



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

**His Excellency the Lieutenant Governor,
Lieutenant-General Andrew Peter Ridgway, C.B., C.B.E.,
was present**

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

Senator Philip Francis Cyril Ozouf – en défaut (défaut raised at 9.39 a.m.)
Connétable Daniel Joseph Murphy of Grouville – absent on States business
Connétable Michael Keith Jackson of St. Brelade – absent on States business
Deputy Ian Joseph Gorst of St. Clement – excused
Deputy Angela Elizabeth Jeune of St. Brelade – absent on States business
Deputy Anne Teresa Dupré of St. Clement – excused (arrived in the Chamber at 9.58 a.m.)
Deputy Deborah Jane de Sousa of St. Helier – absent on States business

Prayers

Channel Television – filming of States Meeting 14th July 2009

THE STATES acceded to the request of Channel Television to film the States Meeting to be held on 14th July 2009, as this would be the first meeting at which the new Bailiff would preside.

Deputy Anne Teresa Dupré of St. Clement – attendance

THE STATES, adopting a proposition of Deputy Andrew Kenneth Francis Green of St. Helier, made in accordance with Standing Order 53(3), agreed that the reason for the absence of Deputy Anne Teresa Dupré of St. Clement was such that she should be excused attendance.

Members present voted as follows –

POUR: 30

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
Connétable of St. Ouen

CONTRE: 14

Senator S. Syvret
Senator J.L. Perchard
Connétable of Trinity
Connétable of St. John
Connétable of St. Peter
Connétable of St. Lawrence
Deputy R.C. Duhamel (S)
Deputy R.G. Le Hérisier (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)

ABSTAIN: 2

Senator B.I. Le Marquand
Connétable of St. Mary

Connétable of St. Helier	Deputy of St. Peter
Connétable of St. Martin	Deputy P.V.F. Le Claire (H)
Connétable of St. Saviour	Deputy T.M. Pitman (H)
Connétable of St. Clement	Deputy M.R. Higgins (H)
Deputy of St. Martin	
Deputy J.B. Fox (H)	
Deputy of St. Ouen	
Deputy of Grouville	
Deputy J.A. Hilton (H)	
Deputy J.A.N. Le Fondré (L)	
Deputy of Trinity	
Deputy S.S.P.A. Power (B)	
Deputy K.C. Lewis (S)	
Deputy of St. John	
Deputy M. Tadier (B)	
Deputy of St. Mary	
Deputy E.J. Noel (L)	
Deputy T.A. Vallois (S)	
Deputy A.K.F. Green (H)	
Deputy J.M. Maçon (S)	

Subordinate enactments tabled

The following enactments were tabled, namely –

Extradition (Jersey) Law 2004 (Multiple Offences) (Jersey) Order 2009. <i>Minister for Home Affairs.</i>	R&O.52/2009.
Proceeds of Crime (Supervisory Bodies) (Transitional Provision) (Amendment) (Jersey) Order 2009. <i>Minister for Economic Development.</i>	R&O.53/2009.
Road Traffic (Public Parking Places) (Amendment No. 2) (Jersey) Order 2009. <i>Minister for Transport and Technical Services.</i>	R&O.54/2009.
Road Traffic (St. Ouen) (Amendment No. 13) (Jersey) Order 2009. <i>Minister for Transport and Technical Services.</i>	R&O.55/2009.

Documents presented or laid

Committee of Inquiry into the death of Mrs. Elizabeth Rourke (P.76/2009): comments. Presented: 16th June 2009. <i>Minister for Health and Social Services.</i>	P.76/2009. Com.
States Members' Remuneration Review Body: recommendations for 2009-2011 – Part 1, level of remuneration and expenses. Presented: 12th June 2009. <i>Privileges and Procedures Committee.</i>	R.61/2009.

States Members' Remuneration Review Body: recommendations for 2009-2011 – Part 2, pensions, severance and differentiation. R.62/2009.
Presented: 12th June 2009.
Privileges and Procedures Committee.

States of Jersey Financial Report and Accounts 2008. R.63/2009.
Presented: 16th June 2009.
Minister for Treasury and Resources.

States Employees' Remuneration: 2008. R.64/2009.
Presented: 16th June 2009.
Chief Minister.

Public Records (Jersey) Law 2002: Report on the work of the Jersey Heritage Trust and the States Archivist during 2008. R.65/2009.
Presented: 16th June 2009.
Minister for Education, Sport and Culture.

Notification of lodged propositions

States Employees: pay increase for 2009/2010 (P.68/2009) – second amendment. R.68/2009.
Lodged: 12th June 2009. Amd.(2)
Connétable of St. Peter.

Television Licences for persons over 75. P.100/2009.
Lodged: 16th June 2009.
Deputy M. Tadier of St. Brelade.

Written Questions

(see Official Report/Hansard)

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding the bond for the development of the Waterfront by Harcourt.

The Minister for Housing tabled an answer to a question asked by Senator B.E. Shenton regarding the regulation of Housing Trusts in the Island.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding the protection of vulnerable children.

The Chief Minister tabled an answer to a question tabled by Deputy P.V.F. Le Claire of St. Helier regarding the legal aid system.

The Minister for Social Security tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the assets of Woolworths.

The Minister for Social Security tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding youth unemployment.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the removal of protected payments from those in receipt of Income Support.

The Minister for Social Security tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding Income Support assessments.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact on daily benefit rates for those no longer receiving protected payments under the Income Support system.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the financial benefit for Income Support claimants to seek employment.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the subsidisation of sub-minimum wage rates for waiters by the use of tips in restaurants.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the CD fulfilment market.

The Minister for Social Security tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the cost of G.P. visits in 2008.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Reciprocal Health Agreement with the United Kingdom.

