



**THE STATES assembled on Wednesday
2nd July 2014, 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 Alan John Henry Maclean – en défaut (défaut raised at 9.36 a.m.)
Senator Lyndon John Farnham – en défaut (défaut raised at 9.37 a.m.)
Deputy James Patrick Gorton Baker of St. Helier – en défaut (défaut raised at 9.39 a.m.)
Deputy Kristina Louise Moore of St. Peter – ill
Deputy Samuel Yves Mézec of St. Helier – en défaut (défaut raised at 10.18 a.m.)

Prayers

Draft Sex Offenders (Amendment No. 2) (Jersey) Law 201- P.89/2014

THE STATES commenced consideration of the Draft Sex Offenders (Amendment No. 2) (Jersey) Law 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 Articles 1 and 2.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Sex Offenders (Amendment No. 2) (Jersey) Law 201-.

Draft Income Support (Special Payments) (Child Personal Care) (Jersey) Regulations 201- P.90/2014

THE STATES commenced consideration of the Draft Income Support (Special Payments) (Child Personal Care) (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, commenced consideration of Regulations 1 and 2 and, adopting an amendment of Deputy Judith Ann Martin of St. Helier, agreed that for Regulation 2 there should be substituted the following Regulation –

“2 Special payment for child personal care

- (1) Subject to paragraph (2), the Minister may make a special payment to any household in which –
 - (a) a member of the household is a child who –
 - (i) meets the requirements for the impairment component under paragraph 5 of Schedule 1 to the 2007 Regulations, and
 - (ii) but for being a child, meets the criteria for the rate payable in respect of the personal care element of the impairment component for an adult under paragraph 6(3) of Schedule 1 to the 2007 Regulations; and

- (b) another member of the household is an adult who meets the requirement under Article 2(1)(b) of the Income Support (Jersey) Law 2007, to defray general expenses in respect of the personal care of that child.
- (2) The amount of the special payment under paragraph (1) shall be the same as that payable to an adult who meets the criteria for the rate payable in respect of the personal care element of the impairment component under paragraph 6(3)(a), (b) or (c) of Schedule 1 to the 2007 Regulations, as the case may be.”.

Members present voted as follows –

POUR: 37

Senator A. Breckon
 Senator L.J. Farnham
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 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.P.G. Baker (H)
 Deputy J.H. Young (B)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)
 Deputy N.B. Le Cornu (H)
 Deputy S.Y. Mézec (H)

CONTRE: 3

Senator S.C. Ferguson
 Senator P.M. Bailhache
 Deputy S.J. Pinel (C)

ABSTAIN: 8

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Connétable of St. Ouen
 Deputy of Trinity

THE STATES adopted Regulation 1 and 2 as amended

Members present voted as follows –

POUR: 44**CONTRE: 0****ABSTAIN: 4**

Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator L.J. Farnham
 Connétable of St. Helier
 Connétable of Trinity
 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
 Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (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 M. Tadier (B)
 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.P.G. Baker (H)
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)
 Deputy N.B. Le Cornu (H)
 Deputy S.Y. Mézec (H)

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator I.J. Gorst
 Senator P.M. Bailhache

Changes in Presidency

The Deputy Bailiff retired from the Chair during consideration of the proposition of the Minister for Social Security entitled ‘Draft Income Support (Special Payments) (Child Personal Care) (Jersey) Regulations 201-’ and the meeting continued under the Presidency of Mr. Michael Nelson de la Haye, O.B.E., Greffier of the States.

Draft Criminal Justice (Young Offenders) (Jersey) Law 201- P.93/2014

THE STATES commenced consideration of the Draft Criminal Justice (Young Offenders) (Jersey) Law 201- and adopted the principles.

Roll call

Following the lunchtime adjournment the Presiding Officer, in accordance with Standing Order 56(2), directed that elected members be summoned as the Assembly was inquorate. In accordance with Standing Order 56(2), having allowed such time as he considered reasonable for elected members to return to the Chamber, the Presiding Officer asked the Greffier to call the roll, as he believed that the States remained inquorate. The following members were present in the Chamber for this second roll call –

Senator P.F. Routier
Senator A. Breckon
Senator S.C. Ferguson
Senator B.I. Le Marquand
Senator I.J. Gorst
Senator L.J. Farnham
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. Mary
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Connétable of Grouville
Deputy R.C. Duhamel (S)
Deputy R.G. Le Hérisssier (S)
Deputy J.A. Martin (H)
Deputy of St. Ouen
Deputy J.A. Hilton (H)
Deputy of Trinity
Deputy K.C. Lewis (S)
Deputy T.A. Vallois (S)
Deputy J.M. Maçon (S)
Deputy G.C.L. Baudains (C)
Deputy J.H. Young (B)
Deputy of St. Mary
Deputy of St. Martin
Deputy R.G. Bryans (H)

Draft Criminal Justice (Young Offenders) (Jersey) Law 201- P.93/2014

THE STATES resumed consideration of the Draft Criminal Justice (Young Offenders) (Jersey) Law 201-.

