other Member wish to speak on the Articles in Third Reading? I ask the Minister to reply.
Minister.

2.3.2 Deputy L.V. Feltham:

I do not think there is anything really to reply to so I will call for the appel.

The Bailiff:

The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The regulations have been adopted in Third Reading.

Pour: 31		Contre: 7		Abstained: 7
Connétable of St. Helier		Connétable of Trinity		Deputy L.M.C. Doublet
Connétable of St. Brelade		Deputy I. Gardiner		Deputy J. Renouf
Connétable of St. Martin		Deputy K.L. Moore		Deputy H.L. Jeune
Connétable of St. John		Deputy Sir P.M. Bailhache		Deputy M.R. Ferey
Connétable of Grouville		Deputy H.M. Miles		Deputy A.F. Curtis
Connétable of St. Ouen		Deputy K.M. Wilson		Deputy B. Ward
Connétable of St. Mary		Deputy M.B. Andrews		Deputy L.K.F. Stephenson
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy M.R. Scott				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy R.S. Kovacs				

3. Draft Finance (2026 Budget) (Jersey) Law 202- (P.93/2025) - as amended

The Bailiff:

The next item is the Draft Finance (2026 Budget) (Jersey) Law lodged by the Minister for Treasury and Resources. The main respondent is the chair of the Corporate Services Scrutiny Panel. I ask the Greffier to read the citation.

The Deputy Greffier of the States:

The Draft Finance (2026 Budget) (Jersey) Law 202-. A law to set the standard rate of income tax for 2026 and to implement parts of the Budget (Government Plan) 2026-2029 by amending the Income Tax (Jersey) Law 1961, the Customs and Excise (Jersey) Law 1999, the Goods and Services Tax (Jersey) Law 2007, the Revenue Administration (Jersey) Law 2019, the Stamp Duties and Fees (Jersey) Law 1998, the Taxation (Land Transactions) (Jersey) Law 2009, the Taxation (Enveloped Property Transactions) (Jersey) Law 2022 and other legislation. The States, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following Law.

The Bailiff:

The Minister will address the principles.

3.1 Deputy M.E. Millar of St. John, St. Lawrence and Trinity (The Minister for Treasury and Resources):

I think I mentioned yesterday that there was a very a late amendment filed yesterday to correct ...

The Bailiff:

We will come to those too when we come to the Articles in a minute.

Deputy M.E. Millar:

Sorry, Sir. This Draft Finance Law enacts the tax and other revenue changes agreed by the Assembly during the Budget debate. It sets the standard rate of tax at 20 per cent and includes the new personal tax thresholds and allows to pay income tax. It reduces the rate of stamp duty in 2026 only on buy-to-lets and second homes from 3 percentage points above the normal stamp duty rate to 2 percentage points above the normal rate.

[11:15]

It increases the duties on cigarettes and other tobacco products, on alcohol, on fuel and on vehicle emissions duty. The amendments to excise duties also introduce vaping duty at 20p per millilitre and introduces tap relief. Tap relief will support Jersey's hospitality industry by lowering the rate of duty on beer, cider, wine and ready-to-drink cocktails sold from large containers in pubs, restaurants and hotels. The policy was announced in last year's Budget but was not implemented then because duty rates were frozen instead. If the U.K. (United Kingdom) mirrors the U.K. market, tap relief will be accessible to well over 90 per cent of establishments. It is a proven tool to deliver targeted support while preserving the efficiency of the excise duty system. Alternatives are administratively complex, impose a high compliance burden and generate significant costs for retailers and Government. We continue to study other options but tap relief is achievable now. Moving on to the various minor and technical amendments, all of which are set out in appendix 4 of the Budget document, I will briefly explain some of the more prominent of those technical amendments contained in the Draft Finance Law. It extends the current civil penalty regime to include incorrect G.S.T. returns. It redefines what is a commercial vehicle for vehicle emissions duty purposes. Specifically, this brings buses into the scope of the lower commercial V.E.D. (vehicle emissions duty) rate which aligns with our climate goals. It expands the set-off provisions so that taxes and contributions are not repaid or refunded when the same taxpayer has a debt for a different tax type or contribution. For example, if a business asks for a refund of overpaid income tax, that request will be refused if the same business has unpaid social security contributions. The law provides clearer rules for appealing a decision made by the Commissioners of Appeal for Tax and finally there is a provision that deals with relocation expenses, about which there has been some inaccurate commentary, which I would like to clarify. Employers

who relocate workers to Jersey often cover some or all of the moving costs. Normally, these payments would be taxable on the employee as a benefit in kind. However, costs relating to removal, storage and travel that are paid directly by the employer are fully exempt, so the employee is not taxed on the benefit. Nothing is changing in that respect. In addition to those specific costs, an employer can currently pay directly up to £7,500 of miscellaneous relocation expenses, which are also tax exempt to the employee provided the expenses meet certain criteria. The Finance Law increases this exempt amount from £7,500 to £15,000, which we believe will have a small but positive impact on Jersey-based employers who wish to attract the best talent to the Island. It is worth pointing out that this is the first change made to the exempt amount since 2003, when it was originally introduced, and it is also an example of our working with our stakeholder community because this is a proposal that arose in the first instance from our tax agents. I commend the changes in the Finance Law to the Assembly in principle.

