



**THE STATES assembled on Thursday
25th February 2010, at 09.30 a.m. under
the Presidency of the Deputy Bailiff,
William James Bailhache, Esquire.**

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

Senator Stuart Syvret – en défaut
Senator Paul Francis Routier – en défaut
Senator Philip Francis Cyril Ozouf – en défaut (défaut raised at 9.39 a.m.)
Senator James Leslie Perchard – en défaut
Connétable Graeme Frank Butcher of St. John – en défaut
Deputy John Alexander Nicholas Le Fondré of St. Lawrence – ill
Deputy Anne Enid Pryke of Trinity – absent on States business
Deputy Sean Seamus Patrick Augustine Power of St. Brelade – en défaut
Deputy Daniel John Arabin Wimberley of St. Mary – en défaut (défaut raised at 10.08 a.m.)
Deputy Michael Roderick Higgins of St. Helier – en défaut

Prayers

Notification of lodged propositions

Draft Sea Fisheries (Fisheries) (Jersey) Regulations 201-. P.20/2010.
Lodged: 25th February 2010.
Minister for Economic Development.

Draft The Law Society of Jersey (Amendment No. 2) Law 201-. P.21/2010.
Lodged: 25th February 2010.
Chief Minister.

Withdrawal of lodged propositions

THE STATES noted that, in accordance with Standing Order 34(1), the proposer of the following proposition lodged “au Greffe” had informed the Greffier of the States that it had been withdrawn –

Carbon Intensity of Imported Electricity: review. P.156/2009.
Lodged: 30th September 2009.
Deputy P.V.F. Le Claire of St. Helier.

Deputy M.R. Higgins of St. Helier – attendance

THE STATES rejected a proposition by the Connétable of St. Helier, made in accordance with Standing Order 53(3), that the reason for the absence of Deputy Michael Roderick Higgins of St. Helier was such that he should be excused attendance.

Members present voted as follows –

POUR: 16

Senator F.E. Cohen
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Connétable of St. Helier
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Peter
 Deputy of St. Martin
 Deputy J.B. Fox (H)
 Deputy of Grouville
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy A.K.F. Green (H)
 Deputy D.J. De Sousa (H)
 Deputy J.M. Maçon (S)

CONTRE: 25

Senator T.A. Le Sueur
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy S. Pitman (H)
 Deputy of St. John
 Deputy A.E. Jeune (B)
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)

ABSTAIN: 0**Minimum Wage: revised hourly rate from 1st April 2010 P.14/2010**

THE STATES, having resumed consideration of the proposition of Deputy Geoffrey Peter Southern of St. Helier, rejected the proposal to request the Minister for Social Security, having sought the views of the Employment Forum as required by Article 18(1) of the Employment (Jersey) Law 2003, to make an Order fixing the minimum wage at £6.28 per hour and, as this figure was different from the £6.20 rate recommended by the Forum, to report to the States as required by Article 18(4) of the Employment (Jersey) Law 2003.

Members present voted as follows –

POUR: 12

Senator A. Breckon
 Connétable of St. Helier
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy S. Pitman (H)
 Deputy M. Tadier (B)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy T.A. Vallois (S)

CONTRE: 29

Senator P.F.C. Ozouf
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of Trinity
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of St. Clement

ABSTAIN: 0

Deputy D.J. De Sousa (H)	Connétable of St. Peter Connétable of St. Lawrence Connétable of St. Mary Deputy R.C. Duhamel (S) Deputy of St. Martin Deputy R.G. Le Hérisssier (S) Deputy J.B. Fox (H) Deputy of St. Ouen Deputy of Grouville Deputy of St. Peter Deputy K.C. Lewis (S) Deputy I.J. Gorst (C) Deputy of St. John Deputy A.E. Jeune (B) Deputy A.T. Dupré (C) Deputy E.J. Noel (L) Deputy A.K.F. Green (H) Deputy J.M. Maçon (S)
--------------------------	--

Changes in Presidency

The Deputy Bailiff retired from the Chamber during consideration of the proposition of Deputy Geoffrey Peter Southern of St. Helier concerning increasing the minimum wage and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States.

Draft Employment (Minimum Wage) (Amendment No. 6) (Jersey) Regulations 200- P.211/2009

THE STATES commenced consideration of the Draft Employment (Minimum Wage) (Amendment No. 6) (Jersey) Regulations 200- and adopted the principles.

Members present voted as follows –

POUR: 33

CONTRE: 1

ABSTAIN: 0

Senator P.F.C. Ozouf
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator B.I. Le Marquand
 Connétable of St. Helier
 Connétable of St. Brelade
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérisssier (S)
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)

Deputy S. Pitman (H)

Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy of St. John
 Deputy M. Tadier (B)
 Deputy A.E. Jeune (B)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy D.J. De Sousa (H)
 Deputy J.M. Maçon (S)

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 and 2.

THE STATES, in pursuance of Articles 17 and 104 of the Employment (Jersey) Law 2003, made Regulations entitled the Employment (Minimum Wage) (Amendment No. 6) (Jersey) Regulations 2010.

