

**THE STATES assembled on Tuesday
21st October 2008, at 09.30 a.m. under
the Presidency of the Deputy Bailiff,
Mr. 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 Stuart Syvret – en défaut (défaut raised at 9.57 a.m.)
Senator Terence Augustine Le Sueur– en défaut
Senator Frederick Ellyer Cohen – en défaut (défaut raised at 9.44 a.m.)
Deputy Alan Breckon of St. Helier– absent on States business
Deputy Shona Pitman of St. Helier– ill
Deputy Juliette Gallichan of St. Mary– excused attendance (arrived in the Chamber at 11.50 a.m.)

Prayers

Tribute to the late Mr. John Le Marquand, former member of the States

The Deputy Bailiff paid tribute to the late Mr. John Le Marquand former Senator, who served as a Member of the States for 38 years.

The States observed one minute's silence as a mark of respect.

Members – re-election

The Deputy Bailiff, on behalf of States' members, congratulated those Members who had been elected in the recent Senatorial and Constables elections, and commiserated with those who had not been successful.

Subordinate enactments tabled

The following enactments were tabled, namely –

Income Support (General Provisions) (Amendment) (Jersey) Order 2008. <i>Minister for Social Security.</i>	R&O.118/2008.
Lodging Houses (General Provisions) (Amendment No. 14) (Jersey) Order 2008. <i>Minister for Housing.</i>	R&O.121/2008.
Health Insurance (Pharmaceutical Benefit) (General Provisions) (No. 2) (Amendment No. 6) (Jersey) Order 2008. <i>Minister for Social Security.</i>	R&O.122/2008.
Motor Vehicles (Driving Licences) (Amendment No. 10) (Jersey) Order 2008	R&O.123/2008.

Minister for Transport and Technical Services.

Income Support (Transitional Provisions) (Amendment No. 2) (Jersey) Order 2008. R&O.124/2008.
Minister for Social Security.

Inquests and Post-Mortem Examinations (Amendment No. 6) Rules 2008. R&O.125/2008.
The Superior Number of the Royal Court.

Places of Refreshment (Registration) (Fees) (Jersey) Order 2008. R&O.126/2008.
Minister for Economic Development.

Tourism (General Provisions) (Amendment No. 15) (Jersey) Order 2008. R&O.127/2008.
Minister for Economic Development.

Veterinary Surgeons (No. 2) (Jersey) Order 2008. R&O.128/2008.
Minister for Economic Development.

Social Security (Earnings Limit) (Jersey) Order 2008. R&O.129/2008.
Minister for Social Security.

Pilotage (Dues and Fees) (Amendment) (Jersey) Order 2008. R&O.130/2008.
Minister for Economic Development.

Documents presented or laid

Rental Deposit Scheme to Protect Tenants' Deposits (P.137/2008): comments. P.137/2008.
Presented: 10th October 2008. Com.
Minister for Housing.

Committee of Inquiry: Energy from Waste plant procurement process (P.139/2008) – P.139/2008.
comments. Com.
Presented: 14th October 2008.
Minister for Transport and Technical Services.

Land Transactions under Standing Order 168(3) – R.102/2008.
(a) No. 2 Devonshire Place, St. Helier– granting of rights;
(b) Railway Walk, Le Mont Les Vaux, St. Brelade– new lease to Jersey Gas Company Limited;
(c) Jersey Airport, John Le Fondré Departure Hall, Ticket Desk, D003E– new lease to Flybe Limited;
(d) Jersey Airport, John Le Fondré Departure Hall, Offices D003A, D003B, D003C and D003D – new lease to Flybe Limited.
Presented: 30th September 2008.
Minister for Treasury and Resources.

Land Transactions under Standing Order 168(3) – R.103/2008.
(a) Jersey Airport, Freight and Fuel Farm, Unit B132 – new lease to Mr. John Muirhead;
(b) Bel Royal Car Park, Bel Royal, St. Lawrence– new lease to Jersey Gas Company Limited.
Presented: 3rd October 2008.
Minister for Treasury and Resources.

States employees: political activities – reclassification of politically ineligible post. R.104/2008.
Presented: 6th October 2008.

