

**THE STATES assembled on Tuesday
18th September 2007, at 09.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

**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 10.10 a.m.)
Senator Philip Francis Cyril Ozouf – excused attendance
Connétable John Le Sueur Gallichan of Trinity– en défaut
Connétable Geoffrey William Fisher of St. Lawrence– en défaut
Connétable Graeme Frank Butcher of St. John– ill
Deputy Geoffrey Peter Southern of St. Helier– en défaut (défaut raised at 9.44 a.m.)
Deputy Guy William John de Faye of St. Helier– en défaut (défaut raised at 9.44 a.m.)
Deputy Shona Pitman of St. Helier– en défaut (défaut raised at 10.38 a.m.)

Prayers read by the Greffier of the States

Tribute to the late Mr. Philip Francis Ozouf, former Connétable of St. Saviour

The Bailiff paid tribute to the late Philip Francis Ozouf, former Connétable of St. Saviour.
The States observed one minute's silence as a mark of respect.

Appointment of Minister of Health and Social Services

THE STATES acceded to the request of the Chief Minister that the election of a new Minister of Health and Social Services be considered at the start of the next meeting day on 19th September 2007.

Subordinate enactments tabled

The following enactments was tabled, namely –

Road Racing (Karts) (No. 2) (Jersey) Order 2007. R&O.110/2007.
Minister for Transport and Technical Services.

Documents presented or laid

Annual Business Plan 2008 (P.93/2007): amendment (P.93/2007 Amd.)– P.93/2007.
comments. Amd.Com.
Presented: 11th September 2007.
Public Accounts Committee.

Annual Business Plan 2008 (P.93/2007): amendment (P.93/2007 Amd.)– P.93/2007.
comments. Amd.Com.(2)
Presented: 14th September 2007.
Minister for Treasury and Resources.

Annual Business Plan 2008 (P.93/2007): second amendment (P.93/2007 Amd. P.93/2007. Amd.

(2)) – comments. Presented: 14th September 2007. <i>Council of Ministers.</i>	(2) Com.
Annual Business Plan 2008 (P.93/2007): third amendment (P.93/2007 Amd.(3))– comments. Presented: 14th September 2007. <i>Council of Ministers.</i>	P.93/2007. Amd. (3) Com.
Annual Business Plan 2008 (P.93/2007): fourth amendment (P.93/2007 Amd. (4)) – comments. Presented: 14th September 2007. <i>Council of Ministers.</i>	P.93/2007. Amd. (4) Com.
Annual Business Plan 2008 (P.93/2007): fifth amendment (P.93/2007 Amd.(5))– comments. Presented: 14th September 2007. <i>Council of Ministers.</i>	P.93/2007. Amd. (5) Com.
Annual Business Plan 2008 (P.93/2007): sixth amendment (P.93/2007 Amd. (6)) – comments. Presented: 14th September 2007. <i>Council of Ministers.</i>	P.93/2007. Amd. (6) Com.
Annual Business Plan 2008 (P.93/2007): seventh amendment (P.93/2007 Amd. (7)) – comments. Presented: 14th September 2007. <i>Council of Ministers.</i>	P.93/2007. Amd. (7) Com.
Annual Business Plan 2008 (P.93/2007): ninth amendment (P.93/2007 Amd. (9)) – comments. Presented: 14th September 2007. <i>Council of Ministers.</i>	P.93/2007. Amd. (9) Com.
Annual Business Plan 2008 (P.93/2007): tenth amendment (P.93/2007 Amd. (10)) – comments. Presented: 14th September 2007. <i>Council of Ministers.</i>	P.93/2007. Amd. (10) Com.
Goods and Services Tax: price marking legislation (P.99/2007) – comments. Presented: 11th September 2007. <i>Minister for Economic Development.</i>	P.99/2007. Com. (2)
Land Transactions under Standing Order 168(3) – land at the junction of La Rue ès Picots and Rue du Presbytère, Trinity – Automobile Association Roadside Telephone Box No. 687. Presented: 11th September 2007. <i>Minister for Treasury and Resources.</i>	R.88/2007.
Strategic Plan: progress against initiatives as at 30th June 2007. Presented: 13th September 2007. <i>Chief Minister.</i>	R.89/2007.
Jersey Law Commission: Report for 2006. Presented: 13th September 2007. <i>Chief Minister.</i>	R.90/2007.
Corporate Services Scrutiny Panel Report: Review of Jersey’s Overseas Aid (S.R.11/2007) – response of the Jersey Overseas Aid Commission. Presented: 18th September 2007.	S.R.11/2007. Res.

Jersey Overseas Aid Commission.

Public Accounts Committee: Comments on Ministerial Decision
MD/TR/2007/0057: Review of the Public Finances (Jersey) Law 2005.
Presented: 18th September 2007.
Public Accounts Committee.