The Bailiff:

Are the principles seconded? **[Seconded]**

3.1.1 Deputy J. Renouf of St. Brelade:

Just a small point. I will vote for this, but I do just want to make a comment about the changes to stamp duty for buy-to-let because I think it is an inadvisable change. I think the risk with a one-year change is that it creates a significant distortion in the market. It will undoubtedly, I am sure, lead to an uptake of activity in the attempt to beat the reimposition of it but, of course, it is quite possible that that will then lead to cause for it to stay at 2 per cent. I thought 3 per cent was a better figure. I have made that point already. I do think that in general very short cuts in taxation of this kind are a bad idea because they do change behaviours in ways that are unnecessary and disadvantageous in the market and I think that could have been avoided. Nevertheless, as I say, in general terms, I support the changes to the law.

The Bailiff:

Does any other Member wish to speak on the principles of this law? I call on the Minister to reply.

3.1.2 Deputy M.E. Millar:

I thank Deputy Renouf for his comments. I understand his concern, but the Council of Ministers has decided to make the 1 per cent reduction. We are cognisant, of course, of the concerns that have been raised about the housing market, construction and development. It does continue to some degree of differential for those second homes to maintain a level playing field or to help ensure that people who are competing for first homes in that sector still have some advantage. I call for the appel.

The Bailiff:

The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I announce that the principles have been adopted.

Pour: 40		Contre: 2		Abstained: 0
Connétable of St. Helier		Deputy K.M. Wilson		
Connétable of St. Brelade		Deputy M.B. Andrews		
Connétable of Trinity				
Connétable of St. Martin				
Connétable of St. John				
Connétable of Grouville				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				

Deputy C.F. Labey				
Deputy M. Tadier				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy L.K.F. Stephenson				

The Bailiff:

We now move, Minister, to the Articles in Second Reading. There are 2 amendments, Minister, lodged by you. Do you wish to propose the Articles as amended by those 2 amendments?

Deputy M.E. Millar:

Yes, please, Sir, I do.

The Bailiff:

Are Members content to take the Articles as amended? Thank you. Minister, how do you propose the 54 Articles?

3.2 Deputy M.E. Millar:

I think *en bloc*, please, if Members are happy with that? **[Laughter]**

The Bailiff:

Are the Articles seconded? **[Seconded]** Does any other Member wish to speak on the Articles in Second Reading?

3.2.1 Deputy A.F. Curtis of St. Clement:

The topic I will talk about for 2 minutes is the tap relief, so I will declare that I am an alcohol producer, however none of my vessels would qualify for tap relief as I currently operate. The only comment to make on the Articles relating to tap relief is that the Government did make a decision to introduce 2 rates of tap relief. Those who have read the Draft Finance Law's Articles realise it makes for now an exceedingly long set of tables and while producers who submit their relief, all importers will have that automatically calculated. I did think it was worthwhile saying there was a choice to make 2 relief choices, one of 10 per cent based on products above 4.9 per cent and one on 15 per cent on products below to incentivise responsible drinking - that I think is the phrase - or responsible consumption. The only comment to make here is that some of the duty levels without the tap relief are already designed and set with drinking responsibility in mind, if I recall. There are graduated levels of charging based on alcohol percentage. This in some ways introduces for some products 2 bites at the cherry; for others, it is purely based on alcohol litreage. I am sure the Minister will know that the U.K. recently moved to a more standardised form of charging for pure litreage of alcohol and it is just that in developing policy I know she mentions it is hard to implement other models of relief for on-premises, however there are ways to do things. The fact that the supplementary tables in Articles about 9 through 15 are getting very long, I think, is showing that perhaps this model of selectively providing relief for one type of product at different strengths and then each category, it is a long read for those who work in this area. I make no comment on the policy decision, but what I would say is I know this Government and this Assembly typically want simple policy implementation to achieve the impact. At a high level, I see this as having 2 attempts at trying to use public health within the taxation part of alcohol and it is just one to think on during 2026.

The Bailiff:

Does any other Member wish to speak on the Articles? Accordingly, I invite the Minister to reply.

3.2.2 Deputy M.E. Millar:

I thank the Deputy for his question and for his declaration. I should perhaps declare that I am a consumer of alcohol. **[Laughter]** I accept the Deputy's comments. As I say, the tap relief is designed to try to support the hospitality industry. We believe it will help 90 per cent. If we reflect the U.K. market, 90 per cent of hospitality outlets will have some benefit. I hear Deputy Curtis's comments about complexity. I think some of the alternative models are even more complex which is why we have not introduced them but I certainly - and I am sure my officers - will be listening to that comment. We will monitor what is happening in the U.K. to see if there is a simpler way of doing things, and I would imagine if it is simpler, then we will look to adopt that in due course ourselves. It is, of course, a difficult balancing act to both ... and in fact it is 2 completely diametrically opposed policies, firstly, supporting hospitality industry and, secondly, addressing public health concerns. I do think it is difficult to see how those 2 can ever meet in the middle but we are trying to tread that very close path. It is a very fine line. I propose the principles again and call for the appel.

The Bailiff:

The appel has been called for. Members are asked to return to their seats. I invite the Greffier to open the voting on the Articles in Second Reading. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The Articles have been adopted in Second Reading.

Pour: 42		Contre: 2		Abstained: 0
Connétable of St. Helier		Deputy K.M. Wilson		

Connétable of St. Brelade		Deputy M.B. Andrews		
Connétable of Trinity				
Connétable of St. Martin				
Connétable of St. John				
Connétable of Grouville				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				

Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy L.K.F. Stephenson				

Minister, do you propose the matter in Third Reading?

3.3 Deputy M.E. Millar:

Yes, I do, Sir. Thank you.

The Bailiff:

Is the draft law seconded in Third Reading. **[Seconded]** Does any other Member wish to speak in Third Reading on the Articles as adopted?