Chief Minister.

Public Sector Manpower Report: June 2008. R.105/2008.
Presented: 8th October 2008.
Minister for Treasury and Resources.

Land Transactions under Standing Order 168(3) – The Old Sail Loft, Gorey Pier, St. Martin– proposed 3 year lease to Gavroche Ltd. R.106/2008.
Presented: 8th October 2008.
Minister for Treasury and Resources.

Draft Residential Tenancy (Jersey) Law 200-: Summary of Findings of the Consultation. R.107/2008.
Presented: 10th October 2008.
Minister for Housing.

Jersey Police Complaints Authority: report for 2007. R.108/2008.
Presented: 21st October 2008.
Minister for Home Affairs.

H.M. Prison, La Moye: report for 2007. R.109/2008.
Presented: 21st October 2008.
Minister for Home Affairs.

Land Transactions under Standing Order 168(3) – R.110/2008.
(a) Medina, 26 Seale Street, St. Helier– disposal;
(b) Holly Tree House, La Grande Route de St. Jean, Trinity 3 year lease;
(c) Georgetown Car Park, La Route du Fort, St. Saviour– lease to Channel Islands Co-Operative Society Limited.
Presented: 21st October 2008.
Minister for Treasury and Resources.

Social Inclusion – Mont-à-l' Abbé. S.R.11/2008.
Presented: 10th October 2008.
Education and Home Affairs Scrutiny Panel.

Notification of lodged propositions

Draft Foundations (Jersey) Law 200- (P.143/2008): amendment. P.143/2008.
Lodged: 6th October 2008. Amd.
Minister for Economic Development.

Jersey Financial Services Commission: appointment of Commissioner. P.151/2008.
Lodged: 25th September 2008.
Minister for Economic Development.

Plémont Holiday Village site: negotiations for purchase. P.152/2008.
Lodged: 29th September 2008.
Connétable of St. Ouen.

Waterfront Enterprise Board Ltd: appointment of Director. P.153/2008.
Lodged: 1st October 2008.
Chief Minister.

Waterfront Enterprise Board Ltd.: appointment of Director (P.153/2008) – amendment. P.153/2008.

Lodged: 21st October 2008. <i>Senator B.E. Shenton.</i>	Amd.
Jersey Community Relations Trust: appointment of Chairman. Lodged: 6th October 2008. <i>Minister for Home Affairs.</i>	P.154/2008.
States Members' Remuneration Review Body: appointment of members. Lodged: 7th October 2008. <i>Privileges and Procedures Committee.</i>	P.155/2008.
Jersey Heritage Trust: appointment of Chairman. Lodged: 7th October 2008. <i>Minister for Education, Sport and Culture.</i>	P.156/2008.
Draft Collective Investment Funds (Recognized Funds) (Actions for Damages) (Jersey) Regulations 200-. Lodged: 8th October 2008. <i>Minister for Economic Development.</i>	P.157/2008.
Draft Budget Statement 2009. Lodged: 21st October 2008. <i>Minister for Treasury and Resources.</i>	P.158/2008.
Draft Finance (2009 Budget) (Jersey) Law 200-. Lodged: 21st October 2008. <i>Minister for Treasury and Resources.</i>	P.159/2008.
Draft Income Tax (Amendment No. 31) (Jersey) Law 200. Lodged: 21st October 2008. <i>Minister for Treasury and Resources.</i>	P.160/2008.
Draft Income Tax (Amendment No. 32) (Jersey) Law 200. Lodged: 21st October 2008. <i>Minister for Treasury and Resources.</i>	P.161/2008.
Draft Firearms (Amendment No. 2) (Jersey) Law 200. Lodged: 21st October 2008. <i>Minister for Home Affairs.</i>	P.162/2008.
Income Support and GST food costs bonus: additional funding. Lodged: 21st October 2008. <i>Minister for Treasury and Resources.</i>	P.163/2008.
Draft Food Costs (Offset of Average GST) Bonus (Amendment) (Jersey) Regulations 200-. Lodged: 21st October 2008. <i>Minister for Social Security.</i>	P.164/2008.
Draft Income Support (Amendment No. 3) (Jersey) Regulations 200. Lodged: 21st October 2008. <i>Minister for Social Security.</i>	P.165/2008.