P.A.C.4/2007.

Notification of lodged propositions

Annual Business Plan 2008 (P.93/2007): amendment (P.93/2007 Amd.)– second amendment. P.93/2007.
Lodged: 13th September 2007. Amd.Amd.(2)
Chief Minister.

Annual Business Plan 2008 (P.93/2007): eleventh amendment. P.93/2007. Amd.
Lodged: 14th September 2007. (11)
Chief Minister.

Annual Business Plan 2008 (P.93/2007): twelfth amendment. P.93/2007. Amd.
Lodged: 14th September 2007. (12)
Chief Minister.

Crime (Sentences) Act 1997: extension to Jersey. P.124/2007.
Lodged: 14th September 2007.
Chief Minister.

Draft Loi (1939) sur les honoraires des Avocats et des Écrivains (Repeal) (Jersey) P.126/2007.
Law 200-.
Lodged: 18th September 2007.
Chief Minister.

Withdrawal of lodged propositions

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

Draft High Hedges (Jersey) Law 200- (P.51/2007): Amendments. P.51/2007. Amd.
Lodged: 19th June 2007.
Deputy A.J.H. Maclean of St. Helier.

Draft High Hedges (Jersey) Law 200- (P.51/2007): amendments P.51/2007.
(P.51/2007 Amd.)– amendment. Amd.Amd.
Lodged: 9th August 2007.
Deputy G.C.L. Baudains of St. Clement.

Annual Business Plan 2008 (P.93/2007): amendment (P.93/2007 Amd.)– amendment. P.93/2007.
Lodged: 24th August 2007. Amd.Amd.
Minister for Treasury and Resources.

Goods and Services Tax: petition P.125/2007

The Connétable of St. Helier presented to the States a petition on behalf of certain of the residents of the Island praying that the Minister for Treasury and Resources should take no further steps to introduce a Goods and Services Tax in Jersey until public finances had been examined independently to identify potential savings and until alternative methods of raising funds had been investigated.

THE STATES referred the petition to the Minister for Treasury and Resources and the Connétable of St. Helier lodged "au Greffe" a proposition to the effect that the prayer of the petition be granted.

Annual Business Plan 2008 – P.93/2007

THE STATES commenced consideration of a proposition of the Chief Minister concerning the draft Annual Business Plan 2008, and adopted an amendment of the Deputy of St. Ouen that in paragraph (a) after the words "as shown in the Annex to the draft Annual Business Plan" there should be inserted the words "with all the Objectives to be achieved within approved revenue and manpower resources."

THE STATES adopted an amendment of the Deputy of St. Ouen that in paragraph (a)(i) after the word "pages 11 and 13 of the Annex" there should be inserted the words "except that in Objective 1, for Performance/success criteria (viii) substitute the following Performance/success criteria –

(viii) Replacement for the Waterfront Enterprise Board debated by the States."

THE STATES adopted an amendment of the Deputy of St. Ouen that in paragraph (a)(i) after the word "pages 11 and 13 of the Annex" there should be inserted the words "except that in Objective 1, after the existing Performance/success criteria insert the following additional Performance/success criteria –

- (xi) Annual Business Plans to be delivered within the total amounts set in the 2008 Annual Business Plan for the years 2008 to 2012;
- (xii) Additional growth for the period 2008 to 2012 to be delivered by compensatory savings elsewhere within the approved total amounts;
- (xiii) Greater involvement of all States members in the business plan process."

Members present voted as follows –

POUR: 43

CONTRE: 0

ABSTAIN: 0

Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
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 P.J.D. Ryan (H)
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 S. Pitman (H)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. Mary

THE STATES, in accordance with Article 11(5) of the Public Finances (Jersey) Law 2005, acceded to the request of the Chief Minister that his amendment to the draft Annual Business Plan 2008 (Annual Business Plan 2008 (P.93/2007): eleventh amendment lodged 'au Greffe' on 14th September 2007) be considered as an item of business at the present meeting.

THE STATES adopted the amendment of the Chief Minister that in paragraph (a)(i), after the words "pages 11 to 13 of the Annex" there should be inserted the words –

“except that in Objective 7, after Performance/success criteria (v), insert the following new Performance/success criteria –

- (vi) Need for an independent person or agency to receive approaches from persons raising serious concerns to be assessed.”