3.3.1 Deputy K.M. Wilson of St. Clement:

It is just a very brief point. Really I rise to express my view that I am just concerned about some of the contradictions in the some of the measures that we are setting out in law at the moment and to just highlight that when you are trying to balance public health with the economy ... I appreciate the Minister for Treasury and Resources' views on that, but I think that this is a disproportionate emphasis and would have liked to have seen some better measures brought in the law. Apart from that, the only other thing that I am also concerned about is the concept of buying now and paying later. I think we are buying a lot of benefits through this law that we will have to pay in terms of health-related costs going forward, particularly when it comes to alcohol, so I just wanted to make that point.

3.3.2 Deputy H.M. Miles of St. Brelade:

I just wanted to clarify whether the Corporate Services Scrutiny Panel should be asked whether they want to call this law in?

The Bailiff:

No, because this is a draft affected by the relevant Standing Order, Standing Order 72. It is a taxation draft which implements the Government Plan and, accordingly, it cannot be referred to Scrutiny.

Deputy H.M. Miles:

Thank you for that clarification, Sir. It was just at the beginning you said that the Corporate Services Scrutiny Panel was the main respondent.

[11:30]

The Bailiff:

Yes, you are the main respondent, but you are not entitled to scrutinise it. **[Laughter]**

Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter:

Surely, more than they already have, you mean.

The Bailiff:

More than you already have in the course of the debate we had earlier this week. Does any other Member wish to speak in Third Reading? I call upon the Minister to reply.

3.3.3 Deputy M.E. Millar:

As I say, it is a very difficult balance. Hospitality have been telling us for a long time now that they are struggling. They are a major part of our economy. People enjoy going out and socialising and they tell us they need help. I absolutely accept the public health issues, but they are 2 diametrically opposed principles, and I can only say we are trying to tread a fine line. I propose the Bill in Third Reading.

The Bailiff:

The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. If all Members have cast their votes, I ask the Greffier to close the voting. I announce the draft law has been adopted in Third Reading.

Pour: 42		Contre: 2		Abstained: 0
Connétable of St. Helier		Deputy K.M. Wilson		
Connétable of St. Brelade		Deputy M.B. Andrews		
Connétable of Trinity				
Connétable of St. Martin				
Connétable of St. John				
Connétable of Grouville				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
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Deputy L.M.C. Doublet				
Deputy K.F. Morel				
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Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				

Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy L.K.F. Stephenson				

4. Draft Finance (2026 Budget) (Jersey) Law 202- (P.93/2025): Acte Opératoire

The Bailiff:

Minister, I understand you wish to propose an Acte Opératoire to give effect to the law.

Deputy M.E. Millar:

Yes, Sir. Thank you.

The Bailiff:

I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Act declaring that the Finance (2026 Budget) (Jersey) Law 202- has immediate effect. The States make this Act under Article 12 of the Public Finances (Jersey) Law 2019.

4.1 Deputy M.E. Millar of St. John, St. Lawrence and Trinity (The Minister for Treasury and Resources):

I would like to move the Act.

The Bailiff:

Is the Act seconded? **[Seconded]** Does any Member wish to speak on the Act? Thank you. Is the appel called for?

Deputy M.E. Millar:

Yes, please, Sir.

The Bailiff:

The appel has been called for. I invite Members to return to their seats and the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I announce the Act has been adopted.

Pour: 41		Contre: 2		Abstained: 0
Connétable of St. Helier		Deputy K.M. Wilson		
Connétable of St. Brelade		Deputy M.B. Andrews		
Connétable of Trinity				
Connétable of St. Martin				
Connétable of St. John				
Connétable of Grouville				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy L.K.F. Stephenson				

5. Draft Trusts (Jersey) Amendment Law 202- (P.89/2025)

The Bailiff:

The next item is the Draft Trusts Amendment Law, P.89, lodged by the Minister for External Relations. The main respondent is the chair of the Economic and International Affairs Scrutiny Panel. I will ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Trusts (Jersey) Amendment Law 202-. A law to amend the Trusts (Jersey) Law 1984. The States, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following Law.

5.1 Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter (The Minister for External Relations):

The Draft Trusts Law incorporates a number of important revisions to the Trusts (Jersey) Law 1984. The trust industry in Jersey offers a sophisticated product and a high quality of service to an international body of clients. Key to this is the well-developed legislation with a strong independent judiciary and a recognised body of case law relied upon around the world. It is therefore important that we ensure that the Trusts (Jersey) Law 1984 continues to support the needs of the industry and reflect the developing jurisprudence within appropriate and legitimate bounds. A Trust Law Working Group comprising respected representatives from industry has met on a regular basis to consider this and recommends these changes. Furthermore, the proposals were the subject of public consultation. The main changes incorporated in the draft amendments are as follows: amendments to make it clear that a Jersey limited liability company is able to act as a trustee of a Jersey trust, it having been suggested that it is not entirely clear within the law. Secondly, confirmation that the resignation of a sole trustee is of no effect if it would mean that there would be no trustee in place thereafter. Thirdly, confirmation as to when the beneficiaries of a trust may seek to terminate the trust. Fourthly, confirmation of the priority of claims between a former and current trustee on the one hand and a secured creditor on the other. Then there are some minor amendments tidying up certain other provisions. There, of course, are not any resource or cost implications for the Government. The law has been referred to the Law Officers' Department, who consider the law to be compatible within the Human Rights Law. I would like to extend my thanks to my officials, as well as the Economy and International Affairs Scrutiny Panel, for their diligent work and their diligent scrutiny of this legislation, and I am grateful for their thoughtful reflections on the amendments. I propose the principles.