Withdrawal of lodged propositions

THE STATES noted that, in accordance with Standing Order 34(1), the proposer of the following propositions lodged “au Greffe” had informed the Greffier of the States that they had been withdrawn –

Committee of Inquiry: Energy from Waste plant procurement process. P.139/2008.
Lodged: 4th September 2008.
Deputy G.C.L. Baudains of St. Clement.

Machinery of Government: modifications. P.141/2008.
Lodged: 8th September 2008.
Deputy G.C.L. Baudains of St. Clement.

Resignation of the Minister for Home Affairs

The Chief Minister, in accordance with Article 22(4) of the States of Jersey Law 2005, informed the Assembly that Senator Wendy Kinnard had resigned as Minister for Home Affairs.

Personal statements

(see Official Report/Hansard)

Senator Wendy Kinnard, in accordance with Standing Order 16 (3), made a personal statement regarding her decision to resign as Minister for Home Affairs.

Written Questions

(see Official Report/Hansard)

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding the composting costs for 2008.

The Minister for Housing tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding the Housing Trust’s management of Berkshire Court.

The Chairman of the Health, Social Security and Housing Scrutiny Panel tabled an answer to a question asked by Deputy I.J. Gorst of St. Clement regarding the implementation of therecommendations of the Bull report.

The Chairman of the Education and Home Affairs Scrutiny Panel tabled an answer to a question asked by Deputy I.J. Gorst of St. Clement regarding the implementation of therecommendations of the Bull report.

The Minister for Minister for Health and Social Services tabled an answer to a question asked by Deputy I.J. Gorst of St. Clement regarding the implementation of therecommendations of the Bull report.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding an investigation into the tender processes and contractual arrangements at Liberty Wharf.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the appointment of an employer representative to chair the new Skills Executive

The Minister for Economic Development tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding population control policies.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding population control policies.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the

extension of savings guarantees to Jersey.

The Chairman of the Public Accounts Committee tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding efficiency savings.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding Income Support for parents attending the Access course at Highlands.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding incentives to work and save under Income Support.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding how changes in circumstances of Income Support applicants were addressed.

The Minister for Social Security tabled an answer to a question asked by Deputy C.J. Scott Warren of St. Saviour regarding appointments at doctors' surgeries between January and September 2008.

Oral Questions

(see Official Report/Hansard)

Deputy I.J. Gorst of St. Clement asked a question of the Chief Minister regarding the employment of people with disabilities by the States Employment Board during 2008.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding overpayment of Income Support.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Chief Minister regarding the issue of a Disclosure Notice by the police in respect of a public servant's alleged actions.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Education, Sport and Culture regarding the terms and conditions which are currently applied to maternity leave and pay for teachers.

The Deputy of St. Martin asked a question of the Chairman of the Comité des Connétables regarding the availability of ballot papers for pre-poll or postal votes for the Deputies Elections.

The Connétable of St. Helier asked a question of the Minister for Health and Social Services regarding action taken by Environmental Health officers as a result of a recent incident at the harbour.

Deputy D.W. Mezbourian of St. Lawrence asked a question of the Minister for Transport and Technical Services regarding the publication and implementation of the Integrated Travel and Transport Policy.

The Deputy of St. Martin asked a question of the Minister for Treasury and Resources regarding the work being undertaken by the Officer Working Group established to consider the various options for the future of Haut de la Garenne.

Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Health and Social Services regarding the potential withdrawal by the United Kingdom from the reciprocal health agreement with the Island.

Deputy G.C.L. Baudains of St. Clement asked a question of the Chief Minister regarding the development of the 'Esplanade Quarter' and the publication of the reports by Carey Olsen, PricewaterhouseCoopers and the Minister for Treasury and Resources.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Minister for Health and Social Services regarding the debate of the New Directions policy.

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Health and Social Services answered questions without notice from members.

The Minister for Transport and Technical Services answered questions without notice from members.

