



**THE STATES assembled on Tuesday
5th July 2011, 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 Philip Francis Cyril Ozouf – en défaut (défaut raised at 9.51 a.m.)
Senator Terence John Le Main – en défaut (défaut raised at 9.42 a.m.)
Connétable Silvanus Arthur Yates of St. Martin – excused attendance (arrived in the Chamber at 9.54 a.m.)
Deputy Judith Ann Martin of St. Helier – en défaut
Deputy John Alexander Nicholas Le Fondré of St. Lawrence – en défaut (défaut raised at 9.42 a.m.)
Deputy Michael Roderick Higgins of St. Helier – en défaut (défaut raised at 9.40 a.m.)

Prayers

Resignation of the Minister for Planning and Environment

The Chief Minister notified the Assembly, in accordance with Article 22 of the States of Jersey Law 2005, that Senator Frederick Ellyer Cohen had tendered his resignation as the Minister for Planning and Environment.

Senator Frederick Ellyer Cohen – personal statement

Senator Frederick Ellyer Cohen, in accordance with Standing Order 16(1), made a personal statement regarding his resignation as the Minister for Planning and Environment.

Subordinate enactments tabled

The following enactments were tabled, namely –

Children (Regulation of Employment) (Jersey) Order 2011. <i>Minister for Health and Social Services.</i>	R&O.77/2011.
Planning and Building (General Development) (Jersey) Order 2011. <i>Minister for Planning and Environment.</i>	R&O.78/2011.
Community Provisions (Restrictive Measures – Libya) (Amendment No. 7) (Jersey) Order 2011. <i>Chief Minister.</i>	R&O.79/2011.
Community Provisions (Restrictive Measures – Belarus) (Amendment No. 2) (Jersey) Order 2011. <i>Chief Minister.</i>	R&O.80/2011.

Community Provisions (Restrictive Measures – Syria) (Amendment No. 2) (Jersey) Order 2011.
Chief Minister. R&O.82/2011.

Community Provisions (Restrictive Measures – Côte d’Ivoire) (Amendment No. 3) (Jersey) Order 2011.
Chief Minister. R&O.83/2011.

Documents presented or laid

Draft Control of Housing and Work (Jersey) Law 201- (P.37/2011): amendment (P.37/2011 Amd.) – comments.
Presented: 4th July 2011.
Chief Minister. P.37/2011.
Amd.Com.

Draft Control of Housing and Work (Jersey) Law 201- (P.37/2011): amendment (P.37/2011 Amd.) – amendment (P.37/2011 Amd.Amd.) – comments.
Presented: 4th July 2011.
Chief Minister. P.37/2011.
Amd.Amd.
Com.

Draft Register of Names and Addresses (Jersey) Law 201- (P.38/2011): amendment (P.38/2011 Amd.) – comments.
Presented: 4th July 2011.
Chief Minister. P.38/2011.
Amd.Com.

Draft Register of Names and Addresses (Jersey) Law 201- (P.38/2011): amendment (P.38/2011 Amd.) – amendment (P.38/2011 Amd.Amd.) – comments.
Presented: 4th July 2011.
Chief Minister. P.38/2011.
Amd.Amd.
Com.

Roads and Pavements: legal liability in case of negligence (P.75/2011) – comments.
Presented: 4th July 2011.
Minister for Transport and Technical Services. P.75/2011.
Com.

Goods and Services Tax: exemption or zero-rating for health foods (P.81/2011) – comments.
Presented: 4th July 2011.
Council of Ministers. P.81/2011.
Com.

Uplifts in land values: Land Development Tax or equivalent mechanism(s) (P.90/2011) – comments.
Presented: 4th July 2011.
Minister for Treasury and Resources. P.90/2011.
Com.

Uplifts in land values: Land Development Tax or equivalent mechanism(s) (P.90/2011) – comments.
Presented: 4th July 2011.
Council of Ministers. P.90/2011.
Com.(2)

Debt Collection Agencies: establishment of a Working Party (P.102/2011) – comments.
Presented: 4th July 2011.
Minister for Economic Development. P.102/2011.
Com.

