



**THE STATES assembled on Wednesday
16th May 2012, 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 –

Deputy Trevor Mark Pitman of St. Helier – en défaut (défaut raised at 9.38 a.m.)
Deputy Andrew Kenneth Francis Green of St. Helier – en défaut (défaut raised at 9.38 a.m.)

Prayers read by the Greffier of the States

Statements on a matter of official responsibility

(see Official Report/Hansard)

The Minister for Social Security made a statement regarding meeting the costs of long-term care.

Draft Connétables (Miscellaneous Provisions) (Jersey) Law 201- P.36/2012

THE STATES commenced consideration of the Draft Connétables (Miscellaneous Provisions) (Jersey) Law 201- and adopted the principles.

Members present voted as follows –

POUR: 45

Senator P.F. Routier
Senator P.F.C. Ozouf
Senator A. Breckon
Senator S.C. Ferguson
Senator A.J.H. Maclean
Senator B.I. Le Marquand
Senator F.du H. Le Gresley
Senator I.J. Gorst
Senator L.J. Farnham
Senator P.M. Bailhache
Connétable of St. Helier
Connétable of Trinity
Connétable of Grouville
Connétable of St. Clement
Connétable of St. Peter
Connétable of St. Lawrence
Connétable of St. Mary
Connétable of St. Ouen
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour

CONTRE: 5

Connétable of St. John
Deputy G.P. Southern (H)
Deputy M. Tadier (B)
Deputy T.M. Pitman (H)
Deputy M.R. Higgins (H)

ABSTAIN: 0

Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy J.A. Martin (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 S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 Deputy of St. John
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Articles 1 to 8 and Schedules 1 and 2.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Connétables (Miscellaneous Provisions) (Jersey) Law 201-.

Members present voted as follows –

POUR: 46

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence

CONTRE: 3

Connétable of St. John
 Deputy T.M. Pitman (H)
 Deputy M.R. Higgins (H)

ABSTAIN: 0

Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy J.A. Martin (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 S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 Deputy of St. John
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)

Electoral Commission: appointment of members P.39/2012

THE STATES, adopting a proposition of the Privileges and Procedures Committee, referred to their Act dated 7th March 2012 in which they agreed that the Electoral Commission should be comprised of 3 members of the States, one of whom would be Chairman, together with 3 other persons with appropriate skills and experience who were not members of the States, appointed by the States on the recommendation of the Privileges and Procedures Committee following a recruitment process overseen by the Jersey Appointments Commission and appointed the following persons as members of the Electoral Commission in accordance with the decision of the Assembly –

Dr. Jonathan Renouf;
 Professor Edward Sallis, O.B.E.; and
 Mr. Colin Storm.

Members present voted as follows –

POUR: 40

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. Breckon

CONTRE: 3

Deputy G.P. Southern (H)
 Deputy S. Pitman (H)
 Deputy G.C.L. Baudains (C)

ABSTAIN: 4

Deputy R.G. Le Hérissier (S)
 Deputy M. Tadier (B)
 Deputy T.M. Pitman (H)

Senator S.C. Ferguson
Senator A.J.H. Maclean
Senator B.I. Le Marquand
Senator F. du H. Le Gresley
Senator I.J. Gorst
Senator L.J. Farnham
Senator P.M. Bailhache
Connétable of St. Helier
Connétable of Grouville
Connétable of St. Clement
Connétable of St. Peter
Connétable of St. Lawrence
Connétable of St. Mary
Connétable of St. John
Connétable of St. Ouen
Connétable of St. Martin
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy J.A. Martin (H)
Deputy of St. Ouen
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy K.C. Lewis (S)
Deputy E.J. Noel (L)
Deputy T.A. Vallois (S)
Deputy A.K.F. Green (H)
Deputy J.M. Maçon (S)
Deputy of St. John
Deputy J.H. Young (B)
Deputy S.J. Pinel (C)
Deputy of St. Mary
Deputy of St. Martin
Deputy R.G. Bryans (H)
Deputy of St. Peter
Deputy R.J. Rondel (H)

Deputy M.R. Higgins (H)

Ratification of the Agreement for the Exchange of Information relating to Tax Matters between the Government of Jersey and the Government of the Hong Kong Special Administrative Region of the People's Republic of China P.33/2012

THE STATES, adopting a proposition of the Chief Minister, ratified the Agreement between the Government of Jersey and the Government of the Hong Kong Special Administrative Region of the People's Republic of China for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, as set out in the Appendix to the report of the Chief Minister dated 28th March 2012.

Ratification of the Agreement for the Exchange of Information relating to Tax Matters between the Government of Jersey and the Government of the Italian Republic P.34/2012

THE STATES, adopting a proposition of the Chief Minister, ratified the Agreement between the Government of Jersey and the Government of the Italian Republic on the exchange of information relating to tax matters, as set out in the Appendix to the report of the Chief Minister dated 28th March 2012.