Members present voted as follows –

POUR: 39

Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator M.E. Vibert
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Peter
Connétable of St. Clement
Connétable of Grouville
Connétable of St. Martin
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
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)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)

CONTRE: 3

Senator B.E. Shenton
Connétable of St. Brelade
Deputy of St. Ouen

ABSTAIN: 1

Connétable of St. Ouen

Deputy S.C. Ferguson (B)
Deputy P.J.D. Ryan (H)
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 S. Pitman (H)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. Mary

THE STATES, adopting paragraph (a)(i) of the draft Annual Business Plan as amended, agreed –

- (a) to approve the summary key objectives and performance criteria for 2008 of the following States funded bodies as shown in the Annex to the draft Annual Business Plan with all the Objectives to be achieved within approved revenue and manpower resources –
- (i) Chief Minister's Department, as detailed in pages 11 to 13 of the Annex;

except that in Objective 1, for Performance/success criteria (viii) there should be substituted the following Performance/success criteria –

- (viii) Replacement for the Waterfront Enterprise Board debated by the States.

and that in Objective 1, after the existing Performance/success criteria there should be inserted the following additional Performance/success criteria –

- (xi) Annual Business Plans to be delivered within the total amounts set in the 2008 Annual Business Plan for the years 2008 to 2012;
- (xii) Additional growth for the period 2008 to 2012 to be delivered by compensatory savings elsewhere within the approved total amounts;
- (xiii) Greater involvement of all States members in the business plan process.

and that in Objective 7, after Performance/success criteria (v), there should be inserted the following new Performance/success criteria –

- (vi) Need for an independent person or agency to receive approaches from persons raising serious concerns to be assessed.

Members present voted as follows –

POUR: 40

CONTRE: 2

ABSTAIN: 0

Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator M.E. Vibert
Senator B.E. Shenton
Senator F.E. Cohen

Deputy A. Breckon (S)
Deputy G.C.L. Baudains (C)

Senator J.L. Perchard
 Connétable of St. Ouen
 Connétable of St. Peter
 Connétable of St. Clement
 Connétable of Grouville
 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 Hérisssier (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 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 S. Pitman (H)
 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 adopting paragraph (a)(ii), approved the summary key objectives and performance criteria for the Economic Development Department, as detailed in pages 23 to 25 of the Annex; Jersey Airport, as detailed in page 34 of the Annex and Jersey Harbours, as detailed in page 39 of the Annex to the draft Annual Business Plan 2008.

Members present voted as follows –

POUR: 43

Senator L. Norman
 Senator F.H. Walker
 Senator W. Kinnard
 Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator M.E. Vibert
 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. Peter
 Connétable of St. Clement
 Connétable of St. Helier
 Connétable of Grouville

CONTRE: 5

Senator S. Syvret
 Deputy A. Breckon (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy S. Pitman (H)

ABSTAIN: 1

Deputy of St. Ouen

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 P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy P.J.D. Ryan (H)
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 A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

Change of Presidency

The Bailiff retired from the Chair briefly during the consideration of paragraph (a)(ii) of the draft Annual Business Plan 2008, concerning the summary key objectives and performance criteria for the Economic Development Department, and the meeting continued under the presidency of Mr. Michael Nelson de la Haye Greffier of the States until his return.

THE STATES adopting paragraph (a)(iii), approved the summary key objectives and performance criteria for the Education, Sport and Culture Department, as detailed in pages 46 and 47 of the Annex to the draft Annual Business Plan 2008.

THE STATES adopting paragraph (a)(iv), approved the summary key objectives and performance criteria for the Health and Social Services Department, as detailed in pages 56 and 57 of the Annex to the draft Annual Business Plan 2008.

Members present voted as follows –

POUR: 39

CONTRE: 1

ABSTAIN: 0

Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator T.J. Le Main
Senator F.E. Cohen

Deputy G.C.L. Baudains (C)

Senator J.L. Perchard
 Connétable of St. Ouen
 Connétable of St. Mary
 Connétable of St. Peter
 Connétable of St. Clement
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy A. Breckon (S)
 Deputy J.J. Huet (H)
 Deputy of St. Martin
 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 D.W. Mezbourian
 (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy A.J.D. Maclean (H)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy of St. Mary

THE STATES adopted paragraph (a)(v) concerning the summary key objectives and performance criteria for the Home Affairs Department, as detailed in pages 66 and 67 of the Annex to the draft Annual Business Plan 2008.

Members present voted as follows –

POUR: 39

CONTRE: 1

ABSTAIN: 0

Senator L. Norman
 Senator W. Kinnard
 Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator M.E. Vibert
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator J.L. Perchard
 Connétable of St. Mary
 Connétable of St. Peter
 Connétable of St. Clement
 Connétable of Grouville
 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 A. Breckon (S)

Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy P.J.D. Ryan (H)
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 D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

THE STATES adopting paragraph (a)(vi), approved the summary key objectives and performance criteria for the Housing Department, as detailed in pages 77 and 78 of the Annex to the draft Annual Business Plan 2008.

THE STATES then adjourned, having agreed to reconvene on Wednesday 19th September 2007 to continue consideration of the draft Annual Business Plan 2008 and the outstanding items of public business.

THE STATES rose at 17.33 p.m.

M.N. DE LA HAYE

Greffier of the States