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 16.

THE STATES adopted Articles 17 to 33 and the Schedule.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Criminal Justice (Young Offenders) (Jersey) Law 201-.

Members present voted as follows –

POUR: 34

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 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. Clement
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy J.A. Martin (H)
 Deputy of St. Ouen
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 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 of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy N.B. Le Cornu (H)
 Deputy S.Y. Mézec (H)

Draft Planning and Building (Amendment No. 6) (Jersey) Law 201- P.94/2014

THE STATES commenced consideration of the Draft Planning and Building (Amendment No. 6) (Jersey) Law 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 Article 1.

THE STATES commenced consideration of Article 3 and, adopting an amendment of Deputy John Hilary Young of St. Brelade, agreed that, in Article 3, in the substituted Article 9A –

- (a) for the words “Planning Applications Panel”, in each place that they appeared, there should be substituted the words “Planning Applications Committee”;
- (b) in paragraph (3)(b) for the words “3 days” there should be substituted the words “5 days”;
- (c) for paragraph (4) there should be substituted the following paragraphs –
 - “(4) Subject to paragraph (3), the Minister may by Order prescribe procedures to be followed by the Planning Applications Committee under this Law.
 - (5) Except as otherwise provided by or under this Article, the Planning Applications Committee shall determine its own procedure.
 - (6) The Planning Applications Committee shall, within the period of 3 months following the end of a year, report to the States –
 - (a) the number of decisions made by the Committee under this Law during that year;
 - (b) the number of appeals made during that year against decisions made by the Committee under this Law;
 - (c) the Committee’s assessment of planning policy and any recommendations it has for its revision.
 - (7) Where, under paragraph (6)(c), the Planning Applications Committee makes recommendations about planning policy, the Minister shall present to the States his or her response to the recommendations.”.

Members present voted as follows –

POUR: 34

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 P.M. Bailhache
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour

CONTRE: 2

Senator I.J. Gorst
 Deputy J.P.G. Baker (H)

ABSTAIN: 1

Deputy R.G. Bryans (H)

Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy of St. Ouen
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 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 N.B. Le Cornu (H)

THE STATES adopted Article 3, as amended.

THE STATES commenced consideration of Article 2 and, adopting an amendment of Deputy John Hilary Young of St. Brelade, agreed that in Article 2 for the inserted definition “Planning Applications Panel” there should be substituted the following definition –

“ ‘Planning Applications Committee’ means the body exercising functions conferred under Article 9A;”.

THE STATES adopted Article 2 as amended.

THE STATES adopted Articles 4 and 5.

THE STATES commenced consideration of Article 6 and, adopting an amendment of the Minister for Planning and Environment, agreed that in Article 6, in the inserted Article 22A, for paragraph (5) there should be substituted the following paragraph –

- “(5) The determination of the Planning Applications Panel shall be substituted for the initial decision and –
- (a) Article 19(8) shall apply to the determination as it applies to a decision made under that Article; and
 - (b) an appeal shall lie under Part 7 against the determination –
 - (i) in the case of a refusal, or of a grant of planning permission subject to conditions, as though it were a decision under Article 19, or
 - (ii) in a case relating to a condition, as though the condition were attached or imposed under Article 23.”.

THE STATES, adopting part (a) of an amendment of Deputy John Hilary Young of St. Brelade, agreed that in Article 6, in the inserted Article 22A –

- (a) for the words “Planning Applications Panel”, in each place that they appeared, there should be substituted the words “Planning Applications Committee”.

THE STATES rejected part (b) of an amendment of Deputy John Hilary Young of St. Brelade, that in Article 6 in paragraph (1) for sub-paragraphs (a) and (b) there should be substituted the following sub-paragraphs –

- “(a) to grant planning permission without conditions (other than by virtue of a Development Order);
- (b) to refuse to grant planning permission; or
- (c) to grant planning permission subject to conditions (other than by virtue of a Development Order).”;

Members present voted as follows –

POUR: 17

CONTRE: 19

ABSTAIN: 0

Senator A. Breckon
 Senator S.C. Ferguson
 Connétable of St. Lawrence
 Connétable of St. Brelade
 Connétable of Grouville
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Martin (H)
 Deputy J.A. Hilton (H)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 Deputy J.H. Young (B)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy N.B. Le Cornu (H)
 Deputy S.Y. Mézec (H)