The Bailiff:

Are the principles seconded? **[Seconded]** Does any Member speak on the principles of the draft law?

5.1.1 Deputy M. Tadier of St. Brelade:

Just very briefly, just to confirm that my panel received briefings from government officers on 13th November this year. That was an opportunity for the changes that the Minister has outlined to be explained to us and for us to ask questions, which we did, to make sure that we understood it, which we also did. The changes that are being made are, as the Minister has explained, in some cases clarifications to make the law more explicit so there can be no room for doubt. We recognise that there was a consultation that took place and was concluded in the summer of 2024, and that the response paper was published this summer. I will simply read our conclusion that the panel is of the opinion that this is prudent for Jersey to keep aligned to evolving jurisdictions and industry practice in the area of trust law, and that after reviewing the Draft Trust (Jersey) Amendment, the panel has

found no areas of concern, and the panel therefore is supportive of the draft amendment to the law as proposed.

The Bailiff:

Does anyone else wish to speak on the principles? I call upon the Minister to reply.

5.1.2 Deputy I.J. Gorst:

As I have already said, I am grateful to the panel for their work and their understanding in this important area. I maintain the principles and call for the appel.

The Bailiff:

The appel has been called for. Members are invited to return to their seats. I will ask the Greffier to open the voting. If all Members have the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce the principles are adopted unanimously.

Pour: 40		Contre: 0		Abstained: 0
Connétable of St. Helier				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Martin				
Connétable of St. John				
Connétable of Grouville				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				

Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

Minister, how do you want to propose the Articles?

5.2 Deputy I.J. Gorst:

I will propose them *en bloc*, if I may. The amendments are as I briefly described during the principles, and I will seek to answer any questions that Members may have.

The Bailiff:

Are the Articles seconded? **[Seconded]** Does any Member wish to speak on the Articles in Second Reading?

5.2.1 Deputy M. Tadier:

I will not go through the whole preamble that I did before, but to clarify that again, our panel has been briefed and we have asked questions on this. The implementation of the draft regulations alongside the draft amendment regulations will ensure that Jersey upholds the necessary regulatory commitments determined by the O.E.C.D. (Organisation for Economic Co-operation and Development). The panel is supportive of the draft regulations as proposed.

The Bailiff:

Yes, my error. I omitted to offer you this for scrutiny, but you have confirmed you scrutinised this already?

Deputy M. Tadier:

Yes.

The Bailiff:

Does anyone else wish to speak on this matter in Second Reading? I invite the Minister to reply.

5.2.2 Deputy I.J. Gorst:

I maintain the Articles in Second Reading and call for the appel, please.

The Bailiff:

The appel has been called for. Members are invited to return to their seats. I will ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I will ask the Greffier to close the voting. I announce that the law has been adopted unanimously in Second Reading.

Pour: 41		Contre: 0		Abstained: 0
Connétable of St. Helier				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Martin				
Connétable of St. John				
Connétable of Grouville				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				

Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

Minister, do you propose the matter in Third Reading?

5.3 Deputy I.J. Gorst:

I do, Sir, if I may.

The Bailiff:

Is the matter seconded in Third Reading? **[Seconded]** Does anyone wish to speak on the Articles as adopted in Second Reading in Third Reading? Those in favour kindly show. Thank you very much. The law is adopted in Third Reading.

Deputy I.J. Gorst:

I do not wish to prejudge the Assembly, but I have 2 other rather technical items after the next item. I do not know if the Assembly would prefer me to take them in advance of the next item on the Order Paper or not. I am happy to do.

The Bailiff:

Is that the proposal that you make to Members?

Deputy I.J. Gorst:

Indeed, Sir.

The Bailiff:

Are Members content to take these 2 other matters first?

6. Draft Taxation (International Tax Compliance) (Crypto-Asset Reporting Framework) (Jersey) Regulations 202- (P.99/2025)

The Bailiff:

In that case, the next matter is the Draft Taxation (International Tax Compliance) (Crypto-Asset Reporting Framework) Regulations lodged by the Minister for External Relations. The main respondent is the Economic and International Affairs Scrutiny Panel. I will ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Taxation (International Tax Compliance) (Crypto-Asset Reporting Framework) (Jersey) Regulations 202-. The States make these Regulations under Article 2 of the Taxation (Implementation) (Jersey) Law 2004.

6.1 Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter (The Minister for External Relations):

This gives effect to the C.A.F. (Crypto-Asset Reporting Framework) in Jersey law. C.A.F. is a new international minimum standard in tax transparency, which introduces greater transparency for tax authorities over digital assets. This builds on the framework of exchange of tax information in relation to traditional financial assets, which was introduced through the Common Reporting Standard in 2014, and Members will be aware that there are some amendments to that in the next proposition. Reporting crypto-asset service providers are required to undertake due diligence and collect tax residence information on their clients. This information is then reported annually to Revenue Jersey, together with information about the value of relevant crypto-asset transactions made during the year. Revenue Jersey will then exchange the information with partner jurisdictions. The first deadline for reporting the information will be 30th June 2027, and the first international exchange for information will take place by 30th September of the same year. The regulations have been designed to be as familiar and consistent as possible for industry, reporting deadlines, administrative processes and enforcement provisions closely follow the existing Jersey C.R.S. (Common Reporting Standard) framework. The regulations have been developed following a full public consultation and extensive engagement with industry. The C.A.F. itself was developed by the O.E.C.D. All jurisdictions which are considered to have, or have the potential to have, a significant volume of virtual asset service providers are required to commit to the C.A.F. While Jersey's virtual asset service provider sector is currently relatively small, we have been identified as a jurisdiction of relevance to this process and are therefore required to implement the C.A.F. Failure to do so will put us at a high risk of blacklisting by other jurisdictions or by the European Union Code of Conduct Group on harmful business taxation. Jersey signed a political commitment in November of last year to implement the C.A.F. with effect from 1st January next year. These regulations, if approved, will ensure that Jersey remains fully aligned with international standards and protects our reputation as a cooperative and transparent jurisdiction. I propose the principles.