Personal statements

(see Official Report/Hansard)

The Connétable of St Peter made a statement about the Broadlands fire.

Statements on a matter of official responsibility

(see Official Report/Hansard)

The Chief Minister made a statement regarding a proposed Partnership agreement with the Conseil Général de la Manche.

The Chief Minister made a statement regarding the British-Irish Council summit meeting to be held in Jersey in 2009.

The Chief Minister made a statement regarding the implications for depositors of the current global financial conditions.

The Minister for Transport and Technical Services made a statement regarding the Victoria Avenue Resurfacing Contract.

The Deputy Chairman of the Committee of Inquiry into Third Party Planning Appeals made a statement regarding the progress of the inquiry.

Integrated Coastal Zone Management Strategy P.76/2008

THE STATES, adopting a proposition of the Minister for Planning and Environment concerning the introduction of an Integrated Coastal Zone Management Strategy, agreed –

to refer to their Act dated 26th June 2006 in which they approved the States Strategic Plan 2006 to 2011 and approved, *inter alia*, Objective 4.7.5 “To bring forward for consultation and debate in 2006 a Coastal Zone Management Plan”; Commitment 1.1 “Show the world that economic and environmental success can work together, indicated by Conservation and enhancement of biological diversity locally and contribution towards the conservation of global biodiversity where appropriate”; Commitment 4.4 “Clean air, clean water and uncontaminated land”; Commitment 4.5 “Jersey’s natural and built heritage is sympathetically managed” and Objective 5.2.8 “Over the period 2007 – 2010, meet, where possible, international standards set through the extension of international treaties and conventions”, and –

to receive the Integrated Coastal Zone Management Strategy entitled ‘Making the Most of Jersey’s Coast’ to secure better management and informed decision-making on coastal issues so that Jersey’s vital coastal and marine resources were managed sustainably, as set out in the report of the Minister for Planning and Environment dated March 2008, and in order to give effect to the recommendations made in the Strategy –

- (a) to request the Minister for Planning and Environment to take the necessary steps to protect and conserve coastal and marine wildlife, habitats, geodiversity and cultural heritage by

taking actions including –

- (i) developing a marine Biodiversity Action Plan with targets for marine and coastal habitats and species;
 - (ii) identifying the potential threats to Jersey's coastal zone posed by climate change and consider appropriate actions for safety, well-being and economic interests of coastal communities;
 - (iii) reducing inputs of nutrients and hazardous chemicals and materials from both land-based and boat-based sources to improve marine and coastal water quality;
 - (iv) introducing fishing management techniques and technical measures that were less damaging to non-target species in consultation with the local fishing industry and France, Guernsey and the United Kingdom;
 - (v) developing fully representative networks of ecological, geological and heritage marine and coastal protected areas in full consultation with all stakeholders;
- (b) to request the Minister for Planning and Environment to take steps to increase understanding of the marine and coastal environment by –
- (i) drawing together a marine and coastal database to make better use of existing information;
 - (ii) developing a marine habitats classification system;
 - (iii) developing a marine and coastal atlas for Jersey to assist spatial planning;
 - (iv) investigating the possibility of setting up a marine research laboratory for use by visiting schools and universities;
- (c) to request the Minister for Planning and Environment to promote and encourage sensitive use of natural resources to ensure long-term environmental, social and economic benefits by –
- (i) ensuring policies within the Island Plan Review reflected the principles of the Integrated Coastal Zone Management Strategy;
 - (ii) developing Management Plans for all Ramsar sites and future protected areas in consultation with all stakeholders;
 - (iii) encouraging better returns for Jersey-caught marine species by investigating the possibility of supporting the adoption of an internationally recognised certification programme, which promoted well-managed fisheries;
- (d) to request the Minister for Planning and Environment to work with stakeholders to promote awareness, understanding and appreciation of the value of marine and coastal environments and seek involvement in adapting to change and developing new policies by –
- (i) ensuring that effective co-ordination arrangements were in place across the States of Jersey and other interests with a role in the coastal zone to facilitate Integrated Coastal Zone Management;
 - (ii) through ECO-ACTIVE promote greater community involvement in, and

understanding of, marine and coastal issues;

- (iii) ensure growth in marine leisure was sustainable;
- (iv) work with schools to generate greater understanding of the value of the marine and coastal environment;
- (v) develop closer links with France and the other Channel Islands to improve knowledge and sustainable use of the marine and coastal environment;
- (vi) continue to participate in the British-Irish Council (BIC) Environment Sub-Group on Integrated Coastal Zone Management.

