

**THE STATES assembled on Thursday
27th September 2007, at 09.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

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

Senator Philip Francis Cyril Ozouf – en défaut (défaut raised at 9.55 a.m.)
Senator Frederick Ellyer Cohen – en défaut (défaut raised at 9.37 a.m.)
Connétable Thomas John du Feu of St. Peter– en défaut
Connétable Alan Simon Crowcroft of St. Helier– excused attendance
Connétable Daniel Joseph Murphy of Grouville – excused attendance
Connétable Silvanus Arthur Yates of St. Martin– ill
Connétable Graham Frank Butcher of St. John– ill
Deputy Gerard Clifford Lemmens Baudains of St. Clement– ill
Deputy Celia Joyce Scott Warren of St. Saviour– excused attendance
Deputy Roy George Le Hérissier– absent on States business
Deputy Sarah Craig Ferguson of St. Brelade– en défaut
Deputy James Gordon Reed of St. Ouen– absent on States business
Deputy Collin Hedley Egré of St. Peter– ill
Deputy Juliette Gallichan of St. Mary– absent on States business

Prayers

Chief Minister Election: Island-wide vote P.111/2007

THE STATES rejected a proposition of Deputy Geoffrey Peter Southern of St. Helier that–

- (a) the Chief Minister should no longer be elected by members of the States but should instead be selected through an Island-wide vote of registered electors from candidates proposed by members of the States after each ordinary election for Deputies; provided that this new system would not be instituted until the States had agreed appropriate amendments to the rôle and powers of the Chief Minister to enable a presidential system of government including the selection of the Chief Minister in this manner to be workable;
- (b) the Privileges and Procedures Committee, in consultation with all members, be charged to bring forward to the States for approval proposals on the necessary amendments to the rôle and powers of the Chief Minister to enable the new method of selection to be introduced.

Members present voted as follows –

POUR: 10

Senator S. Syvret
Senator W. Kinnard
Senator B.E. Shenton
Deputy R.C. Duhamel (S)
Deputy A. Breckon (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)

CONTRE: 30

Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary

ABSTAIN: 0

Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of St. Brelade
Connétable of St. Saviour
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy J.B. Fox (H)
Deputy P.J.D. Ryan (H)
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy J.A.N. Le Fondré (L)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)

Chief Minister election: advance notice of intention to stand P.92/2007

THE States commenced consideration of a proposition of Deputy Shona Pitman of St. Helier, and rejected paragraphs (a) (b) and (d) that –

- (a) (i) any candidate for the position of Senator, Connétable or Deputy should be required, at the time of his or her nomination for the position, to make a public declaration if he or she intends to stand for the post of Chief Minister after the election;
- (ii) the declarations made in accordance with paragraph (a)(i) should be brought to the attention of the electorate through the publication of notices in the Jersey Gazette and entered alongside the name of the candidate concerned on the ballot paper;
- (b) that no member of the States should be eligible to stand for the post of Chief Minister when the appointment was made after each ordinary election for Deputy unless he or she –
 - (i) had made a declaration of his or her intention to do so at the time of his or her nomination in accordance with the procedures set out in paragraph (a); and
 - (ii) had been elected or re-elected to the States no more than 2 months before the election for Chief Minister;

provided that if no candidate who had made a declaration at the time of his or her nomination had been elected to the States, or if no successful candidate who had made a declaration wishes to stand for the position of Chief Minister, all members of the States would be eligible to stand for the post;

- (d) that in the event of a casual vacancy occurring for the position of Chief Minister, only members of the States who had made a declaration of their intention to stand for the post of Chief Minister at the time of their last nomination in accordance with the procedures set out in paragraph (a) should be eligible to stand for the position;

provided that if there was no member of the States who had made such a declaration, or if no member who had done so wished to stand for the position of Chief Minister, all members of the States would be

eligible to stand for the post.

Members present voted as follows –

POUR: 7

Senator S. Syvret
Senator W. Kinnard
Deputy A. Breckon (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S. Pitman (H)
Deputy I.J. Gorst (C)

CONTRE: 33

Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Brelade
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy J.B. Fox (H)
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John

ABSTAIN: 0

THE STATES rejected paragraph (c) of the proposition of Deputy Shona Pitman of St. Helier that the election of Chief Minister should then be undertaken by way of an open ballot and no longer by a secret ballot for States members.

