



**THE STATES assembled on Wednesday
30th March 2011, at 09.30 a.m. under
the Presidency of the Deputy Bailiff,
William James Bailhache, Esquire**

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

Senator Philip Francis Cyril Ozouf – en défaut
Senator Frederick Ellyer Cohen – absent on States business
Senator Alan John Henry Maclean – en défaut (défaut raised at 10.08 a.m.)
Deputy Daniel John Arabin Wimberley of St. Mary – en défaut (défaut raised at 10.08 a.m.)
Deputy Trevor Mark Pitman of St. Helier – en défaut (défaut raised at 9.53 a.m.)
Deputy Deborah Jane De Sousa of St. Helier – ill

Prayers read by the Dean Substitute

Resignation of the President of the Chairmen’s Committee

THE STATES noted the resignation of Senator Ben Edward Shenton as President of the Chairmen’s Committee

Salaries over £100,000: notification to States Assembly P.30/2011

THE STATES, having resumed consideration of the proposition of Deputy Roy George Le Hérisier, as amended, agreed to request the States Employment Board, within 2 weeks of the publication of the report of the Comptroller and Auditor General on senior salaries, to lodge for approval by the States proposals for a new mechanism to control and monitor senior salaries with the exception of all clinical locum appointments where the appointment was to cover annual leave, sickness and other absences of permanent staff and to further request the Board to give consideration to the feasibility of introducing a notification procedure as part of the new procedures so that on each occasion on which it was proposed to recruit a public employee to a post which attracted a basic remuneration of £100,000 or more per annum (or which cost the States that sum if the appointment was to be made through an agency or other external body), and following the signature of a ministerial decision by the Minister responsible for the Department where the public employee was to be employed confirming the Minister’s support for the post and the proposed remuneration, a report would be presented to the States Assembly at least 15 days before any recruitment process was initiated setting out details of the need for the post, a summary of the duties to be performed and the proposed level of remuneration.

Members present voted as follows –

POUR: 45

Senator P.F. Routier
Senator T.J. Le Main
Senator B.E. Shenton
Senator J.L. Perchard
Senator A. Breckon
Senator A.J.H. Maclean

CONTRE: 1

Senator S.C. Ferguson

ABSTAIN: 1

Senator T.A. Le Sueur

Senator B.I. Le Marquand
Senator F. du H. Le Gresley
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. 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 Grouville
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 T.A. Vallois (S)
Deputy M.R. Higgins (H)
Deputy A.K.F. Green (H)
Deputy J.M. Maçon (S)

Public Holidays and Bank Holidays: designation of 19th October 2011 P.33/2011

THE STATES rejected a proposition of Deputy Geoffrey Peter Southern of St. Helier to agree that Wednesday 19th October should be designated as an extra public and bank holiday for 2011; and to request the Chief Minister to bring forward for approval the necessary Act under the Public Holidays and Bank Holidays (Jersey) Law 1951 to give effect to the decision.

Members present voted as follows –

POUR: 3

Deputy G.P. Southern (H)
 Deputy M. Tadier (B)
 Deputy T.M. Pitman (H)

CONTRE: 44

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator T.J. Le Main
 Senator J.L. Perchard
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 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 Hérisier (S)
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 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 S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy of St. John
 Deputy A.E. Jeune (B)
 Deputy of St. Mary
 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)

ABSTAIN: 0

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(a), Senator Ben Edward Shenton declared an interest and withdrew from the Chamber for the duration of the debate.

Senator James Leslie Perchard in accordance with the provisions of Standing Order 106(1)(b), declared an interest but remained in the Chamber.

Draft Amendment (No. 15) of the Standing Orders of the States of Jersey P.35/2011

THE STATES commenced consideration of a proposition of the Privileges and Procedures Committee concerning amendments to the Standing Orders of the States of Jersey and adopted Standing Orders 1 and 2.

Members present voted as follows –

POUR: 36

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator T.J. Le Main
 Senator J.L. Perchard
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Connétable of St. Ouen
 Connétable of Trinity
 Connétable of Grouville
 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 Hérisier (S)
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy A.E. Jeune (B)
 Deputy of St. Mary
 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)

CONTRE: 4

Deputy of St. John
 Deputy M. Tadier (B)
 Deputy T.M. Pitman (H)
 Deputy J.M. Maçon (S)

ABSTAIN: 0

THE STATES adopted Standing Order 3.