The Bailiff:

Are the principles seconded? **[Seconded]** Does anyone wish to speak on the principles?

6.1.1 Deputy M. Tadier of St. Brelade:

It is just to reassure Members, the Scrutiny Panel has done the required scrutiny on this, similar to the last proposition that the Minister moved a few moments ago. We are quite content that this is both necessary, proportionate, and we are happy to support it.

The Bailiff:

Does any member wish to speak on the principles? I call upon the Minister to reply.

[11:45]

6.1.2 Deputy I.J. Gorst:

Again, I thank the chair and his panel for the work that they have undertaken in reviewing what is proposed here. I maintain the principles, and call for the appel.

The Bailiff:

The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The principles have been adopted unanimously.

Pour: 43		Contre: 0		Abstained: 0
Connétable of St. Helier				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Martin				
Connétable of St. John				
Connétable of Grouville				
Connétable of St. Mary				
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Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				

Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

Deputy Tadier, you have confirmed that your panel has scrutinised this matter. Thank you very much. Minister, how do you propose the regulations in Second Reading?

6.2 Deputy I.J. Gorst:

I propose them *en bloc*. They are obviously giving effect to the international standard. If Members have any questions, I will endeavour to address them in the summing up. I maintain the Articles in Second Reading.

The Bailiff:

Are the regulations seconded? **[Seconded]** Does anyone wish to speak on the regulations in Second Reading? Those in favour kindly show. The regulations are adopted in Second Reading. Minister, do you propose the matter in Third Reading?

6.3 Deputy I.J. Gorst:

I do, if I may.

The Bailiff:

Is the matter seconded in Third Reading? **[Seconded]** Does anyone wish to speak on the regulations as adopted in Second Reading in Third Reading? Those in favour kindly show. The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce the regulations were adopted unanimously in Third Reading.

Pour: 43		Contre: 0		Abstained: 0
Connétable of St. Helier				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Martin				
Connétable of St. John				
Connétable of Grouville				
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Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
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Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				

Deputy S.M. Ahier				
Deputy R.J. Ward				
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Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
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Deputy B.B. de S.V.M. Porée				
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Deputy H.L. Jeune				
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Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

7. Draft Taxation (Implementation) (International Tax Compliance) (Common Reporting Standard) (Jersey) Amendment Regulations 202- (P.100/2025)

The Bailiff

The next item is the Draft Taxation (Implementation) (International Tax Compliance) (Common Reporting Standard) Amendment Regulations lodged by the Minister for External Relations. The main respondent is the Economic and International Affairs Scrutiny Panel. I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Taxation (Implementation) (International Tax Compliance) (Common Reporting Standard) (Jersey) Amendment Regulations 202-. The States make these Regulations under Article 2 of the Taxation (Implementation) (Jersey) Law 2004.

7.1 Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter (The Minister for External Relations):

These regulations give effect to changes in the international standard for automatic exchange of financial account information under the Common Reporting Standard. The C.R.S. created a global minimum standard for the collection and exchange of tax information on financial assets. Jersey has been exchanging information under that standard since 2017. The standard was agreed in 2014, and since then the global financial architecture has evolved, and the O.E.C.D. has therefore approved

amendments to C.R.S. to bring in certain digital assets within the scope of the C.R.S. for the first time. The other changes are intended to improve the quality of information reported. Jurisdictions are required to make the changes to their domestic C.R.S. legislation by January of next year, with the first exchange of information under the revised standard to be made from 2027. These regulations therefore give effect to these changes to ensure that Jersey remains compliant with international minimum standards in transparency and exchange of tax information, and therefore I propose the regulations in First Reading.

The Bailiff:

Are the principles seconded? **[Seconded]** Does anyone wish to speak on the principles of these regulations?

7.1.1 Deputy M. Tadier of St. Brelade:

Again, we have scrutinised this. The Minister did explain to us that the draft amendment regulations are necessary as part of Jersey's commitment to meet an evolving international standard provided by the Common Reporting Standard framework developed by the O.E.C.D. He also explained that government officers do provide regular briefings to relevant industry representative bodies to keep them informed of developments as work progresses. We understand that there was some small back and forth from the industry around clarifications, but that there was broad support for this, and that the implementation of the draft amendment regulations alongside the draft regulations will ensure that Jersey upholds the necessary regulatory commitments determined by the O.E.C.D. The panel is supportive of the draft amendment regulations as proposed. If I could just thank again my panel and officers for preparing both the comments, but also their work on these areas and the diligent questioning of the Minister, and thank the Ministerial team as well for making that information available to us to do our work.

The Bailiff:

Does any other Member wish to speak on the principles of these regulations?

7.1.2 Deputy I.J. Gorst:

I once again thank the chair and his panel for the work that they have undertaken in scrutinising these important changes to the Common Reporting Standard, and I maintain them in First Reading, if I may.

The Bailiff:

Those in favour of adopting the principles, kindly show. The principles are adopted in First Reading. You have confirmed, Deputy Tadier, that you have scrutinised the matter. Minister, how do you propose the regulations in Second Reading?

7.2 Deputy I.J. Gorst:

En bloc, if I may.

