



**THE STATES assembled on Wednesday
9th September 2009, 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 9.36 a.m.)
Senator Alan John Henry Maclean – en défaut (défaut raised at 10.49 a.m.)
Connétable Kenneth Priaulx Vibert of St. Ouen – en défaut
Connétable Michael Keith Jackson of St. Brelade – en défaut (défaut raised at 9.36 a.m.)
Deputy Geoffrey Peter Southern of St. Helier – en défaut
Deputy Daniel John Arabin Wimberley of St. Mary – en défaut (défaut raised at 10.12 a.m.)

Prayers

Documents presented or laid

Data Security: Report of the Comptroller and Auditor General September 2009. R.100/2009.
Presented: 9th September 2009.
Comptroller and Auditor General.

Jersey Appointments Commission: Annual Report for 2008. R.101/2009.
Presented: 9th September 2009.
Chief Minister.

Limited Partnerships with legal personality: White Paper September 2009. R.102/2009.
Presented: 9th September 2009.
Minister for Economic Development.

Notification of lodged propositions

Annual Business Plan 2009: variation in respect of pay freeze – rescindment. P.143/2009.
Lodged: 9th September 2009.
Deputy S. Pitman of St. Helier.

Plémont Holiday Village: acquisition by the Public. P.144/2009.
Lodged: 9th September 2009.
Connétable of St. Ouen.

Committee of Inquiry into the management of the Health and Social Services Department. P.145/2009.
Lodged: 9th September 2009.
Health, Social Security and Housing Scrutiny Panel.

Composition and election of the States: revised structure P.72/2009

THE STATES resumed consideration of an amendment of the Connétable of St. Clement to a proposition of the Privileges and Procedures Committee concerning revisions to the composition and election of the States and rejected the amendment that in paragraph (a), for sub-paragraphs (i) and (ii), there should be substituted the words “49 Members to be known as Deputies, elected by reference to the Parishes, some of which will be divided into districts” and a consequential amendment made in paragraph (d)(i) of the proposition by the deletion of the words “6 large and that after paragraph (a) there should be inserted a new paragraph (b) as follows “(b) no Parish shall elect fewer than two Deputies;” and the remaining paragraphs renumbered accordingly.

Members present voted as follows –

POUR: 14

Senator A. Breckon
 Connétable of St. Clement
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérisier (S)
 Deputy J.A. Martin (H)
 Deputy S. Pitman (H)
 Deputy M. Tadier (B)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy D. De Sousa (H)
 Deputy J.M. Maçon (S)

CONTRE: 33

Senator S. Syvret
 Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator J.L. Perchard
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy J.B. Fox (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy of St. John
 Deputy A.E. Jeune (B)
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)

ABSTAIN: 0

THE STATES rejected an amendment of the Deputy of St. Martin that in paragraph (a), for subparagraphs (i) and (ii), there should be substituted the words “49 Members to be known as Deputies, elected in 6 new large electoral districts”.

Members present voted as follows –

POUR: 6

Deputy R.C. Duhamel (S)
Deputy J.A. Martin (H)
Deputy S. Pitman (H)
Deputy M. Tadier (B)
Deputy T.M. Pitman (H)
Deputy T.A. Vallois (S)

CONTRE: 37

Senator T.A. Le Sueur
Senator P.F. Routier
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator J.L. Perchard
Senator A. Breckon
Senator S.C. Ferguson
Senator A.J.D. Maclean
Senator B.I. Le Marquand
Connétable of St. Helier
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. Mary
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (H)
Deputy of St. Ouen
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. John
Deputy A.E. Jeune (B)
Deputy A.T. Dupré (C)
Deputy E.J. Noel (L)
Deputy A.K.F. Green (H)
Deputy D. De Sousa (H)
Deputy J.M. Maçon (S)

ABSTAIN: 0

THE STATES resumed consideration of the proposition of the Privileges and Procedures Committee concerning revisions to the composition and election of the States and rejected a proposition of Deputy Montfort Tadier of St. Brelade that Standing Order 89A be suspended for the vote on P.72/2009.

Members present voted as follows –

POUR: 4

Connétable of St. Clement
 Deputy J.A. Martin (H)
 Deputy M. Tadier (B)
 Deputy T.M. Pitman (H)

CONTRE: 44

Senator S. Syvret
 Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. 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 J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy of St. John
 Deputy A.E. Jeune (B)
 Deputy of St. Mary
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy D. De Sousa (H)
 Deputy J.M. Maçon (S)

ABSTAIN: 0

THE STATES rejected a proposition of the Privileges and Procedures Committee –

- (a) that the current composition of the elected membership of the States should be amended and that from 2011, subject to the transitional arrangements set out in paragraph (d) below, the elected membership of the States should be –

- (i) the 12 Parish Connétables;
 - (ii) 37 other members, to be known as Deputies, elected in 6 new large electoral districts;
- (b) that from 2011, subject to the transitional arrangements set out in paragraph (d) below and any further transitional arrangements agreed in due course relating to the date of the proposed general election, all 49 members of the States should be elected on a single general election day and for a common term of office of 4 years;
- (c) that the reform proposals set out in paragraphs (a) and (b) above should be submitted to the electorate in a referendum to be held as soon as practicable and that they should not be pursued unless supported by a majority of those voting in the referendum;
- (d) to charge the Privileges and Procedures Committee, if the principle of reform was supported in the referendum, to bring forward for approval by the States –
- (i) detailed proposals regarding the precise boundaries and size of the proposed 6 large electoral districts; and
 - (ii) legislation to give effect to the changes, with appropriate transitional arrangements including, in particular, arrangements to allow any of the 6 Senators elected in 2008 who wished to do so to be permitted to resign from office and stand in the 2011 elections for Connétables or Deputies with the resignation not taking effect until the swearing-in day of the successful candidates in that election, with any vacancies arising, for any reason, in the positions of those 6 Senators from that swearing-in day not then being filled;
- (e) to charge the Privileges and Procedures Committee to consult as appropriate with all relevant stakeholders and bring forward for approval by the States a recommendation on the most appropriate period of the year for the proposed general election;
- (f) to charge the Privileges and Procedures Committee to continue research on the merits of alternative methods of voting to replace the current ‘first past the post’ system and to report to the States with recommendations.

Members present voted as follows –

POUR: 10

Senator J.L. Perchard
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy S. Pitman (H)
 Deputy M. Tadier (B)
 Deputy T.M. Pitman (H)
 Deputy D. De Sousa (H)
 Deputy J.M. Maçon (S)

CONTRE: 38

Senator S. Syvret
 Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Helier

ABSTAIN: 0

Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Connétable of St. Clement
Connétable of St. Lawrence
Deputy of St. Martin
Deputy R.G. Le Hérisier (S)
Deputy of St. Ouen
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. John
Deputy A.E. Jeune (B)
Deputy of St. Mary
Deputy A.T. Dupré (C)
Deputy E.J. Noel (L)
Deputy T.A. Vallois (S)
Deputy A.K.F. Green (H)

Adjournment

THE STATES adjourned, having agreed to reconvene on Thursday 10th September 2009 to continue consideration of the outstanding items of public business.

THE STATES rose at 5.31 p.m.

M.N. DE LA HAYE

Greffier of the States