Council of Ministers' meetings: public access (P.103/2011) – comments. Presented: 4th July 2011. <i>Council of Ministers.</i>	P.103/2011. Com.
Migration and Population Policy: Review (P.104/2011) – comments. Presented: 4th July 2011. <i>Council of Ministers.</i>	P.104/2011. Com.
Disciplinary and grievance hearings: right to a friend (P.112/2011) – comments. Presented: 4th July 2011. <i>Minister for Treasury and Resources.</i>	P.112/2011. Com.
Disciplinary and grievance hearings: right to a friend (P.112/2011) – comments. Presented: 5th July 2011. <i>States Employment Board.</i>	P.112/2011. Com.(2)
Disciplinary and grievance hearings: right to a friend (P.112/2011) – comments. Presented: 5th July 2011. <i>Minister for Social Security.</i>	P.112/2011. Com.(3)
School Milk: restoration of funding (P.115/2011) – comments. Presented: 4th July 2011. <i>Minister for Treasury and Resources.</i>	P.115/2011. Com.
School Milk: restoration of funding (P.115/2011) – comments. Presented: 5th July 2011. <i>Council of Ministers.</i>	P.115/2011. Com.(2)
Chief Minister: Vote of Censure (P.116/2011) – comments. Presented: 4th July 2011. <i>Chief Minister.</i>	P.116/2011. Com.
Chief Minister: Vote of Censure (P.116/2011) – comments. Presented: 4th July 2011. <i>Council of Ministers.</i>	P.116/2011. Com.(2)
Waterfront Enterprise Board Limited: Annual Report and Financial Statements for the year ended 31st December 2010. Presented: 5th July 2011. <i>Minister for Treasury and Resources.</i>	R.79/2011.
Migration: Control of Housing and Work. Presented: 1st July 2011. <i>Corporate Services Scrutiny Panel.</i>	S.R.9/2011.

Notification of lodged propositions

Draft Income Tax (Amendment No. 39) (Jersey) Law 201- (P.113/2011): amendment. Lodged: 5th July 2011. <i>Deputy T.M. Pitman of St. Helier.</i>	P.113/2011. Amd.
--	---------------------

Draft Income Tax (Prescribed Limit and Rate) (Amendment) (Jersey) Regulations 201-
(P.114/2011): amendment.
Lodged: 5th July 2011.
Deputy T.M. Pitman of St. Helier.

P.114/2011.
Amd.

School milk: restoration of funding – petition P.115/2011

Deputy Geoffrey Peter Southern of St. Helier presented to the States a petition on behalf of Island residents praying that the Minister for Economic Development reprioritise funds to reinstate the provision of school milk.

THE STATES referred the petition to the Minister for Economic Development.

Written Questions

(see Official Report/Hansard)

The Minister for Planning and Environment tabled an answer to a question asked by the Deputy of St. John regarding a response to P.21/2011 ('Importation of fireworks in 2007 for a charity event: investigation').

The Chairman of the Privileges and Procedures Committee tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding webcasting.

The Chief Minister tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the role of Human Resources Directors.

The Minister for Home Affairs tabled an answer to a question asked by the Deputy of St. John regarding the Jersey Field Squadron.

The Minister for Home Affairs tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding an alleged 'leak' of a report.

The Chairman of the Public Accounts Committee tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding Historical Abuse Inquiry expenditure.

The Minister for Home Affairs tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding staff costs for the Wiltshire inquiry.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding 1(1)(k) residents' tax payments.

The Chief Minister tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding political transparency and integrity.

The Minister for Treasury and Resources tabled an answer to a question asked by Senator B.E. Shenton regarding the income received from the Radisson Hotel.

The Minister for Health and Social Services tabled an answer to a question asked by Senator S.C. Ferguson regarding 32 locum doctors.