Members present voted as follows –

POUR: 35

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. Lawrence
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisier (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 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 K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

CONTRE: 4

Connétable of St. Peter
Connétable of St. John
Deputy G.C.L. Baudains
(C)
Deputy S.C. Ferguson (B)

ABSTAIN: 0

Esplanade Quarter Masterplan, St. Helier: development agreement– approval by the States P.111/2008

THE STATES, adopting a proposition of Senator James Leslie Perchard, agreed to request the Chief Minister to give directions to the Waterfront Enterprise Board Limited in accordance with Article 22(a) of the Articles of Association of the Company that no development agreement should be signed by the Company in relation to the proposed Esplanade Quarter, St. Helier until the details of the proposed development agreement had been recommended by the Waterfront Enterprise Board for endorsement by the States, presented to the States by the Chief Minister and approved by the Assembly.

Members present voted as follows –

POUR: 40

Senator S. Syvret
Senator F.H. Walker
Senator P.F. Routier
Senator M.E. Vibert
Senator T.J. Le Main
Senator B.E. Shenton
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of Grouville
Deputy of St. Peter
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 K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

CONTRE: 1

Deputy J.J. Huet (H)

ABSTAIN: 1

Senator F.E. Cohen

Statements on a matter of official responsibility

(see Official Report/Hansard)

The Chairman of the Economic Affairs Scrutiny Panel made a statement regarding the scrutiny of the Draft Foundations (Jersey) Law 200-

Draft States of Jersey (Amendment No. 5) Law 200 P.122/2008

THE STATES commenced consideration of the Draft States of Jersey (Amendment No. 5) Law 200 and rejected a proposition of Senator Stuart Syvret that, in accordance with Standing Order 83(1)(a), the matter should be referred back to the Privileges and Procedures Committee in order that further information relating to the proposition could be provided to the States.

Members present voted as follows –

POUR: 12

Senator S. Syvret
Connétable of St. Peter
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy R.G. Le Hérisssier (S)
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian (L)
Deputy of Trinity
Deputy I.J. Gorst (C)

CONTRE: 21

Senator M.E. Vibert
Senator T.J. Le Main
Senator F.E. Cohen
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren (S)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of St. Peter
Deputy G.W.J. de Faye (H)
Deputy S.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)
Deputy of St. John
Deputy of St. Mary

ABSTAIN: 0

THE STATES 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 Article 1.

THE STATES adopted Article 2.

Members present voted as follows –

POUR: 30

Senator F.H. Walker
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator T.J. Le Main

CONTRE: 8

Senator S. Syvret
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy R.G. Le Hérisssier (S)

ABSTAIN: 0

Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Deputy J.J. Huet (H)
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren (S)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
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 I.J. Gorst (C)
Deputy of St. Mary

Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy P.V.F. Le Claire (H)

THE STATES adopted Article 3.

THE STATES adopted Article 4.

Members present voted as follows –

POUR: 37

Senator F.H. Walker
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. Peter
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérissier (S)
Deputy J.B. Fox (H)

CONTRE: 3

Senator S. Syvret
Deputy J.J. Huet (H)
Deputy of St. Ouen

ABSTAIN: 0

Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy P.J.D. Ryan (H)
Deputy of St. Peter
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 I.J. Gorst (C)
Deputy of St. Mary

THE STATES adopted Article 5.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the States of Jersey (Amendment No. 5) Law 200.

Statements on a matter of official responsibility

(see Official Report/Hansard)

The Chief Minister made a statement regarding the resignation of Senator Wendy Kinnard as Minister for Home Affairs.

Draft Policing of Parks (Amendment) (Jersey) Regulations 200- P.131/2008

THE STATES commenced consideration of the Draft Policing of Parks (Amendment) (Jersey) Regulations 200- 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 and 2.

