



**THE STATES assembled on Wednesday
21st October 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 Philip Francis Cyril Ozouf – en défaut (défaut raised at 10.02 a.m.)
Senator Ben Edward Shenton – en défaut (défaut raised at 11.53 a.m.)
Senator Frederick Ellyer Cohen – ill
Deputy Collin Hedley Egré of St. Peter – ill

Prayers

Annual Business Plan 2009: variation in respect of pay freeze – rescindment P.143/2009

THE STATES, having resumed consideration of a proposition of Deputy Shona Pitman of St. Helier entitled ‘2009 Annual Business Plan: variation in respect of pay freeze – rescindment’ (P.143/2009) rejected the proposition –

- (a) to refer to their Act dated 14th July 2009 in which they adopted a proposition of the Minister for Treasury and Resources and, having referred to their Act dated 22nd September 2008 in which they approved paragraph (b) of the Annual Business Plan 2009, agreed to vary that decision as it related to the provision for the 2% provision for the 2009 pay award and remove the £3,501,600 allocation in the 2009 Annual Business Plan set aside for this purpose with the amount removed from the agreed heads of expenditure of each States-funded body as set out in the proposition, and to rescind that decision; and
- (b) to request the States Employment Board to restore the process of ‘free collective bargaining’ for public sector pay groups and re-open pay negotiations with the relevant public sector employees representatives with immediate effect.

Members present voted as follows –

POUR: 17

Connétable of St. Lawrence
Deputy of St. Martin
Deputy R.G. Le Hérisier (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy P.V.F. Le Claire (H)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)

CONTRE: 24

Senator T.A. Le Sueur
Senator P.F. Routier
Senator P.F.C. Ozouf
Senator B.E. Shenton
Senator J.L. Perchard
Senator S.C. Ferguson
Senator A.J.D. Maclean
Senator B.I. Le Marquand
Connétable of St. Ouen
Connétable of Trinity

ABSTAIN: 1

Connétable of St. Mary

Deputy M. Tadier (B)	Connétable of Grouville
Deputy of St. Mary	Connétable of St. Brelade
Deputy T.M. Pitman (H)	Connétable of St. Martin
Deputy T.A. Vallois (S)	Connétable of St. John
Deputy M.R. Higgins (H)	Connétable of St. Clement
Deputy D. De Sousa (H)	Connétable of St. Peter
Deputy J.M. Maçon (S)	Deputy of St. Ouen
	Deputy J.A.N. Le Fondré (L)
	Deputy of Trinity
	Deputy S.S.P.A. Power (B)
	Deputy A.E. Jeune (B)
	Deputy A.T. Dupré (C)
	Deputy E.J. Noel (L)
	Deputy A.K.F. Green (H)

Senators Terence John Le Main and Alan Breckon, the Connétable of St. Helier, the Connétable of St. Saviour, Deputies Robert Charles Duhamel of St. Saviour, John Benjamin Fox of St. Helier, Ian Joseph Gorst of St. Clement and the Deputy of St. John, in accordance with the provisions of Standing Order 106(a), declared an interest and withdrew from the Chamber for the duration of the debate.

Change in Presidency

The Bailiff briefly retired from the Chamber during consideration of proposition of Deputy Shona Pitman of St. Helier entitled '2009 Annual Business Plan: variation in respect of pay freeze – rescindment' (P.143/2009) and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States until his return.

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) –

3rd November 2009

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.
Property and Infrastructure Regeneration: the States of Jersey Development Company Limited (P.79/2009) – second amendment. Lodged: 20th October 2009. <i>Council of Ministers.</i>	P.79/2009. Amd.(2)