The Minister for Treasury and Resources tabled an answer to a question asked by Connétable of St. John regarding annual revenue since the removal of car tax.

The Minister for Transport and Technical Services tabled an answer to a question asked by the Connétable of St. John regarding the cost of Island roads.

The Chief Minister tabled an answer to a question asked by the Connétable of St. John regarding pensions and the public sector.

The Minister for Economic Development tabled an answer to a question asked by Senator B.E. Shenton regarding the operation of the States of Jersey Development Company Limited.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding cancer rates in Jersey.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding radiation levels.

The Minister for Home Affairs tabled an answer to a question asked by Senator J.L. Perchard regarding financial means-testing of prisoners.

The Minister for Transport and Technical Services tabled an answer to a question asked by Senator B.E. Shenton regarding recorded accidents.

The Chief Minister tabled an answer to a question asked by Deputy D.J. de Sousa of St. Helier regarding the impact of Greece's financial difficulties.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy D.J. de Sousa of St. Helier impact of Greece's financial difficulties.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding the cost of suspensions.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding underspends.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding interest earned by the Strategic Fund.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding payments on terminated contracts.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding tax revenue from GST.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding qualifications and conditions for staff in private care homes.

The Chief Minister tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the classification of jobs and pay scales for police.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding repairs to Hautlieu School.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy R.G. Le Hérisser regarding the use of commercially sensitive information.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding 1(1)(k) taxation.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding States employees' terms and conditions.

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

The Minister for Health and Social Services tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding waiting times for physiotherapy.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding a breakdown of savings.

The Chief Minister tabled an answer to a question asked by the Deputy of St. Mary regarding a comparison of targets set by UK authorities.

The Minister for Economic Development tabled an answer to a question asked by the Deputy of St. Mary regarding the Depositor Compensation Scheme.

The Minister for Treasury and Resources tabled an answer to a question asked by the Deputy of St. Mary regarding tax systems and tax burden.

The Minister for Economic Development tabled an answer to a question asked by the Deputy of St. Mary regarding Jersey Enterprise.

The Minister for Planning and Environment tabled an answer to a question asked by the Deputy of St. Mary regarding the anomaly identified within the report of the Complaints Board into the 'Construction of a Wall in the Countryside Zone' (R.55/2011).

The Minister for Social Security tabled an answer to a question asked by Senator F. du H. Le Gresley regarding survivors' pension.

The Minister for Health and Social Services tabled an answer to a question asked by the Deputy of St. John regarding private nursing homes.

H.M. Attorney General tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding super-injunctions.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Energy from Waste plant.

The Minister for Economic Development tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding Air Traffic Control staff.

The Minister for Economic Development tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Channel Islands Control Zone.

Oral Questions

(see Official Report/Hansard)

Deputy K.C. Lewis of St. Saviour asked a question of the Assistant Minister for Economic Development regarding the lottery franchise.

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding changes to public sector terms and conditions.

Senator B.E. Shenton asked a question of the Minister for Economic Development regarding the use of the Radisson Hotel by States Departments.

Deputy P.V.F. Le Claire of St. Helier asked a question of the Minister for Health and Social Services regarding the monitoring of air quality and radiation levels from the nuclear power station near Cherbourg.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Minister for Economic Development regarding restrictions placed upon private aviation for the summer period.

The Deputy of St. John asked a question of the Minister for Economic Development regarding the new Air Traffic Control system.

Deputy T.M. Pitman of St. Helier asked a question of the Minister for Home Affairs regarding expenses incurred by the Wiltshire investigation.

The Deputy of St Martin asked a question of the Assistant Minister for Planning and Environment regarding complaints in relation to the High Hedges Law.

Deputy S. Pitman of St. Helier asked a question of the Minister for Health and Social Services regarding financial support for trainee nurses.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Economic Development regarding the provision of information relating to qualified and non-qualified employees in the fulfilment sector.