The Bailiff:

Are the regulations seconded? **[Seconded]** Does anyone wish to speak on the regulations in Second Reading? Those in favour, kindly show. The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. If all Members have had the opportunity to cast their votes, I ask the Greffier to close the voting. The regulations have been adopted in Second Reading.

Pour: 44		Contre: 0		Abstained: 0
Connétable of St. Helier				
Connétable of St. Brelade				

Connétable of Trinity				
Connétable of St. Martin				
Connétable of St. John				
Connétable of Grouville				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

Minister, do you propose the matter in Third Reading?

7.3 Deputy I.J. Gorst:

I do.

The Bailiff:

Is the matter seconded in Third Reading? **[Seconded]** Does anyone wish to speak in Third Reading on the Articles as adopted? That concludes the debate in Third Reading. Is the appel called for? The appel has been called for. Members are invited to return to their seats. I will ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I will ask the Greffier to close the voting. I announce the matter has been adopted in Third Reading.

Pour: 44		Contre: 0		Abstained: 0
Connétable of St. Helier				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Martin				
Connétable of St. John				
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Deputy L.J. Farnham				
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Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
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Deputy B.B. de S.V.M. Porée				
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Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				

8. Management and Maintenance of the Havre des Pas Site (P.94/2025)

The Bailiff:

We now move back to P.94.

Deputy D.J. Warr of St. Helier South:

I am minded to, having had conversations, and given what has happened this morning, to defer my proposition P.94. I just wanted to make a couple of thank yous, really. First of all, thank you for the Minister for his speech and his concerns. I would like to also thank Jurat Olsen for the work that he has done and his findings. I would also like to thank the community because we have had 2 protests in the Royal Square. We have had a public meeting, and the community being very vociferous and as a result of that, that is why I brought forward P.94. So, I would like to thank those people who have backed me and uncovered something which unfortunately could so easily have been swept under the carpet, and we have shone a light in some very dark areas. I am still concerned that we have no consequences. There is no political or officer consequences, and I think the public would be also very concerned about that. Finally, as I say, I think we have just got to remember, we have got to get outcomes right. It is the outcome that matters in all of this. The process has to find the right outcome, and we need to do more of that. But I thank you to all the Assembly Members here, and, yes, we will leave it for now.

The Bailiff:

So, that concludes Public Business for this meeting.

I ask the Chair of P.P.C. (Privileges and Procedures Committee) to propose the arrangement of public business for future meetings.

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

9. Deputy S.M. Ahier of St. Helier North (Chair, Privileges and Procedures Committee):

The next meeting will be on 20th January, as you know. This meeting will incorporate the Draft Assisted Dying Law, which may take some time. I would recommend that all Members leave open all continuation days, and if we are stretched for time, there may be a continuation on Thursday evening, but that is dependent upon how that process goes. The only addition to the Order Paper is P.115, Registration of Political Groups. With that, I propose the order of business.

The Bailiff:

Are Members content to proceed as suggested by the chair of P.P.C., resuming on 20th January. In that case, that is what we will do.

CHRISTMAS GREETINGS

The Bailiff:

This is the last meeting of the Assembly before Christmas and so we turn to the traditional Christmas greetings by the senior Connétable and the senior Deputy.

10.1 Connétable A.S. Crowcroft of St. Helier:

I am sure that after spending all week in that uncomfortable seat, you have been looking forward very much to listening to your first set of Christmas speeches as Bailiff. Although I have not compared notes with the senior Deputy, I expect that our interventions will be broadly similar, although hopefully not so much that they contravene Standing Order 104. Strictly speaking, it would of course be the Deputy who would be guilty of repeating the words of another Member as, by custom, he must

speaking after me. I am reminded of the late and much missed Deputy Rob Duhamel, back in the day when my seat was occupied by a Senator, who so despaired of the quest for originality in the third Christmas speech that he resorted to versification. One of the hitherto unnoticed advantages of our decision to bring back the role of Senator in next year's election is that you, Sir, will next year be able to enjoy not 2 but 3 Christmas speeches, the first presumably being from the as yet unknown senior Senator. One of the joys of the job of Connétable as Mother or Father of the Parish is hosting one or more Christmas lunches for the senior citizens of the Parish. But on these festive occasions, one is struck too by the number of parishioners who have passed away during the previous 12 months. Parishioners whom one has got to know over the years and with whom one has worked closely in the case of members of the municipality. I know that all States Members would want to express condolences to all Islanders who have been bereaved during the past year, whose loss will be felt particularly keenly during the coming celebrations of Christmas and New Year. On a happier note, our community came together this year to celebrate the 80th anniversary of the Island's liberation from occupation; a notable milestone. For the Constables, Liberation is one of the occasions during the year when we can welcome delegations from our twin towns. So, it was a particular privilege for me to be able to welcome the Mayor of Mykolaiv, St. Helier's twin town in Ukraine, who was able to see how our Island community marks our national day, and to join us at the Slave Workers Memorial at Westmount to lay a wreath in memory of the Ukrainian slave workers who perished during our occupation. The Ukraine flag continues to be flown from the Town Hall, and I am sure Members of the State share my wish that Ukraine will be able to celebrate its own Liberation Day once a just peace has been agreed. **[Approbation]** Honorary service, not just that of the Honorary Police, but also the many groups in Jersey who don a uniform, undergo training and give up their time to support the community, is one of the things which makes our Island special.