THE STATES, in pursuance of the Order in Council of 26th December 1851, and Article 92 of the Road Traffic (Jersey) Law 1956, made Regulations entitled the Policing of Parks (Amendment) (Jersey) Regulations 2008.

Jersey Air Cadets' HQ, La Rue Carrée, St. Brelade- proposed Deed of Arrangement P.132/2008

THE STATES, adopting a proposition of the Minister for Treasury and Resources –

- (a) agreed that a Deed of Arrangement should be passed between the Public as the owner of the site of the Jersey Air Cadets' HQ, La Rue Carrée, St. Brelade, and Mr. Paul Christopher Little and Mrs. Samant Little, née Hibbard, as the owners of Le Petit Reve, La Rue Carrée, St. Brelade (as shown on Drawir No. 1412 D1), to agree the boundary between the two subject properties, with Mr. and Mrs. Little bear the Public's costs in connection with passing the contract before the Royal Court; and
- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contracts on behalf of the Public.

Artificial Insemination of Bovines: fees P.135/2008

THE STATES, adopting a proposition of the Minister for Planning and Environment, agreed –

to refer to their Act dated 24th June 2003 in which they agreed that no new ‘user pays’ charges should be introduced without the prior approval of the States, and –

that a new charge should be introduced in accordance with the ‘user pays’ principle for licensing and approvals required under the Artificial Insemination of Domestic Animals (Bovine Semen) (Jersey) Order 2008.

Members present voted as follows –

POUR: 23

Senator P.F. Routier
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Peter
Connétable of Trinity
Connétable of St. Lawrence
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Deputy of St. Martin
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy of St. Ouen
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 A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. Mary

CONTRE: 2

Deputy R.C. Duhamel (S)
Deputy G.C.L. Baudains (C)

ABSTAIN: 0

Senator James Leslie Perchard, in accordance with the provisions of Standing Order 106(1)(a), declared an interest and withdrew from the Chamber.

Change of Presidency

The Deputy Bailiff retired from the Chamber during consideration of the Artificial Insemination of Bovines: fees and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States.

Draft Amendment (No. 9) of the Standing Orders of the States of Jersey P.140/2008

THE STATES commenced consideration of the Draft Amendment (No. 9) of the Standing Orders of the States of Jersey.

THE STATES adopted Amendment 1.

THE STATES adopted Amendment 2.

Members present voted as follows –

POUR: 28

Senator P.F. Routier
Senator M.E. Vibert
Senator T.J. Le Main
Senator J.L. Perchard
Connétable of St. Mary
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy J.B. Fox (H)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of St. Peter
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 of Trinity
Deputy S.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)
Deputy of St. John
Deputy of St. Mary

CONTRE: 10

Connétable of St. Ouen
Connétable of St. Peter
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisssier (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy D.W. Mezbourian (L)
Deputy K.C. Lewis (S)

ABSTAIN: 0

THE STATES adopted Amendments 3 to 8.

THE STATES commenced consideration of Amendment 9 and, adopting an amendment of Senator Michael Edward Vibert, agreed that for Amendment 9, there should be substituted the following Amendments–

“9 Standing order 112 amended

In standing order 112(1), in the order of selection for appointment, item 10 shall be deleted.

*** Standing order 114 amended**

In standing order 114(1), sub-paragraph (f) shall be deleted.”

Members present voted as follows –

POUR: 37

Senator F.H. Walker
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf

CONTRE: 4

Deputy G.C.L. Baudains (C)
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy J.A.N. Le Fondré (L)

ABSTAIN: 0

Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy of St. Ouen
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 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)
Deputy of St. Mary

THE STATES adopted Amendment 9, as amended.

THE STATES adopted Amendments 10 and 11.

THE STATES, adopting the amendment of Senator Michael Edward Vibert, agreed that for Amendment 12 there should be substituted the following Amendments –

“* **Standing order 121 amended**

In standing order 121(1) the words ‘by virtue of their office’ shall be deleted.