Senator S.C. Ferguson asked a question of the Minister for Health and Social Services regarding the total number of hours on duty undertaken by Middle Grade doctors.

The Deputy of St. Mary asked a question of the Assistant Minister for Planning and Environment regarding an alleged pollution incident at the Energy from Waste Plant.

The Deputy of St. John asked a question of the Minister for Transport and Technical Services regarding the identification of sites for the recycling of waste materials.

The Deputy of St. Mary asked a question of the Chief Minister regarding the Napier Review.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding the worldwide income of 1(1)(k) residents.

The Deputy of St. Martin asked a question of the Chief Minister regarding the establishment of anti-discrimination programmes.

Deputy T.M. Pitman of St. Helier asked a question of the Minister for Home Affairs regarding the resignation of a States of Jersey Police Officer.

Deputy M. Tadier of St. Brelade asked a question of Senator A. Breckon, Chairman of the Consumer Council, regarding businesses in the Island that did not pay tax in Jersey.

Oral Questions without notice*(see Official Report/Hansard)*

The Minister for Housing answered questions without notice from members.

The Chief Minister answered questions without notice from members.

Statements on a matter of official responsibility*(see Official Report/Hansard)*

The Minister for Transport and Technical Services made a statement regarding cycle helmet legislation.

The Chairman of the Corporate Services (Migration and Population) Sub-Panel made a statement regarding the control of housing and work.

The Chairman of the Comité des Connétables made a statement regarding the Island-wide rate.

Arrangement of business for the present meeting

THE STATES rejected a proposition of the Connétable of St. Peter that the Assembly should meet until 6.00 p.m. and commence meetings at 9.00 a.m. from Wednesday 6th July 2011 onwards.

Members present voted as follows –

POUR: 20

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator F.E. Cohen
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Peter
 Deputy R.C. Duhamel (S)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy of St. John
 Deputy A.E. Jeune (B)
 Deputy A.T. Dupré (C)
 Deputy A.K.F. Green (H)

CONTRE: 25

Senator T.A. Le Sueur
 Senator J.L. Perchard
 Senator F. du H. Le Gresley
 Connétable of St. Helier
 Connétable of St. Brelade
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy of St. Martin
 Deputy J.B. Fox (H)
 Deputy G.P. Southern (H)
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy M. Tadier (B)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy D.J. De Sousa (H)
 Deputy J.M. Maçon (S)

ABSTAIN: 0

Draft Control of Housing and Work (Jersey) Law 201- (P.37/2011)

THE STATES commenced consideration of the Draft Control of Housing and Work (Jersey) Law 201- and adopted the principles.

Members present voted as follows –

POUR: 46

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator F.E. Cohen
 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 St. Brelade
 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 of St. Ouen
 Deputy of Grouville
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 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 A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)

CONTRE: 2

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

ABSTAIN: 1

Connétable of Grouville

Deputy A.K.F. Green (H)
Deputy D.J. De Sousa (H)
Deputy J.M. Maçon (S)

THE STATES commenced consideration of Article 1 of the Draft Control of Housing and Work (Jersey) Law 201-, and an amendment of the Corporate Services Scrutiny Panel to the amendment of Deputy Sean Seamus Patrick Augustine Power of St. Brelade that for the words “Minister for Housing” there should be substituted the words “Minister for Social Security”.

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(a), Deputy John Alexander Nicholas Le Fondré of St. Lawrence declared an interest and withdrew from the Chamber for the duration of the debate.

Changes in Presidency

The Bailiff briefly retired from the Chamber during consideration of the amendments to Article 1 of the ‘Draft Control of Housing and Work (Jersey) Law 201-’ (P.37/2011) and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States, until his return.

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 6th July 2011 to continue consideration of the ‘Draft Control of Housing and Work (Jersey) Law 201-’ (P.37/2011) and the outstanding items of public business.

THE STATES rose at 5.31 p.m.

M.N. DE LA HAYE

Greffier of the States