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator P.M. Bailhache
 Connétable of St. Clement
 Connétable of St. Mary
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy of St. Ouen
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy of St. John
 Deputy J.P.G. Baker (H)
 Deputy S.J. Pinel (C)

THE STATES rejected parts (c) (d) and (e) of an amendment of Deputy John Hilary Young of St. Brelade, that in Article 6 –

- (c) for paragraph (2) there should be substituted the following paragraph –
 - “(2) Where this Article applies, the following persons may request a review of the decision in question (the ‘initial decision’) by the Planning Applications Committee –
 - (a) in the case of a decision described in paragraph (1)(a), a third party;
 - (b) in the case of a decision described in paragraph (1)(b), the applicant;
 - (c) in the case of a decision described in paragraph (1)(c), the applicant or a third party.”;
- (d) in paragraph (3) –
 - (i) for sub-paragraph (a) there should be substituted the following sub-paragraph –
 - “(a) the name and address for correspondence of the person requesting the review.”;
 - (ii) in sub-paragraph (c) for the words “the applicant” there should be substituted the words “the person requesting the review”;
- (e) after paragraph (5) the following paragraphs should be added –

- “(6) In this Article, ‘third party’, in relation to an initial decision to grant planning permission, shall be construed in accordance with Article 108(4).
- (7) A request made by a third party under this Article must include a declaration, signed by the third party, as to the facts by virtue of which he or she satisfies the condition in Article 108(4)(a).”.

Members present voted as follows –

POUR: 13

Senator A. Breckon
 Senator S.C. Ferguson
 Connétable of St. Lawrence
 Connétable of St. Brelade
 Connétable of Grouville
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Hilton (H)
 Deputy T.A. Vallois (S)
 Deputy G.C.L. Baudains (C)
 Deputy J.H. Young (B)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy S.Y. Mézec (H)

CONTRE: 20

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator P.M. Bailhache
 Connétable of Trinity
 Connétable of St. Clement
 Connétable of St. Mary
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy of St. Ouen
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy of St. John
 Deputy J.P.G. Baker (H)

ABSTAIN: 0

THE STATES adopted Article 6, as amended.

THE STATES commenced consideration of Article 7 and, adopting an amendment of the Minister for Planning and Environment, agreed that in Article 7, in paragraphs (3) and (5) of the substituted Article 114, for the word “determine” there should be substituted the words “deal with”.

THE STATES, adopting paragraph (a) of an amendment of Deputy John Hilary Young of St. Brelade, agreed that in Article 7 –

- (a) in the substituted Article 106(4) for the words “Planning Applications Panel” there should be substituted the words “Planning Applications Committee”.

THE STATES rejected paragraphs (b) to (g) of an amendment of Deputy John Hilary Young of St. Brelade, that in Article 7 –

- (b) for the substituted Article 107 there should be substituted the following Article –

“107 Appointment of Appeals Panel

- (1) There shall be an Appeals Panel, consisting of inspectors and assistant inspectors, appointed in accordance with this Article.
- (2) The States shall direct the number of persons to be appointed as inspectors.

- (3) The Minister shall decide the number of persons to be appointed as assistant inspectors.
 - (4) The Minister shall, following recommendations made for the purpose by the Jersey Appointments Commission, appoint inspectors and assistant inspectors.
 - (5) In recommending a person for appointment as an inspector or assistant inspector, the Jersey Appointments Commission must be satisfied that the person is capable and willing to act as such for the purposes of this Part.
 - (6) In recommending a person for appointment as an assistant inspector, the Jersey Appointments Commission must also be satisfied that the person is ordinarily resident in one of the Channel Islands.
 - (7) A person cannot be recommended for appointment, or appointed, as an assistant inspector if he or she is –
 - (a) a member of the States; or
 - (b) a States' employee.
 - (8) Inspectors shall be appointed as States' employees.
 - (9) An assistant inspector –
 - (a) shall be appointed for a term of 3 years;
 - (b) shall receive such remuneration as the Minister determines;
 - (c) may resign by giving notice, in writing, to the Minister.
 - (d) shall cease to hold office upon taking such office or employment as is described in paragraph (7); and
 - (e) may be dismissed by the Minister if the assistant inspector ceases to be ordinarily resident in one of the Channel Islands or is unfit, unwilling or unable to discharge, or is not discharging, his or her functions as an assistant inspector.”.
- (c) in the substituted Article 113 –
- (i) for paragraph (2)(a) there should be substituted the following sub-paragraph –
 - “(a) nominate a person or persons to conduct the appeal, in accordance with paragraph (3) or (4);”.
 - (ii) after paragraph (2) there should be inserted the following paragraphs and the remaining paragraphs renumbered accordingly –
 - “(3) Where the appeal is made under Article 108(2)(a), (b), (c), (d) or (e), the Greffier shall nominate one inspector and 2 assistant inspectors, appointed under Article 107, to conduct the appeal.
 - (4) Notwithstanding paragraph (3), if –
 - (a) one of the interested parties in an appeal under Article 108(2)(a), (b), (c), (d) or (e) notifies the Greffier and the other interested parties in the appeal, within the period of 7 days beginning with the date of the invitation referred to in paragraph (1)(b), that he or she requests that the appeal is conducted by an inspector alone; and
 - (b) within the period of 14 days beginning with the date of that invitation, the other interested parties in the appeal notify the Greffier that they agree to the request,
 the Greffier shall nominate one inspector, appointed under Article 107, to conduct the appeal.