Members present voted as follows –

POUR: 17

Senator S. Syvret
Senator L. Norman
Senator P.F. Routier
Senator B.E. Shenton
Connétable of St. Ouen
Connétable of St. Mary

CONTRE: 23

Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator T.J. Le Main

ABSTAIN: 0

Deputy A. Breckon (S)
Deputy of St. Martin
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy of Grouville
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S. Pitman (H)
Deputy A.J.D. Maclean (H)
Deputy I.J. Gorst (C)

Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Brelade
Connétable of St. Saviour

Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy P.N. Troy (B)
Deputy J.B. Fox (H)
Deputy P.J.D. Ryan (H)
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy J.A.N. Le Fondré (L)
Deputy S.S.P.A. Power (B)
Deputy K.C. Lewis (S)
Deputy of St. John

Draft Social Security (Reciprocal Agreement with Ireland) (Jersey) Act 200- P.97/2007

THE STATES, in pursuance of Article 48 of the Social Security (Jersey) Law 1974 and of all other powers enabling them in that behalf, made an Act entitled the Social Security (Reciprocal Agreement with Ireland) (Jersey) Act 2007.

Arrangement of public business for future meetings

THE STATES rejected a proposition of Deputy Judith Ann Martin of St. Helier that, in accordance with Standing Order 26(7) the minimum lodging period for the proposition of the Health, Social Security and Housing Scrutiny Panel concerning the deferral of the introduction of the Income Support Scheme, (P.143/2007 lodged 'au Greffe' on 26th September 2007), should be reduced to enable the matter to be considered on 9th October 2007, as it related to a matter of such urgency and importance that it would be prejudicial to Jersey to delay its debate.

Members present voted as follows –

POUR: 10

Senator L. Norman
Senator B.E. Shenton
Connétable of St. Brelade
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian
(L)

CONTRE: 26

Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator J.L. Perchard
Connétable of St. Ouen

Connétable of St. Mary
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy P.N. Troy (B)

ABSTAIN: 0

Deputy P.J.D. Ryan (H)
 Deputy J.A. Hilton (H)
 Deputy G.W.J. de Faye (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy A.J.D. Maclean (H)
 Deputy K.C. Lewis (S)
 Deputy of St. John
 Deputy I.J. Gorst (C)

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 October 2007

Draft Income Support (Jersey) Regulations 200- Lodged: 12th July 2007. <i>Minister for Social Security.</i>	P.90/2007.
Draft Income Support (Jersey) Regulations 200- (P.90/2007): amendments. Lodged: 11th September 2007. <i>Minister for Social Security.</i>	P.90/2007. Amd.
Draft Income Support (Jersey) Regulations 200- (P.90/2007): second amendments. Lodged: 25th September 2007. <i>Health, Social Security and Housing Scrutiny Panel.</i>	P.90/2007. Amd.(2)
Draft Income Support (Special Payments) (Jersey) Regulations 200- Lodged: 12th July 2007. <i>Minister for Social Security.</i>	P.91/2007.
Draft Income Support (Special Payments) (Jersey) Regulations 200- (P.91/2007): amendments. Lodged: 25th September 2007. <i>Health, Social Security and Housing Scrutiny Panel.</i>	P.91/2007. Amd.
Draft Income Support (Consequential Amendments) (Jersey) Regulations 200- Lodged: 6th August 2007. <i>Minister for Social Security.</i>	P.102/2007.
Goods and Services Tax: petition. Lodged: 18th September 2007. <i>Connétable of St. Helier.</i>	P.125/2007.
Draft Income Support (Jersey) Law 2007 (Appointed Day) Act 200- Lodged: 25th September 2007. <i>Minister for Social Security.</i>	P.140/2007.
Employment (Jersey) Law 2003: therapeutic work schemes. Lodged: 25th September 2007. <i>Deputy I.J. Gorst of St. Clement.</i>	P.141/2007.

23rd October 2007

Island Plan 2002: H4 Site No. 15, Samarès Nursery, St. Clement and future amendments to the Island Plan. P.95/2007.
Lodged: 20th July 2007.
Deputy I.J. Gorst of St. Clement.

Draft Police (Complaints and Discipline) (Amendment) (Jersey) Law 200-. P.116/2007.
Lodged: 29th August 2007.
Minister for Home Affairs.

Draft Police (Honorary Police Complaints and Discipline Procedure) (Amendment No. 2) (Jersey) Regulations 200-. P.112/2007.
Lodged: 23rd August 2007.
Minister for Home Affairs.