[12:00]

The Connétables pay tribute to everyone who has volunteered in any capacity over the past year, and we wish them a well-deserved Christmas break. As we approach the end of the year, we also want to recognise the enthusiasm and hard work of our Parish secretaries and all of the staff who support the efficient working of the Parish administration, as well as our long-suffering partners, without whom we would be half the Constables that we are. So, on behalf of the Constables, I wish you and your family a very happy Christmas and a peaceful New Year. We extend our greetings to the Attorney General and Solicitor General and their families, the Greffier and her team, everyone in fact who has supported the States Assembly this year. We hope that our Lieutenant Governor and Dr. Kyd have enjoyed their third full year in the Island and wish them a well-earned festive break from their many official duties. We wish the Deputies and their families a relaxing Christmas and New Year, and the Dean and his family, the Judicial Greffe, the ushers, and Jan in the coffee room, the Scrutiny officers, and everyone else who worked so hard to facilitate the workings of this legislature, not forgetting the Island's media. The Constables work closely with the emergency services, and we wish their officers a very happy Christmas and a restful New Year with their families. We acknowledge the vital contribution of everyone who works in the health and social care areas, especially those who will be working in the hospital, the Island's care homes, community centres and Jersey Hospice, while we are sitting down in front of our turkeys or nut roasts. **[Approbation]**

10.2 Deputy G.P. Southern of St. Helier Central:

This is indeed the third time I have performed this duty. I have to admit, I hate it. Everybody else has just seen through the Budget and everybody else is fairly content, and I am sitting here waiting and waiting and waiting for my bit. I have got somewhat of a reputation as a Grinch when it comes to Christmas. The fact is that for me, Christmas starts at about December 20th. That is far too early for me. I also am prone to being rather too serious. I shall try and be a little less serious than I sometimes am. I may not succeed. Apologies in advance. Those of you who have had to endure, and it has to be said endure, one of my speeches in the past, do not worry, because this is going to be

the last one. Not only have I made it shorter, but it will be the last one. I will not be giving the address this time next year. That will be somebody else's duty. The other good news is there will be a cash prize at the end of this speech for anyone who can identify a well-known song as part hidden in the speech, because I know people like enjoying that, do they not, Rob? I quote in the speech, from the Reith lecturer recently, Rutger Bregman, who was drawn to words of Yeats in looking at our world today. This is where I start getting serious. He said: "Things fall apart. The centre cannot hold. Mere anarchy is loosed upon the world. The best lack all conviction, while the worst are full of passionate intensity." Where I see the words "passionate intensity", I see President Trump's face grinning on the podium. When I see the words "anarchy", I am reminded of Gaza. Like it or not, we cannot avoid that this is the reality of our world today. My aim is to examine the question of how do we as individuals get on in this world? Besides a competition and a promise of a shorter speech, we also get sound effects. Rudolph, behave. In the Reith lecture, Bregman compares the revolutionary mood in 1917 with that which is currently happening in worldwide leadership, saying that: "The mood on the streets of Petrograd was not one of revolutionary zeal, it was exhaustion, cynicism, apathy. After years of war, hunger and hopelessness, most Russians had given up politics all together. They hated the Tsar and the royal family, and also the incompetent liberals who replaced them. They hated the corrupt officials, the generals, the landlords, the priests, everyone who is part of the same broken system. And when I look round, that is what I see." Bregman argues that we are living through a similar moment of unravelling and states that: "Across the west, trust in democracy is declining." I think that is a critical and valid point to point out and defend against with our very blood that democracy is declining. People are tuning out, swiping away, switching off. They do not believe in politicians, in the media, in courts, or elections. They have seen too much hypocrisy, too many broken promises. The autocrats smell their time has come. From religious authoritarians, to neo-fascist tech bros, radical ideologues are waiting in the wings. Every day they are gaining power, not because their ideas are so compelling, but because the alternatives feel so discredited. "Let him try", people say of the next billionaire saviour who would be strongman. They cannot get it worse than this, can they? Unfortunately, I believe they can. What has been evident to me this year is the slow and steady abandonment of democracy by our oligarchs. What Christmas message can we pass on to those less informed and less powerful than ourselves? How can we alter this lamentable state of affairs? I prefer to put my faith in those groups of stubborn people, often small in number, who have changed the course of history through their individual efforts. For example, Florence Nightingale and the nurses who pioneered evidence-based medicine; Emmeline Pankhurst of the suffragettes who won the vote for women. Please note here, that these are both women. That is part of the way forward. In the immortal words of Margaret Mead: "Never doubt that a small group of thoughtful committed citizens can change the world. Indeed, it is the only thing that ever has." Bregman goes on to quote Theodore Roosevelt, historian, and president, who once said: "History is not changed by those without skin in the game." A double negative there, but it is valid: "Change comes from people who risk embarrassment, who make mistakes, who get knocked down and stand up again. They are the ones who dare to commit themselves to a cause bigger than their own comfort. Sometimes they win, often they fail." But as Roosevelt reminded us, even in failure, they achieved more than those who played it safe, who preferred irony over courage, and who never knew the taste of victory or the shame of defeat. That is where I want to just put a little aside in. What then gives me hope for the future? Who were my sources of inspiration after 25 years or so in the States? Who persuaded me to stand for the States, were 2 women. I remember sitting with them in their front room, deciding who was going to try for St. Helier No. 2 district, Norman Le Brocq's seat, as it was, and those 2, Chris Wakeman, who sat that side of me, and Stella Perkins sat on this side, and they made substantial progress in outlining what the working class in Jersey means, and making progress during the war years that could not be done otherwise. So, as we look to the new year, asking how can we make things better, how do we bring a cultural revolution? The answer is simple. By practising what you preach. This applies to all of us. By pledging yourself to a worthy cause. Remember, people do not do good things because they are good people. They become good people

by doing good things. It is the acts that count. This is not about right versus left. It is about seriousness versus laziness, determination versus apathy, if you like, good versus evil. We have to prove that our way works, the democratic way works, and that we are not just a bunch of whiners and N.I.M.B.Y.s (Not In My Back Yard) who never get anything done. We have to show that liberal democracy can deliver and that we are willing to fight for it. At which point, with a sound effect, and the competition now open, did anybody spot it?