- (5) Where the appeal is made otherwise than under a provision mentioned in paragraph (3), the Greffier shall nominate one inspector, appointed under Article 107, to conduct the appeal.
- (6) Notwithstanding paragraph (5), if –
- (a) one of the interested parties in an appeal described in paragraph (5) notifies the Greffier and the other interested parties in the appeal, within the period of 7 days beginning with the date of the invitation referred to in paragraph (1)(b), that he or she requests that the appeal is conducted by an inspector and 2 assistant inspectors; and
 - (b) within the period of 14 days beginning with the date of that invitation, the other interested parties in the appeal notify the Greffier that they agree to the request,
- the Greffier shall nominate one inspector and 2 assistant inspectors, appointed under Article 107, to conduct the appeal.
- (7) In paragraphs (4) and (6) a reference to an interested party in an appeal does not include the person whose decision is being appealed against.”;
- (d) in the substituted Article 114 –
- (i) in paragraphs (3), (5) and (6) for the words “An inspector nominated” there should be substituted the words “The person or persons nominated”,
 - (ii) in paragraph (3)(b) and (5)(b) after the words “his or her” there should be inserted the words “or their”,
 - (iii) in paragraph (6) for the words “if the inspector considers” there should be substituted the words “if the person or persons so nominated consider”;
- (e) in the heading to the inserted Article 115 there should be deleted the words “by inspector”;
- (f) in the inserted Article 115 –
- (i) for the words “the inspector” in each place that they appear, there should be substituted the words “the person or persons nominated to conduct the appeal”,
 - (ii) in paragraph (5)(a) for the words “the inspector’s recommendation” there should be substituted the words “subject to paragraph (6), the recommendation of the person or persons nominated to conduct the appeal”;
 - (iii) after paragraph (6) there should be added the following paragraph –
- “(6) If the appeal is conducted by persons nominated under Article 113(3) and those persons are not unanimous in their recommendation, the report must set out the alternative recommendation of any of those persons, and the reasons for it.”;
- (g) in the substituted Article 116 –
- (i) for paragraph (1) there should be substituted the following paragraphs and the remaining paragraphs renumbered accordingly –
- “(1) Having considered a report made under Article 115 the Minister shall determine the appeal and, subject to paragraph (2), in so doing shall give effect to the recommendation of the person or persons nominated to conduct the appeal, unless the Minister is satisfied that there are reasons not to do so.
 - (2) If, in accordance with Article 115(6), a report sets out an alternative recommendation, the Minister may decide to give effect to any of the recommendations in the report, or none of them.
 - (3) In making a decision under paragraph (2), the Minister must have particular regard to the recommendation of the inspector.”,

- (ii) in paragraph (2)(b) for the words “the inspector” there should be substituted the words “the person or persons nominated to conduct the appeal”,
- (iii) in paragraph (4)(a) for the words “the inspector’s report” there should be substituted the words “the report made under Article 115”,
- (iv) for paragraph (4)(b) there should be substituted the following sub-paragraph –
“(b) if the report made under Article 115 did not make a unanimous recommendation, or if and to the extent that the Minister does not give effect to a unanimous recommendation in such a report, the full reasons for the Minister’s decision.”,
- (v) in paragraph (7) for the words beginning “Where the Minister” and ending “to the Minister,” there should be substituted the words “Where, under paragraph (2)(b), the Minister refers an appeal back to the person or persons nominated to conduct an appeal, that person or those persons shall, as soon as practicable, produce a supplementary report to the Minister that complies with Article 115(5) and (6).”.