Members present voted as follows –

POUR: 45

CONTRE: 0

ABSTAIN: 0

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator T.J. Le Main
 Senator J.L. Perchard
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 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 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 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 A.K.F. Green (H)
 Deputy J.M. Maçon (S)

THE STATES adopted Standing Order 4.

Members present voted as follows –

POUR: 41**CONTRE: 2****ABSTAIN: 0**

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator J.L. Perchard
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 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 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 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)

Deputy of St. John
 Deputy M. Tadier (B)

THE STATES, in pursuance of Article 48 of the States of Jersey Law 2005, made Amendment (No. 15) of the Standing Orders of the States of Jersey.

Public elections: voting on Sunday 16th October 2011 P.40/2011

THE STATES rejected a proposition of Deputy Trevor Mark Pitman of St. Helier to agree that the ordinary elections for Senators, Connétables and Deputies should be held on Sunday 16th October 2011 and not on Wednesday 19th October 2011 and to request the Privileges and Procedures Committee to bring forward for approval the necessary Regulations under Article 17(2)(a) of the Public Elections (Jersey) Law 2002 to give effect to the decision.

Members present voted as follows –

POUR: 6

Deputy R.G. Le Hérisier (S)
Deputy G.P. Southern (H)
Deputy P.V.F. Le Claire (H)
Deputy S. Pitman (H)
Deputy M. Tadier (B)
Deputy J.M. Maçon (S)

CONTRE: 41

Senator T.A. Le Sueur
Senator P.F. Routier
Senator T.J. Le Main
Senator J.L. Perchard
Senator A. Breckon
Senator S.C. Ferguson
Senator A.J.H. Maclean
Senator B.I. Le Marquand
Senator F. du H. Le Gresley
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 J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy of St. Ouen
Deputy of Grouville
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 I.J. Gorst (C)
Deputy of St. John
Deputy A.E. Jeune (B)
Deputy of St. Mary
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)

ABSTAIN: 0

Changes in Presidency

The Deputy Bailiff retired from the Chamber during consideration of the proposition of Deputy Trevor Mark Pitman of St. Helier entitled 'Public elections: voting on Sunday 16th October 2011' (P.40/2011) and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States.

Review of the role of the Crown Officers ("Carswell Review"): 'in Committee' debate R.28/2011

THE STATES, on the proposition of the Chairman of the Privileges and Procedures Committee, resolved to sit 'in Committee', in order to discuss 'Review of the rôle of the Crown Officers ("Carswell Review"): 'in Committee' debate' (R.28/2011), presented by the Privileges and Procedures Committee on 14th March 2011.

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) –

5th April 2011

Jersey Financial Services Commission: imposition of fines. Lodged: 19th October 2010. <i>Senator A. Breckon.</i>	P.150/2010.
Speed Limits: revised policy. Lodged: 2nd November 2010. <i>Minister for Transport and Technical Services.</i>	P.167/2010.
Speed Limits: revised policy (P.167/2010) – amendment. Lodged: 29th December 2010. <i>Minister for Economic Development.</i>	P.167/2010. Amd.
Speed Limits: revised policy (P.167/2010) – second amendment. Lodged: 5th January 2011. <i>Connétable of St. Helier.</i>	P.167/2010. Amd.(2)
Speed Limits: revised policy (P.167/2010) – third amendment. Lodged: 13th January 2011. <i>Deputy M.R. Higgins of St. Helier.</i>	P.167/2010. Amd.(3)
Income Tax: introduction of higher rate. Lodged: 14th February 2011. <i>Deputy G.P. Southern of St. Helier.</i>	P.23/2011.
Draft States of Jersey (Transfer of Functions No. 4) (Treasury and Resources to Chief Minister) (Jersey) Regulations 201- Lodged: 16th February 2011. <i>Chief Minister.</i>	P.25/2011.

