



**THE STATES assembled on Thursday
16th July 2009, at 09.30 a.m. under
the Presidency of the Bailiff,
Michael Cameron St. John Birt Esquire.**

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

Senator Stuart Syvret – en défaut
Senator James Leslie Perchard – ill
Deputy Carolyn Fiona Labey of Grouville – ill
Deputy Deborah Jane de Sousa of St. Helier – excused attendance

Prayers

Maire Adjoint of St. Hélier District of Rennes – welcome

The Bailiff, on behalf of all Members, welcomed Monsieur Sébastien Semeril, Maire Adjoint of the St. Hélier district of Rennes, and the Director of Tourism, Madame Dominique Dantec who were present in the public gallery.

Ratification of the Agreement for the exchange of information relating to tax matters between the States of Jersey and France P.94/2009

THE STATES, adopting a proposition of the Chief Minister, agreed to ratify the agreement for the exchange of information relating to tax matters between the States of Jersey and France as set out in the Appendix to the Report of the Chief Minister dated 28th April 2009.

Members present voted as follows –

POUR: 45

CONTRE: 0

ABSTAIN: 0

Senator T.A. Le Sueur
Senator P.F. Routier
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 St. Ouen
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John

Connétable of St. Saviour
 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 Hérissier (S)
 Deputy J.B. Fox (H)
 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 J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 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 A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

Ratification of the Agreement for the exchange of information relating to tax matters between the States of Jersey and Ireland P.95/2009

THE STATES, adopting a proposition of the Chief Minister, agreed to ratify the agreement for the exchange of information relating to tax matters between the States of Jersey and Ireland as set out in the Appendix to the report of the Chief Minister dated 28th April 2009.

Ratification of the Agreement for the exchange of information relating to tax matters between the States of Jersey and the United Kingdom P.96/2009

THE STATES, adopting a proposition of the Chief Minister, agreed to ratify the agreement for the exchange of information relating to tax matters between the States of Jersey and the United Kingdom as set out in the Appendix to the Report of the Chief Minister dated 28th April 2009.

Members present voted as follows –

POUR: 45

CONTRE: 0

ABSTAIN: 0

Senator T.A. Le Sueur
 Senator P.F. Routier
 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 St. Ouen
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
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 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 J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy M. Tadier (B)
Deputy A.E. Jeune (B)
Deputy of St. Mary
Deputy T.M. Pitman (H)
Deputy A.T. Dupré (C)
Deputy E.J. Noel (L)
Deputy T.A. Vallois (S)
Deputy M.R. Higgins (H)
Deputy A.K.F. Green (H)
Deputy J.M. Maçon (S)

**Draft Taxation (Exchange of Information with Third Countries) (Amendment No. 3) (Jersey)
Regulations 200- P.97/2009**

THE STATES commenced consideration of the Draft Taxation (Exchange of Information with Third Countries) (Amendment No. 3) (Jersey) Regulations 200- and adopted the principles.

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

THE STATES, in pursuance of Article 2(1) of the Taxation (Implementation) (Jersey) Law 2004 and paragraph 1.8.5 of the Strategic Plan 2006 to 2011 approved by the States on 27th June 2006 and following the decision of the States, taken on the day these Regulations were made, to adopt Projet 94 of 2009, Projet 95 of 2009 and Projet 96 of 2009, made Regulations entitled the Taxation (Exchange of Information with Third Countries) (Amendment No. 3) (Jersey) Regulations 2009.

Members present voted as follows –

POUR: 42**CONTRE: 1****ABSTAIN: 0**

Senator T.A. Le Sueur
 Senator P.F. Routier
 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 St. Ouen
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. John
 Connétable of St. Saviour
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 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.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 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 M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

Deputy of St. John

Draft Supply of Goods and Services (Jersey) Law 2009 (Appointed Day) Act 200- P.103/2009

THE STATES, in pursuance of Article 96(2) of the Supply of Goods and Services (Jersey) Law 2009, made an Act entitled Supply of Goods and Services (Jersey) Law 2009 (Appointed Day) Act 2009.

Members present voted as follows –

POUR: 44

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 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 Grouville
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. John
 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 G.P. Southern (H)
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (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 A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

Oral Questions with notice: revised ballot procedures P.105/2009

THE STATES, adopting a proposition of Deputy Montfort Tadier of St. Brelade, agreed that Standing Order 14 in relation to the ballot that was held by the Greffier of the States to determine the order in which oral questions with notice were listed on the Order Paper should be amended to provide for a revised ballot procedure as follows –

- (i) any member of the States submitting 2 oral questions with notice for any meeting of the States may, when submitting the questions to the Greffier, indicate which of the questions is his or her ‘first priority’ and, in the absence of any such indication, the Greffier shall classify the first question submitted (or the first listed if 2 questions are submitted at the same time) to be the member’s ‘first priority’;
- (ii) when the deadline for the submission of oral questions with notice has passed, the Greffier shall, in the presence of another person, undertake a first ballot in relation to the approved questions classified as ‘first priority’ and any questions submitted by members who have submitted only one question for the meeting concerned and the Greffier shall then list these questions first on the Order Paper in the order resulting from the ballot;
- (iii) the Greffier shall then, in the presence of another person, undertake a second ballot in relation to the remaining questions and list these questions on the Order Paper in the order resulting from this second ballot after those already listed following the first ballot;

and requested the Privileges and Procedures Committee to bring forward for approval the necessary amendment to Standing Orders to give effect to the proposal.