Deputy M. Tadier of St. Brelade:

I have a guess, and I might be wrong, there was a reference to getting knocked down, and there is a song called Tubthumping by Chumbawamba, 1997.

Deputy G.P. Southern:

Spot on. I thought Rob would get it.

Deputy R.J. Ward of St. Helier Central:

I was looking for a Tom Waits lyric, and it did not appear.

Deputy M. Tadier:

It was either that or Jingle Bells. **[Laughter]**

Deputy G.P. Southern:

At which point, to conclude, I would like to wish a peaceful and restful Christmas to His Excellency and Dr. Kyd, to the Bailiff, the *Bailli*, to the Greffier and her Deputy and assistants, to the Dean, to the Attorney General and the Solicitor General, to the Viscounts and their staff, to the ushers and all the staff behind the scenes. Above all, I particularly praise the officers and all those who ensure that the States can function. Thank you, one and all. Compliments of the season. **[Approbation]**

10.3 The Bailiff:

Thank you very much, Connétable of St Helier and Deputy Southern for your kind good wishes on behalf of Members, which are very much appreciated. Deputy Southern, your speech was not exclusively festive, but I would like to say in view of your announcement that your contribution to the life and the work of this Chamber will be very much missed by all of us. I reply on behalf of myself and my family, His Excellency, Lady Kyd, the Attorney and Solicitor General, the Dean, the Greffier, the Viscount and their families. My first thanks must go as always to the Greffier and her wonderful team, without whom we could not function in the way that we do. Another busy year in the life of the Assembly, our national Parliament. I will not bore you all the statistics, there are too many. But there have been 109 propositions lodged, 405 written questions, and 224 oral questions have also been asked.

[12:15]

Who has asked the most questions and who has made the most speeches? There may be no surprise. I think we are all looking at the guilty men already. Deputy Renouf has asked the most questions, 166. Deputy Tadier, as of last night, and the numbers have grown a lot this morning, has made 85 speeches. It sometimes seems like more. **[Laughter]** It would be invidious of me to identify the person with the most en défauts recorded against him. I have made a whoops already, it is a man. All I will say is he may or may not be someone who recently brought his own secret heater to the Assembly and hid it under his chair. **[Laughter]** Not including today, we have sat for 198 hours this year, so now over 200 hours, which compares to 167 hours in 2023, and 181 hours in 2024. From the perspective of this Chair, as you say, Connétable, this spectacularly uncomfortable chair, a privilege to sit in nonetheless, the Greffier and Deputy Greffier have both presided for about 2 hours each. The records show my predecessor sat in this chair for 63½ hours - this chair - and to my surprise, and I have queried the statistic, I have spent over 130 hours sitting in this chair this year.

[Approbation] I will celebrate with a small sherry tonight. **[Laughter]** This is obviously my first Christmas address to you as your Bailiff, and my first chance to offer greetings from this vantage point. There were at least 2 mentions of Charles Dickens during debates this week and a small chorus of Scrooge during one of the greetings, when you say one or 2 things about not liking the task in front of you, Deputy Southern. Although it is over 170 years since *A Christmas Carol*, was published, it has never been out of print. Dickens spent over 2 decades of his life undertaking very popular public readings of the story, both here, I think, and also in America. In fact, and this is too large a subject for today's short remarks, I promise, it is a book which changed the way people celebrated Christmas in the decades that followed, as some of you, I think, know. I do not think there are many employers who today would necessarily join Ebenezer Scrooge in describing giving their staff a day off on Christmas Day as: "A poor excuse for picking a man's pocket every 25th of December." And fewer still who would join Scrooge in remarking: "Every idiot who goes about with Merry Christmas on his lips should be boiled with his own pudding and buried with a stake of holly through his heart." But whether or not we accept what the Bible tells us about the miracle that occurred in a stable in Bethlehem over 2,000 years ago, we all, I think, as in Dickens's day, view Christmas as a time of reflection and a singular time, a special time that is different from any other time of the year. It was Scrooge's nephew that made a remark, which to me at least, rings as true as it did as when Dickens was writing in the middle of the 19th century. He said this, to his uncle: "There are many good things from which I might have derived good, by which I have not profited, I dare say. Christmas among the rest. But I am sure I have always thought of Christmas time as a good time, a kind, forgiving, charitable, pleasant time. The only time I know of in the long calendar of the year, when men and women seem by one consent to open their shut up hearts freely, and to think of people below them as if they were fellow passengers to the grave and not another race of creatures bound on other journeys. And therefore, uncle, though it has never put a scrap of gold or silver in my pocket, I believe it has done me good and will do me good, and I say, God bless it." Although we today may have be unable to save Tiny Tim or buy his family a large turkey, we can reflect on the acts of kindness throughout our Island at this time of year, made by those in the services, by volunteers, by charities, by people within and without this Chamber, to those who are unwell, alone, and in need. It is truly a time of year when we can reach out to our fellow citizens in a spirit of joy and, I think, kindness. So, on behalf of all of those for whom I speak at this time of year in this Chamber, I wish you all and your families a very happy Christmas. **[Approbation]** Are Members content now to adjourn to 20th January at 9.30 a.m.

ADJOURNMENT

[12:21]