Draft Goods and Services Tax (Jersey) Regulations 200-. P.122/2007.
Lodged: 11th September 2007.
Minister for Treasury and Resources.

6th November 2007

Draft Financial Services (Amendment of Law) (No. 2) (Jersey) Regulations 200-. P.114/2007.
Lodged: 28th August 2007.
Minister for Economic Development.

Draft Marriage and Civil Status (Amendment) (Jersey) Law 200-. P.120/2007.
Lodged: 7th September 2007.
Minister for Home Affairs.

Crime (Sentences) Act 1997: extension to Jersey. P.124/2007.
Lodged: 14th September 2007.
Chief Minister.

Draft Loi (1939) sur les honoraires des Avocats et des Écrivains (Repeal) (Jersey) Law 200-. P.126/2007.
Lodged: 18th September 2007.
Chief Minister.

Draft Drug Trafficking Offences (Amendment) (Jersey) Law 200-. P.128/2007.
Lodged: 24th September 2007.
Minister for Treasury and Resources.

Draft Proceeds of Crime (Amendment) (Jersey) Law 200-. P.129/2007.
Lodged: 24th September 2007.
Minister for Treasury and Resources.

Draft Corruption (Amendment of Definitions) (Jersey) Regulations 200-. P.130/2007.
Lodged: 24th September 2007.
Minister for Home Affairs.

Draft Terrorism (Amendment No. 2) (Jersey) Law 200-. P.131/2007.
Lodged: 24th September 2007.
Minister for Home Affairs.

Draft Crime (Transnational Organized Crime) (Jersey) Law 200-. P.132/2007.

Lodged: 24th September 2007. <i>Minister for Home Affairs.</i>	
Draft Proceeds of Crime (Cash Seizure) (Jersey) Law 200-. Lodged: 24th September 2007. <i>Minister for Home Affairs.</i>	P.133/2007.
Draft Criminal Justice (International Co-operation) (Amendment) (Jersey) Law 200-. Lodged: 24th September 2007. <i>Minister for Treasury and Resources.</i>	P.134/2007.
Draft Civil Asset Recovery (International Co-operation) (Jersey) Law 200-. Lodged: 25th September 2007. <i>Minister for Home Affairs.</i>	P.135/2007.
Draft Banking Business (Amendment No. 6) (Jersey) Law 200. Lodged: 25th September 2007. <i>Minister for Economic Development.</i>	P.136/2007.
Draft Insurance Business (Amendment No. 6) (Jersey) Law 200. Lodged: 25th September 2007. <i>Minister for Economic Development.</i>	P.137/2007.
Draft Financial Services (Amendment No. 4) (Jersey) Law 200. Lodged: 25th September 2007. <i>Minister for Economic Development.</i>	P.138/2007.
Draft Collective Investment Funds (Amendment No. 4) (Jersey) Law 200. Lodged: 25th September 2007. <i>Minister for Economic Development.</i>	P.139/2007.
Draft Electricity Link with France (Protection of Submarine Cable) (Jersey) Regulations 200-. Lodged: 25th September 2007. <i>Minister for Economic Development.</i>	P.142/2007.
<u>20th November 2007</u>	
Criminal Justice Policy. Lodged: 4th September 2007. <i>Minister for Home Affairs.</i>	P.118/2007.
Draft Goods and Services Tax (Jersey) Law 2007 (Appointed Day) Act 200-. Lodged: 11th September 2007. <i>Minister for Treasury and Resources.</i>	P.121/2007.
Income Support Scheme: deferral of introduction. Lodged: 26th September 2007. <i>Health, Social Security and Housing Scrutiny Panel.</i>	P.143/2007.
Draft Community Provisions (Ship and Port Facility – Security) (Amendment) (Jersey) Regulations 200-. Lodged: 26th September 2007. <i>Minister for Economic Development.</i>	P.144/2007.
Health Insurance Exemption cards: free bus travel and Active cards.	P.145/2007.

Lodged: 26th September 2007.
Health, Social Security and Housing Scrutiny Panel.

12th February 2008

Draft Proceeds of Crime (Substitution of Schedule 2) (Jersey) Regulations 200.
Lodged: 24th September 2007.
Minister for Treasury and Resources.

P.127/2007.

THE STATES rose at 11.29 a.m.

M.N. DE LA HAYE

Greffier of the States