Pension Schemes: dealing with the past service liability. Lodged: 1st July 2009. <i>Senator B.E. Shenton.</i>	P.110/2009.
Draft Shops (Regulation of Opening and Deliveries) (Jersey) Law 200- Lodged: 1st July 2009. <i>Minister for Economic Development.</i>	P.111/2009.
Draft Shops (Regulation of Opening and Deliveries) (Jersey) Law 200- (P.111/2009): second amendment. Lodged: 16th October 2009. <i>Deputy I.J. Gorst of St. Clement.</i>	P.111/2009. Amd.(2)
Draft Shops (Regulation of Opening and Deliveries) (Jersey) Law 200- (P.111/2009): third amendment. Lodged: 16th October 2009. <i>Deputy A.K.F. Green of St. Helier.</i>	P.111/2009. Amd.(3)
Committee of Inquiry into the management of the Health and Social Services Department. Lodged: 9th September 2009. <i>Health, Social Security and Housing Scrutiny Panel.</i>	P.145/2009. (re-issued)
Referendum: position of the Connétables in the States. Lodged: 10th September 2009. <i>Deputy M. Tadier of St. Brelade.</i>	P.146/2009.
Referendum: position of the Connétables in the States (P.146/2009) – amendment. Lodged: 23rd September 2009. <i>Deputy of St. Martin.</i>	P.146/2009. Amd.
Draft Banking Business (Depositors Compensation) (Jersey) Regulations 200- second reading. Lodged: 2nd June 2009. <i>Minister for Economic Development.</i> <i>(principles approved 15th July 2009)</i>	P.86/2009.
Draft Banking Business (Depositors Compensation) (Jersey) Regulations 200- (P.86/2009): amendment. Lodged: 6th October 2009. <i>Minister for Economic Development.</i>	P.86/2009. Amd.
Draft Banking Business (Depositors Compensation) (Jersey) Regulations 200- (P.86/2009): second amendment. Lodged: 6th October 2009. <i>Economic Affairs Scrutiny Panel.</i>	P.86/2009. Amd.(2)
Draft Banking Business (Depositors Compensation) (Jersey) Regulations 200- (P.86/2009): third amendment. Lodged: 20th October 2009. <i>Economic Affairs Scrutiny Panel.</i>	P.86/2009. Amd.(3)

Draft Banking (Depositors Compensation) (Jersey) Regulations 200-. Lodged: 2nd June 2009. <i>Minister for Economic Development.</i>	P.87/2009.
Draft Income Tax (Amendment No. 32) (Jersey) Law 200-. Lodged: 2nd June 2009. <i>Minister for Treasury and Resources.</i>	P.81/2009.
Strategic Reserve Fund: use for Bank Depositors' Compensation Scheme. Lodged: 2nd June 2009. <i>Minister for Treasury and Resources.</i>	P.84/2009.
Draft Public Finances (Depositors Compensation) (Jersey) Regulations 200-. Lodged: 2nd June 2009. <i>Minister for Treasury and Resources.</i>	P.85/2009.
Young Offenders: naming by the media. Lodged: 17th September 2009. <i>Deputy T.M. Pitman of St. Helier.</i>	P.148/2009.
Young Offenders: naming by the media (P.148/2009) – amendment. Lodged: 14th October 2009. <i>Senator B.E. Shenton.</i>	P.148/2009. Amd.
Carbon Intensity of Imported Electricity: review. Lodged: 30th September 2009. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.156/2009.
Natural Gas Pipeline: strategic study. Lodged: 30th September 2009. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.157/2009.
Manual Workers' Joint Council: membership. Presented: 12th October 2009. <i>Chief Minister.</i>	P.172/2009.
Public Holidays and Bank Holidays: designation of 26th December 2009. Lodged: 15th October 2009. <i>Deputy S. Pitman of St. Helier.</i>	P.173/2009.
<u>17th November 2009</u>	
Committee of Inquiry: confidential files held by States of Jersey Police on States Members and others. Lodged: 23rd June 2009. <i>Deputy M.R. Higgins of St. Helier.</i>	P.104/2009.
Committee of Inquiry: confidential files held by States of Jersey Police on States Members and others (P.104/2009) – comments. Presented: 16th October 2009. <i>Minister for Treasury and Resources.</i>	P.104/2009. Com.

Committee of Inquiry: confidential files held by States of Jersey Police on States Members and others (P.104/2009) – amendment. Lodged: 20th October 2009. <i>Deputy J.B. Fox of St. Helier.</i>	P.104/2009. Amd.
Draft Gambling Commission (Jersey) Law 200-. Lodged: 8th September 2009. <i>Minister for Economic Development.</i>	P.139/2009.
Draft Gambling Commission (Jersey) Law 200- (P.139/2009): amendment. Lodged: 6th October 2009. <i>Deputy of St. Martin.</i>	P.139/2009. Amd.
Draft Gambling (Gaming and Lotteries) (Amendment No. 15) (Jersey) Regulations 200-. Lodged: 8th September 2009. <i>Minister for Economic Development.</i>	P.140/2009.
Draft Gambling (Gaming and Lotteries) (Amendment No. 15) (Jersey) Regulations 200- (P.140/2009): amendment. Lodged: 6th October 2009. <i>Deputy of St. Martin.</i>	P.140/2009. Amd.
Draft Gambling (2010 Fees) (Jersey) Regulations 200-. Lodged: 8th September 2009. <i>Minister for Economic Development.</i>	P.141/2009.
Draft Gambling (2010 Fees) (Jersey) Regulations 200- (P.141/2009): amendment. Lodged: 6th October 2009. <i>Deputy of St. Martin.</i>	P.141/2009. Amd.
Draft Data Protection (Amendment No. 2) (Jersey) Law 200-. Lodged: 16th September 2009. <i>Minister for Treasury and Resources.</i>	P.147/2009.
Draft Currency Notes (Variation of Maximum Amount of Issue) (Jersey) Regulations 200-. Lodged: 22nd September 2009. <i>Minister for Treasury and Resources.</i>	P.152/2009.
Social Security Fund: research into alternative funding mechanisms. Lodged; 23rd September 2009. <i>Deputy G.P. Southern of St. Helier.</i>	P.153/2009. (re-issued)
Channel Islands Lottery: allocation of profits for 2009–2010. Lodged: 24th September 2009. <i>Minister for Economic Development.</i>	P.155/2009.
Ratification of the Agreement for the Exchange of Information with Respect to Taxes between the States of Jersey and the Government of Australia. Lodged: 1st October 2009. <i>Chief Minister.</i>	P.160/2009.