Members present voted as follows –

POUR: 49

CONTRE: 0

ABSTAIN: 0

Senator T.A. Le Sueur
 Senator P.F. Routier
 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 St. Ouen
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Clement
 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 Hérissier (S)
 Deputy J.B. Fox (H)
 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 J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (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 A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

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 –

Senator Stuart Syvret: Vote of Censure.
 Lodged: 29th June 2009.
Privileges and Procedures Committee.

P.107/2009.

Bailiff – welcome

The Chairman of the Privileges and Procedures Committee, on behalf of all Members, formally welcomed the Bailiff as the new President of the States of Jersey at the conclusion of the first meeting under his Presidency.

Arrangement of public business for future meetings

THE STATES agreed an 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) –

8th September 2009

Electricity tariffs: Regulations under Article 22 of the Electricity (Jersey) Law 1937. Lodged: 24th March 2009. <i>Senator A. Breckon.</i>	P.41/2009.
Electricity tariffs: Regulations under Article 22 of the Electricity (Jersey) Law 1937 (P.41/2009) – comments. Presented: 27th April 2009. <i>Minister for Economic Development.</i>	P.41/2009. Com.
Electricity tariffs: Regulations under Article 22 of the Electricity (Jersey) Law 1937 (P.41/2009) – amendment. Lodged: 26th May 2009. <i>Senator A. Breckon.</i>	P.41/2009. Amd.
Ann Court Site, St. Helier: use for sheltered social housing for the over-55s. Lodged: 27th March 2009. <i>Deputy J.A. Martin of St. Helier.</i>	P.43/2009.
Composition and election of the States: revised structure. Lodged: 19th May 2009. <i>Privileges and Procedures Committee.</i>	P.72/2009.
Composition and election of the States: revised structure (P.72/2009) – comments. Presented: 18th June 2009. <i>Minister for Treasury and Resources.</i>	P.72/2009. Com.
Composition and election of the States: revised structure (P.72/2009) – amendment. Lodged: 25th June 2009. <i>Deputy of St. Martin.</i>	P.72/2009. Amd.
Property and Infrastructure Regeneration: the States of Jersey Development Company Limited. Lodged: 2nd June 2009. <i>Council of Ministers.</i>	P.79/2009.
Property and Infrastructure Regeneration: the States of Jersey Development Company Limited (P.79/2009) – amendment. Lodged: 8th June 2009. <i>Connétable of St. Helier.</i>	P.79/2009. Amd.
Ann Court housing site, St. Helier: temporary use. Lodged: 30th June 2009. <i>Connétable of St. Helier.</i>	P.108/2009.
Ann Court housing site, St. Helier: temporary use (P.108/2009) – comments. Presented: 8th July 2009. <i>Minister for Housing.</i>	P.108/2009. Com.
Composition and election of the States: single election day each year. Lodged: 30th June 2009. <i>Deputy J.A.N. Le Fondré of St. Lawrence.</i>	P.109/2009.

Composition and election of the States: single election day each year (P.109/2009) – comments. P.109/2009.
Com.
Presented: 14th July 2009.
Privileges and Procedures Committee.

Code of Practice for Scrutiny Panels and the Public Accounts Committee: amendments. P.112/2009.
Lodged: 6th July 2009.
Chairmen's Committee.

Criminal Injuries Compensation Scheme: revised Scheme. P.113/2009.
Lodged: 8th July 2009.
Minister for Home Affairs.

22nd September 2009

Child abuse compensation claims: freedom of expression for survivors. P.49/2009.
Lodged: 6th April 2009.
Senator S. Syvret.

Child abuse compensation claims: freedom of expression for survivors (P.49/2009) – comments. P.49/2009.
Com.
Presented: 11th May 2009.
Council of Ministers.

Child abuse compensation claims: freedom of expression for survivors (P.49/2009) – amendment. P.49/2009.
Amd.
Lodged: 29th April 2009.
Council of Ministers.

Committee of Inquiry: confidential files held by States of Jersey Police on States Members and others. P.104/2009.
Lodged: 23rd June 2009.
Deputy M.R. Higgins of St. Helier.

Draft Shops (Regulation of Opening and Deliveries) (Jersey) Law 200-. P.111/2009.
Lodged: 1st July 2009.
Minister for Economic Development.

6th October 2009

Draft Honorary Police (Repeals) (Jersey) Law 200-. P.114/2009.
Lodged: 13th July 2009.
Comité des Connétables.

Draft Honorary Police (Amendment) (Jersey) Regulations 200-. P.115/2009.
Lodged: 13th July 2009.
Comité des Connétables.

20th October 2009

Draft Banking Business (Depositors Compensation) (Jersey) Regulations 200- second reading. P.86/2009.

Lodged: 2nd June 2009.

Minister for Economic Development.

(principles approved 15th July 2009)

Draft Banking (Depositors Compensation) (Jersey) Regulations 200-. P.87/2009.

Lodged: 2nd June 2009.

Minister for Economic Development.

Strategic Reserve Fund: use for Bank Depositors' Compensation Scheme. P.84/2009.

Lodged: 2nd June 2009.

Minister for Treasury and Resources.

Draft Public Finances (Depositors Compensation) (Jersey) Regulations 200-. P.85/2009.

Lodged: 2nd June 2009.

Minister for Treasury and Resources.

Draft Income Tax (Amendment No. 32) (Jersey) Law 200-. P.81/2009.

Lodged: 2nd June 2009.

Minister for Treasury and Resources.

3rd November 2009

Pension Schemes: dealing with the past service liability. P.110/2009.

Lodged: 1st July 2009.

Senator B.E. Shenton.

THE STATES rose at 11.30 a.m.

M.N. DE LA HAYE

Greffier of the States