* **Standing order 122 substituted**

For standing order 122 there shall be substituted the following standing order –

‘122 Membership of the PPC: appointment process

- (1) The chairman of the PPC shall nominate 3 elected members, who are neither Ministers or Assistant Ministers, as candidates for membership of the PPC.
- (2) The presiding officer shall invite elected members to nominate other elected members who are neither Ministers or Assistant Ministers as candidates.
- (3) If there are no other elected members nominated who are neither Ministers or Assistant

Ministers, the 3 elected members nominated under paragraph (1) are appointed as members of the PPC.

- (4) Otherwise, if there are more than 3 candidates who are neither Ministers or Assistant Ministers, there shall be a secret ballot and the 3 candidates who receive the highest number of votes are appointed as members.
- (5) The chairman of the PPC shall then, after consultation with the Chief Minister, nominate 2 elected members, who are each a Minister or an Assistant Minister, as candidates for membership of the PPC.
- (6) The presiding officer shall invite elected members to nominate other elected members, who are either Ministers or Assistant Ministers, as candidates.
- (7) If there are no other elected members nominated who are either Ministers or Assistant Ministers, the 2 elected members nominated under paragraph (5) are appointed as members of the PPC.
- (8) Otherwise, if there are more than 2 candidates who are each a Minister or Assistant Minister there shall be a secret ballot and the 2 candidates who receive the highest number of votes are appointed as members of the PPC.
- (9) The chairman of the PPC shall then, after consultation with the president of the chairmen's committee, nominate a member of the chairmen's committee as a candidate for membership of the PPC.
- (10) The presiding officer shall invite elected members to nominate other members of the chairmen's committee as candidates.
- (11) If no other members of the chairmen's committee are nominated the member nominated under paragraph (9) is appointed as a member of the PPC.
- (12) Otherwise, if there are 2 or more candidates who are members of the chairmen's committee there shall be a secret ballot and the candidate who receive the highest number of votes is appointed as member.
- (13) In a ballot an elected member shall have the same number of votes as there are members to appoint, although a member need not use all of his or her votes.
- (14) In the event that 2 or more candidates receive the same number of votes in a ballot, being a number which, if received by one candidate, would be the lowest number of votes required for that candidate to be appointed as a member, there shall be a further secret ballot between those candidates, and the candidate receiving the greater number of votes shall be appointed as a member of the PPC.
- (15) This process shall also apply, with the necessary modifications, in the event of one or more vacancies in the membership of the PPC.'."

THE STATES, adopting the amendment of Senator Michael Edward Vibert, agreed that for Amendment 13 there should be substituted the following Amendment –

“* **Standing order 126 revoked**

Standing order 126 shall be revoked.”

THE STATES adopted Amendments 12 and 13, as amended.

THE STATES adopted Amendments 14 and 15.

THE STATES, adopting the amendment of Senator Michael Edward Vibert, agreed that after Amendment 15 there should be inserted the following Amendments –

“* **Standing order 142 amended**

In standing order 142 –

- (a) in paragraph (1) there shall be deleted–
 - (i) the word ‘and’ at the end of sub-paragraph (b);
 - (ii) sub-paragraph (c);
- (b) for paragraph (2) there shall be substituted the following paragraph–
 - ‘(2) The States shall appoint the president of the chairmen’s committee.’

* **Standing order 144 revoked**

Standing order 144 shall be revoked.”

And the provisions renumbered accordingly.

THE STATES adopted Article 16.

THE STATES, in pursuance of Article 48 of the States of Jersey Law 2005, made amendments to the Standing Orders of the States of Jersey entitled ‘Amendment (No. 9) of the Standing Orders of the States of Jersey, as amended’.

Change of Presidency

The Greffier of the States retired from the Chamber during consideration of Amendment (No. 9) of the Standing Orders of the States of Jersey and the meeting continued under the presidency of the Deputy Bailiff.

Statements on a matter of official responsibility

(see Official Report/Hansard)

The Chairman of the Economic Development Scrutiny Panel made a second statement regarding the scrutiny of the Draft Foundations (Jersey) Law 200-.

THE STATES rose at 5.45 p.m.

M.N. DE LA HAYE

Greffier of the States