Members present voted as follows –

POUR: 17

Senator A. Breckon
Senator S.C. Ferguson
Senator P.M. Bailhache
Connétable of St. Brelade
Connétable of Grouville
Deputy R.G. Le Hérissier (S)
Deputy G.P. Southern (H)
Deputy J.A. Hilton (H)
Deputy J.A.N. Le Fondré (L)
Deputy M. Tadier (B)
Deputy M.R. Higgins (H)
Deputy G.C.L. Baudains (C)
Deputy J.H. Young (B)
Deputy of St. Mary
Deputy of St. Martin
Deputy N.B. Le Cornu (H)
Deputy S.Y. Mézec (H)

CONTRE: 25

Senator P.F. Routier
Senator P.F.C. Ozouf
Senator B.I. Le Marquand
Senator F. du H. Le Gresley
Senator I.J. Gorst
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. Mary
Connétable of St. Martin
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy J.A. Martin (H)
Deputy of St. Ouen
Deputy of Trinity
Deputy S.S.P.A. Power (B)
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.P.G. Baker (H)
Deputy S.J. Pinel (C)
Deputy R.J. Rondel (H)

ABSTAIN: 0

THE STATES adopted Article 7, as amended.

Members present voted as follows –

POUR: 37

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
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisier (S)
 Deputy J.A. Martin (H)
 Deputy of St. Ouen
 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 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.P.G. Baker (H)
 Deputy J.H. Young (B)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)
 Deputy S.Y. Mézec (H)

CONTRE: 2

Deputy S.J. Pinel (C)
 Deputy of St. Mary

ABSTAIN: 1

Senator P.M. Bailhache

THE STATES commenced consideration of Article 8 and, adopting an amendment of the Minister for Planning and Environment, agreed that in Article 8, after paragraph (1) there should be inserted the following paragraph and the remaining paragraph should be renumbered accordingly –

- “(2) Regulations under paragraph (1) may, in particular, amend the principal Law so as to provide that any function of the Minister under the principal Law (other than a function of making an Order or determining an appeal) is transferred to another person or description of persons.”.

THE STATES, adopting an amendment of Deputy John Hilary Young of St. Brelade, agreed that in Article 8(2) –

- (a) in the inserted paragraph (3A)(a) for the words “Planning Applications Panel” there should be substituted the words “Planning Applications Committee”;

- (b) in the inserted paragraph (3A)(b) for the words “who is neither a Minister nor an Assistant Minister” there should be substituted the words “who is not a Minister”;
- (c) in the inserted paragraph (3A)(c) there should be deleted the words “or Assistant Ministers”.

Members present voted as follows –

POUR: 34**CONTRE: 2****ABSTAIN: 0**

Senator P.F. Routier
 Senator P.F.C. Ozouf
 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 P.M. Bailhache
 Connétable of Trinity
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Martin (H)
 Deputy of St. Ouen
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 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.P.G. Baker (H)
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)
 Deputy S.Y. Mézec (H)

Connétable of St. Peter
 Deputy M.R. Higgins (H)

THE STATES adopted Article 8, as amended.

THE STATES adopted Article 9.

THE STATES commenced consideration of Article 10 and, adopting an amendment of the Minister for Planning and Environment, agreed that in Article 10, for the words “7 days after being registered.” There should be substituted the words “on such day or days as the States by Act appoint.”.

THE STATES adopted Article 10, as amended.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Planning and Building (Amendment No. 6) (Jersey) Law 201-.

Members present voted as follows –

POUR: 40**CONTRE: 0****ABSTAIN: 1**

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy J.A. Martin (H)
 Deputy of St. Ouen
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 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.P.G. Baker (H)
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)
 Deputy N.B. Le Cornu (H)
 Deputy S.Y. Mézec (H)

Senator P.M. Bailhache

In accordance with Standing Order 106(1)(b), Senator Philip Francis Cyril Ozouf declared an interest but remained in the Chamber for the duration of the debate.

Changes in Presidency

Mr. Michael Nelson de la Haye, O.B.E., Greffier of the States, retired from the Chair during consideration of the Draft Planning and Building (Amendment No. 6) (Jersey) Law 201- (P.94/2014) and the meeting continued under the Presidency of the Bailiff.

Draft Regulation of Care (Jersey) Law 201- P.95/2014

THE STATES commenced consideration of the principles of the Draft Regulation of Care (Jersey) Law 201-.

Adjournment

THE STATES adjourned, having agreed to reconvene on Thursday 3rd July 2014 to continue consideration of the Draft Regulation of Care (Jersey) Law 201- (P.95/2014) and the outstanding items of public business.

THE STATES rose at 5.38 p.m.

M.N. DE LA HAYE, O.B.E.

Greffier of the States