Ratification of the Agreement for the Exchange of Information with Respect to Taxes between the States of Jersey and the Government of New Zealand. Lodged: 1st October 2009. <i>Chief Minister.</i>	P.161/2009.
Draft Taxation (Exchange of Information with Third Countries) (Amendment No. 4) (Jersey) Regulations 200-. Lodged: 1st October 2009. <i>Chief Minister.</i>	P.162/2009.
Draft Digital Switchover (Disclosure of Information) (Jersey) Law 200-. Lodged: 5th October 2009. <i>Minister for Economic Development.</i>	P.165/2009.
Draft Proceeds of Crime (Amendment of Schedule 2) (No. 2) (Jersey) Regulations 200-. Lodged: 6th October 2009. <i>Minister for Economic Development.</i>	P.166/2009.
Draft Proceeds of Crime (Supervisory Bodies) (Amendment of Law) (No. 2) (Jersey) Regulations 200-. Lodged: 6th October 2009. <i>Minister for Economic Development.</i>	P.167/2009.
Draft Foundations (Winding up) (Jersey) Regulations 200-. Lodged: 6th October 2009. <i>Minister for Economic Development.</i>	P.169/2009.
Draft Foundations (Mergers) (Jersey) Regulations 200-. Lodged: 6th October 2009. <i>Minister for Economic Development.</i>	P.170/2009.
Provision of States Members' lunches at certain meetings and car parking. Lodged: 7th October 2009. <i>Senator S.C. Ferguson.</i>	P.171/2009.
Employment of States of Jersey Employees Law – proposed changes. Lodged: 16th October 2009. <i>Deputy of St. Martin.</i>	P.175/2009.
<u>1st December 2009</u>	
Plémont Holiday Village: acquisition by the Public. Lodged: 9th September 2009. <i>Connétable of St. Ouen.</i>	P.144/2009.
Planning and Building Bye-laws: provision of disabled toilets/changing rooms. Lodged: 6th October 2009. <i>Deputy A.K.F. Green of St. Helier.</i>	P.168/2009. (re-issued)
H1N1 Influenza Pandemic Funding: expenditure approval. Lodged: 15th October 2009. <i>Minister for Treasury and Resources.</i>	P.174/2009.

'User Pays' Charges: States of Jersey Police. P.176/2009.
Lodged: 19th October 2009.
Minister for Home Affairs.

Draft Companies (Amendment No. 4) (Jersey) Regulations 200-. P.177/2009.
Lodged: 20th October 2009.
Minister for Economic Development.

Draft Tariff of Harbour Dues. P.178/2009.
Lodged: 20th October 2009.
Minister for Economic Development.

8th December 2009

Draft Taxation (Land Transactions) (Jersey) Law 2009 (Appointed Day) Act 200-. P.158/2009.
Lodged: 30th September 2009.
Minister for Treasury and Resources.

Draft Taxation (Land Transactions) (Amendment of Law) (Jersey) Regulations P.159/2009.
200-.
Lodged: 30th September 2009.
Minister for Treasury and Resources.

H.M. Attorney General – Tribute

The Dean, referring to the fact that the present meeting would be the last at which Mr. William James Bailhache Q.C. would attend before being sworn in as Deputy Bailiff, thanked him, on behalf of all members, for the advice he had given to the Assembly during his time as H.M. Attorney General.

THE STATES rose at 3.43 p.m.

M.N. DE LA HAYE

Greffier of the States