Draft Licensing (No. 17) (Jersey) Regulations 201-. Lodged: 22nd February 2011. <i>Minister for Economic Development.</i>	P.28/2011.
Draft Income Support (Amendment No. 6) (Jersey) Regulations 201-. Lodged: 22nd February 2011. <i>Minister for Social Security.</i>	P.29/2011.
Committee of Inquiry: States owned or controlled utilities. Lodged: 24th February 2011. <i>Senator A. Breckon.</i>	P.31/2011.
States Members' training. Lodged: 8th March 2011. <i>Deputy M. Tadier of St. Brelade.</i>	P.34/2011.
States Members' training (P.34/2011): comments. Presented: 29th March 2011. <i>Privileges and Procedures Committee.</i>	P.34/2011. Com.
Public Elections: extension of pre-poll voting arrangements. Lodged: 22nd March 2011. <i>Deputy J.M. Maçon of St. Saviour.</i>	P.42/2011.
Draft Separate Limited Partnerships (Jersey) Law 2011 (Appointed Day) Act 201-. Lodged: 22nd March 2011. <i>Minister for Economic Development.</i>	P.45/2011.
<u>3rd May 2011</u>	
Draft Freedom of Information (Jersey) Law 201-. Lodged: 15th March 2011. <i>Privileges and Procedures Committee.</i>	P.39/2011.
Draft Freedom of Information (Jersey) Law 201- (P.39/2011): amendment. Lodged: 25th March 2011. <i>Privileges and Procedures Committee.</i>	P.39/2011. Amd.
Freedom of Information: Implementation Plan. Lodged: 16th March 2011. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.41/2011.
Draft Christmas Bonus (Jersey) Law 201-. Lodged: 22nd March 2011. <i>Minister for Social Security.</i>	P.43/2011.
Draft Food Costs Bonus (Jersey) Regulations 201-. Lodged: 22nd March 2011. <i>Minister for Social Security.</i>	P.44/2011.
Health and Safety Appeal Tribunal: appointment of members. Lodged: 29th March 2011. <i>Minister for Social Security.</i>	P.46/2011.

Planning Applications Panel: appointment of Members. P.50/2011.
 Lodged: 29th March 2011.
Minister for Planning and Environment.

17th May 2011

Goods and Services Tax: exemption or zero-rating for foodstuffs, domestic energy and fuel. P.36/2011.
 Lodged: 10th March 2011.
Senator A. Breckon.

Jersey Harbours and Airport Shadow Board: Terms of Reference. P.47/2011.
 Lodged: 29th March 2011.
Minister for Economic Development.

Code of Practice for Scrutiny Panels and the Public Accounts Committee: amendments. P.49/2011.
 Lodged: 29th March 2011.
Chairmen's Committee.

7th June 2011

States of Jersey Development Company Limited: appointment of Chairman and Non-Executive Directors. P.32/2011.
 Lodged: 2nd March 2011.
Minister for Treasury and Resources.

21st June 2011

North of Town Masterplan (Revised). P.190/2010.
 Lodged: 21st December 2010.
Minister for Planning and Environment.

North of Town Masterplan (Revised) (P.190/2010): amendment. P.190/2010.
 Lodged: 22nd December 2010. Amd.
Deputy P.V.F. Le Claire of St. Helier.

North of Town Masterplan (Revised) (P.190/2010): second amendment. P.190/2010.
 Lodged: 10th January 2010. Amd.(2)
Deputy A.K.F. Green of St. Helier.

North of Town Masterplan (Revised) (P.190/2010): third amendment. P.190/2010.
 Lodged: 25th January 2011. Amd.(3)
Connétable of St. Helier.

North of Town Masterplan (Revised) (P.190/2010): fourth amendment. P.190/2010.
 Lodged: 15th February 2011. Amd.(4)
Deputy of St. Mary.

Esplanade Quarter: deferment of works. P.24/2011.
 Lodged: 15th February 2011.
Deputy of St. John.

Esplanade Quarter: deferment of works (P.24/2011) – comments. P.24/2011.
Presented: 28th March 2011. Com.
Council of Ministers.

Island Plan 2011: approval. P.48/2011.
Lodged: 29th March 2011.
Minister for Planning and Environment.

5th July 2011

Draft Control of Housing and Work (Jersey) Law 201-. P.37/2011.
Lodged: 15th March 2011.
Chief Minister.

Draft Register of Names and Addresses (Jersey) Law 201-. P.38/2011.
Lodged: 15th March 2011.
Chief Minister.

THE STATES rose at 5.35 p.m.

A.H. HARRIS

Deputy Greffier of the States