The Minister for Treasury and Resources tabled an answer to a question asked by Connétable A.S. Crowcroft of St. Helier regarding off-street parking spaces under the administration of the States of Jersey.

Oral Questions

(see Official Report/Hansard)

Deputy T.M. Pitman of St. Helier asked a question of the Assistant Minister for Economic Development regarding the working party looking into the issue of allotments.

The Deputy of St. Martin asked a question of the Minister for Health and Social Services regarding Verita's Terms of Reference.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding the growth of the Social Security budget.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Education, Sport and Culture regarding the fairness of the grant system for higher education.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Assistant Minister for Economic Development regarding procedures to ensure current Sunday trading laws and regulations were applied with consistency.

The Deputy of St. John asked a question of the Minister for Economic Development regarding consultation with the Marine Traders on the Draft Shipping (Safety of Navigation) (Jersey) Regulations 200-.

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the areas of public sector services which could be subject to more private sector involvement or outsourcing.

The Deputy of Grouville asked a question of the Minister for Housing regarding sheltered housing on re-zoned land.

Deputy M. Tadier of St. Brelade asked a question of the Assistant Minister for Health and Social Services regarding the pressure on bed space with the mental health service.

The Deputy of St. John asked a question of the Chief Minister regarding the Emergency Planning Department.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Minister for Treasury and Resources regarding “white collar” unemployment.

Senator S. Syvret asked a question of the Minister for Health and Social Services regarding the Terms of Reference produced by Health and Social Services for the Verita Inquiry.

The Deputy of St. Martin asked a question of the Minister for Home Affairs regarding the Wiltshire Police investigation into the events which led to the suspension of the Chief Officer of the States of Jersey Police.

The Deputy of St. Mary asked a question of the Minister for Planning and Environment regarding proposals within the North of Town Masterplan team to build housing on the Gas Place end of the Millennium Town Park site.

The Deputy of St. Mary asked a question of the Chairman of the Privileges and Procedures Committee regarding the underlying principles of electoral reform.

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Housing answered questions without notice from members.

The Chief Minister answered questions without notice from members.

Statements on a matter of official responsibility

(see Official Report/Hansard)

The Minister for Treasury and Resources made a statement regarding the introduction of Land Transaction Tax.

The Minister for Home Affairs made a statement regarding police activities in relation to States Members.

Commissioners of Appeal for Income Tax: appointment P.70/2009

THE STATES, adopting a proposition of the Minister for Treasury and Resources, and in accordance with Article 10 of the Income Tax (Jersey) Law 1961, as amended, approved the appointment as Commissioners of Appeal for Income Tax for a period of 3 years of –

Mr. John F. Mills C.B.E.
 Mr. Michael R. Lanyon
 Mr. Frank Dearie

Members present voted as follows –

POUR: 30

Senator T.A. Le Sueur
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator A. Breckon
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of Trinity
 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 Hérisssier (S)
 Deputy J.B. Fox (H)
 Deputy of St. Ouen
 Deputy of Grouville
 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 A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy A.K.F. Green (H)

CONTRE: 6

Senator S.C. Ferguson
 Deputy M. Tadier (B)
 Deputy of St. Mary
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)

ABSTAIN: 0**Waterfront Enterprise Board: appointment of Directors P.80/2009**

THE STATES, adopting a proposition of the Chief Minister, agreed –

- (a) to re-appoint Jurat John Claude Tibbo and Mr. Peter Joseph Crespel for a period of 3 years expiring on 31st August 2012 as non-States Directors of the Waterfront Enterprise Board Limited; and,
- (b) requested the Greffier of the States to notify the company of the States' decision.

Public Elections (Jersey) Law 2002: rescindment of Article 39A P.18/2009

THE STATES commenced consideration of a proposition of Deputy Geoffrey Peter Southern of St. Helier concerning the rescindment of Article 39A of the Public Elections (Jersey) Law 2002 and, following discussion, rejected a proposition of Senator James Leslie Perchard, that in accordance with the provisions of Standing Order 84, the matter be put to the vote.

Members present voted as follows –

POUR: 17

Senator T.A. Le Sueur
 Senator P.F.C. Ozouf
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of Trinity
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Mary
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy A.T. Dupré (C)

CONTRE: 24

Senator S. Syvret
 Senator T.J. Le Main
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Connétable of St. Helier
 Connétable of St. Lawrence
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérisier (S)
 Deputy J.B. Fox (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy M. Tadier (B)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

ABSTAIN: 0**Change in Presidency**

The Deputy Bailiff briefly retired from the Chamber during consideration of the Public Elections (Jersey) Law 2002: rescindment of Article 39A (P.18/2009) and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States, until his return.

THE STATES rejected a proposition of Deputy Geoffrey Peter Southern of St. Helier to refer to their Act dated 10th June 2008 in which they approved Amendment No. 3 to the Public Elections (Jersey) Law 2002, and to agree, in principle, to –

- (a) rescind Articles 39A and 62A of the Public Elections (Jersey) Law 2002;
- (b) charge the Privileges and Procedures Committee to prepare the necessary amending Law for debate.

Members present voted as follows –

POUR: 19

Senator S. Syvret
 Senator B.E. Shenton
 Senator A. Breckon
 Connétable of St. Helier
 Connétable of St. Clement
 Deputy of St. Martin
 Deputy R.G. Le Hérissier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 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)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

CONTRE: 27

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of Trinity
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Peter
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 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy of St. John
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)

ABSTAIN: 0**Adjournment**

THE STATES adjourned, having agreed to reconvene on Wednesday 17th June 2009 to consider the outstanding items of public business.

THE STATES rose at 5.33 p.m.

M.N. DE LA HAYE

Greffier of the States