Members present voted as follows –

POUR: 37

CONTRE: 0

ABSTAIN: 0

Senator P.F.C. Ozouf
Senator A. Breckon
Senator S.C. Ferguson
Senator A.J.H. Maclean
Senator B.I. Le Marquand
Senator I.J. Gorst
Senator L.J. Farnham
Connétable of St. Helier
Connétable of Grouville
Connétable of St. Clement
Connétable of St. Peter
Connétable of St. Lawrence
Connétable of St. Mary
Connétable of St. John
Connétable of St. Ouen
Connétable of St. Martin
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy R.G. Le Hérisier (S)
Deputy G.P. Southern (H)
Deputy of St. Ouen
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 E.J. Noel (L)
Deputy T.A. Vallois (S)
Deputy A.K.F. Green (H)
Deputy J.M. Maçon (S)
Deputy G.C.L. Baudains (C)
Deputy S.J. Pinel (C)
Deputy of St. Mary
Deputy of St. Martin
Deputy R.G. Bryans (H)
Deputy of St. Peter
Deputy R.J. Rondel (H)

Ratification of the Agreement for the Exchange of Information relating to Tax Matters between the Government of Jersey and the Government of the State of Qatar P.35/2012

THE STATES, adopting a proposition of the Chief Minister, ratified the Agreement between the Government of Jersey and the Government of the State of Qatar for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, as set out in the Appendix to the Report of the Chief Minister dated 28th March 2012.

Draft Harbours (Inshore Safety) (Jersey) Regulations 201- P.24/2012

THE STATES commenced consideration of the Draft Harbours (Inshore Safety) (Jersey) Regulations 201- 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 to 8.

THE STATES, adopting an amendment of the Minister for Economic Development, agreed that in Regulation 9(5) for the words “level 2” there should be substituted the words “level 3” and in Regulation 10(3) for the words “level 3” there should be substituted the words “level 4”.

THE STATES adopted Regulations 9 and 10, as amended.

THE STATES adopted Regulations 11 to 15.

THE STATES, in pursuance of Articles 4 and 4A of the Harbours (Administration) (Jersey) Law 1961, and Articles 49, 127 and 196 of the Shipping (Jersey) Law 2002, made Regulations entitled the Harbours (Inshore Safety) (Jersey) Regulations 2012.

Members present voted as follows –

POUR: 43

CONTRE: 0

ABSTAIN: 0

Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F.du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Connétable of St. Helier
 Connétable of Grouville
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)

Deputy of St. Ouen
 Deputy of Grouville
 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 M. Tadier (B)
 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 G.C.L. Baudains (C)
 Deputy of St. John
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy of St. Peter
 Deputy R.J. Rondel (H)

Arrangement of public business for future meetings

THE STATES rejected a proposition of the Chairman of the Privileges and Procedures Committee that the proposition of Deputy Trevor Mark Pitman of St. Helier entitled 'Open ballot for Ministers and Chairmen' (P.188/2011) should be deferred from 29th May 2012.

Members present voted as follows –

POUR: 16

Senator P.F.C. Ozouf
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator I.J. Gorst
 Senator L.J. Farnham
 Connétable of St. Helier
 Connétable of Grouville
 Connétable of St. Clement
 Connétable of St. Ouen
 Connétable of St. Martin
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Peter

CONTRE: 21

Senator A. Breckon
 Senator F. du H. Le Gresley
 Connétable of St. Lawrence
 Connétable of St. Brelade
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisier (S)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy T.M. Pitman (H)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 Deputy of St. John

ABSTAIN: 3

Connétable of St. Mary
 Deputy J.A.N. Le Fondré (L)
 Deputy M. Tadier (B)

Deputy of St. Mary
Deputy of St. Martin
Deputy R.J. Rondel (H)

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) –

29th May 2012

Open ballot for Ministers and Chairmen. P.188/2011.
Lodged: 5th December 2011.
Deputy T.M. Pitman of St. Helier.

Open ballot for Ministers and Chairmen (P.188/2011): comments. P.188/2011.
Presented: 6th January 2012. Com.
Privileges and Procedures Committee.

Social Housing Schemes: funding. P.40/2012.
Lodged: 17th April 2012.
Minister for Treasury and Resources.

Draft Money Laundering and Weapons Development (Directions) (Amendment) (Jersey) P.41/2012.
Law 201-.
Lodged: 17th April 2012.
Chief Minister.

Draft Collective Investment Funds (Amendment and Validation) (Jersey) Law 201-. P.42/2012.
Lodged: 17th April 2012.
Minister for Economic Development.

Draft Amendment (No. 19) of the Standing Orders of the States of Jersey. P.43/2012.
Lodged: 19th April 2012.
Minister for Treasury and Resources.

Jersey Employment Tribunal: appointment of Chairman and Deputy Chairman. P.45/2012.
Lodged: 1st May 2012.
Minister for Social Security.

Ex gratia payment: Mr. D. Turner. P.46/2012.
Lodged: 1st May 2012.
Deputy M.R. Higgins of St. Helier.

12th June 2012

Standing Orders: Answers to Questions. P.30/2012.
Lodged: 26th March 2012.
Deputy G.P. Southern of St. Helier.

Standing Orders: Answers to Questions (P.30/2012) – comments. P.30/2012.
Presented: 27th April 2012. Com.
Privileges and Procedures Committee.

States Members' Remuneration Review Body: revised Terms of Reference. P.44/2012.
Lodged: 27th April 2012.
Privileges and Procedures Committee.

26th June 2012

Draft Health Insurance (Medical Benefit) (Amendment No. 5) (Jersey) Regulations 201-. P.47/2012.
Lodged: 15th May 2012.
Minister for Social Security.

10th July 2012

Tourism Development Fund: assistance to the private sector. P.26/2012.
Lodged: 13th March 2012.
Minister for Treasury and Resources.
(debate commenced 1st May 2012)

Draft Income Tax (Amendment No. 41) (Jersey) Law 201-. P.38/2012.
Lodged: 4th April 2012.
Minister for Treasury and Resources.

THE STATES rose at 1.02 p.m.

M.N. DE LA HAYE

Greffier of the States