Members present voted as follows –

POUR: 31

CONTRE: 1

ABSTAIN: 0

Senator B.E. Shenton
 Senator F.E. Cohen
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator B.I. Le Marquand
 Connétable of St. Helier
 Connétable of St. Brelade
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérissier (S)
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy of St. John
 Deputy M. Tadier (B)
 Deputy A.E. Jeune (B)

Deputy S. Pitman (H)

Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy D.J. De Sousa (H)
 Deputy J.M. Maçon (S)

Public Holidays and Bank Holidays: designation of 7th May 2010 P.15/2010

THE STATES rejected a proposition of Deputy Montfort Tadier of St. Brelade –

- (a) to agree that Friday 7th May 2010 should be designated as an extra Public and Bank Holiday for 2010; and
- (b) to request the Chief Minister to bring forward for approval the necessary Act under the Public Holidays and Bank Holidays (Jersey) Law 1951 to give effect to the decision.

Members present voted as follows –

POUR: 10

Connétable of St. Helier
 Deputy R.C. Duhamel (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy P.V.F. Le Claire (H)
 Deputy S. Pitman (H)
 Deputy M. Tadier (B)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy D.J. De Sousa (H)

CONTRE: 30

Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of Trinity
 Connétable of St. Brelade
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy of St. Martin
 Deputy R.G. Le Hérisssier (S)
 Deputy J.B. Fox (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy of St. John
 Deputy A.E. Jeune (B)
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

ABSTAIN: 0

Arrangement of public business for future meetings

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

9th March 2010

Compulsory wearing of cycle helmets. P.4/2010.
Lodged: 25th January 2010.
Deputy A.K.F. Green of St. Helier.

Ann Court site: petition. P.202/2009.
Lodged: 27th November 2009.
Deputy J.A. Martin of St. Helier.

Ann Court site: petition (P.202/2009) – comments. P.202/2009.
Presented: 19th January 2010. Com.
Minister for Planning and Environment.

Draft Police Procedures and Criminal Evidence (Jersey) Law 2003 (Appointed Day) P.16/2010.
(No. 5) Act 201-.
Lodged: 12th February 2010.
Minister for Home Affairs.

Public Holidays falling at the weekend: review. P.19/2010.
Lodged: 23rd February 2010.
Deputy R.G. Le Hérissier of St. Saviour.

23rd March 2010

Property and Infrastructure Regeneration: the States of Jersey Development Company P.79/2009.
Limited (as amended). (re-issue)
Lodged: 2nd June 2009.
Council of Ministers.

Property and Infrastructure Regeneration: the States of Jersey Development Company P.79/2009.
Limited (P.79/2009) – fourth amendment. Amd.(4)
Lodged: 14th January 2010.
Senator J.L. Perchard.

Draft Wills and Successions (Amendment) (Jersey) Law 201-. P.7/2010.
Lodged: 29th January 2010.
Chief Minister.

Draft States of Jersey (Transfer of Functions No. 3) (Home Affairs to Chief Minister) P.8/2010.
(Jersey) Regulations 201-.
Lodged: 1st February 2010.
Chief Minister.

Public Holidays: designation of May 9th if on a Sunday. P.18/2010.
 Lodged: 23rd February 2010.
Deputy M. Tadier of St. Brelade.

20th April 2010

Committee of Inquiry: confidential files held by States of Jersey Police on States P.197/2009.
 Members and others.
 Lodged: 17th November 2009.
Deputy M.R. Higgins of St. Helier.

Committee of Inquiry: confidential files held by States of Jersey Police on States P.197/2009.
 Members and others (P.197/2009) – comments. Com.
 Presented: 20th November 2009.
Minister for Treasury and Resources.

Committee of Inquiry: confidential files held by States of Jersey Police on States P.197/2009.
 Members and others (P.197/2009) – amendment. Amd.
 Lodged: 20th November 2009.
Deputy J.B. Fox of St. Helier.

Strategy for dealing with young offenders: establishment of Working Group. P.201/2009.
 Lodged: 27th November 2009.
Deputy T.M. Pitman of St. Helier.

Strategy for dealing with young offenders: establishment of Working Group P.201/2009.
 (P.201/2009) – comments. Com.
 Presented: 24th December 2009.
Education and Home Affairs Scrutiny Panel.

Strategy for dealing with young offenders: establishment of Working Group P.201/2009.
 (P.201/2009) – comments. Com.(2)
 Presented: 18th January 2010.
Council of Ministers.

Strategy for dealing with young offenders: establishment of Working Group P.201/2009.
 (P.201/2009) – comments. Com.(3)
 Presented: 19th January 2010.
Minister for Home Affairs.

Importation of Waste: approval by the States Assembly. P.17/2010.
 Lodged: 17th February 2010.
Environment Scrutiny Panel.

Draft Sea Fisheries (Fisheries) (Jersey) Regulations 201-. P.20/2010.
 Lodged: 25th February 2010.
Minister for Economic Development.

Draft The Law Society of Jersey (Amendment No. 2) Law 201-. P.21/2010.
 Lodged: 25th February 2010.
Chief Minister.

11th May 2010

Island Plan 2002: H3 Site No. 8, Field 1248 and Channel Television Site.
Lodged: 2nd February 2010.
Deputy J.A. Hilton of St. Helier.

P.10/2010.

THE STATES rose at 1.08 p.m.

A.H. HARRIS

Deputy Greffier of the States