



**THE STATES assembled on Wednesday
9th December 2009, at 09.30 a.m. under
the Presidency of
Mr. Michael Nelson de la Haye,
Greffier of the States.**

All members were present at roll call with the exception of –

Senator Stuart Syvret – en défaut
Senator Sarah Craig Ferguson – en défaut (défaut raised at 10.23 a.m.)

Prayers

Documents presented or laid

Land Transactions under Standing Order 168(3) – Marine Leisure Business Park LC25, LC26, LC27, LC29 and LC30, La Collette, St. Helier – leases. R.136/2009.
Presented: 9th December 2009.
Minister for Treasury and Resources.

Draft Tariff of Harbour Dues (P.178/2009): addendum. P.178/2009.
Presented: 9th December 2009. Add.
Minister for Economic Development.

Budget Statement 2010 P.179/2009

THE STATES resumed consideration of the Budget Statement 2010 and, adopting an amendment of Deputy Sean Seamus Patrick Augustine Power of St. Brelade, agreed that in paragraph (a), after the words “as set out in the Budget Statement” there should be inserted the words –

“except that the estimate of total taxation revenue in 2010 shall be decreased by £4.25 million by removing all proposed increases in impôts duty on alcohol, tobacco and fuel for 2010 set out in Figure 6.1 on Page 26.”

Members present voted as follows –

POUR: 28

Senator J.L. Perchard
Senator A. Breckon
Senator S.C. Ferguson
Connétable of St. Helier
Connétable of Grouville
Connétable of St. Martin
Connétable of St. John
Connétable of St. Clement
Connétable of St. Lawrence

CONTRE: 23

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.J.D. Maclean
Senator B.I. Le Marquand
Connétable of St. Ouen

ABSTAIN: 1

Deputy of St. Mary

| | |
|------------------------------|-----------------------------|
| Connétable of St. Mary | Connétable of Trinity |
| Deputy of St. Martin | Connétable of St. Brelade |
| Deputy R.G. Le Hérissier (S) | Connétable of St. Saviour |
| Deputy J.B. Fox (H) | Connétable of St. Peter |
| Deputy G.P. Southern (H) | Deputy R.C. Duhamel (S) |
| Deputy of Grouville | Deputy J.A. Martin (H) |
| Deputy of St. Peter | Deputy of St. Ouen |
| Deputy J.A. Hilton (H) | Deputy P.V.F. Le Claire (H) |
| Deputy S.S.P.A. Power (B) | Deputy J.A.N. Le Fondré (L) |
| Deputy S. Pitman (H) | Deputy of Trinity |
| Deputy K.C. Lewis (S) | Deputy I.J. Gorst (C) |
| Deputy of St. John | Deputy A.E. Jeune (B) |
| Deputy M. Tadier (B) | Deputy A.T. Dupré (C) |
| Deputy T.M. Pitman (H) | Deputy E.J. Noel (L) |
| Deputy T.A. Vallois (S) | |
| Deputy M.R. Higgins (H) | |
| Deputy A.K.F. Green (H) | |
| Deputy D. De Sousa (H) | |
| Deputy J.M. Maçon (S) | |

Change in Presidency

Mr. Michael Nelson de la Haye, Greffier of the States retired from the Chair during consideration of the amendment of Deputy Sean Seamus Patrick Augustine Power of St. Brelade to the Budget Statement 2010, and the meeting continued under the Presidency of the Bailiff.

Budget Statement 2010 P.179/2009

THE STATES commenced consideration of an amendment of Senator Terence John Le Main that in paragraph (a) after the words “as set out in the Budget Statement” there should be inserted the words –

“except that the estimate of total taxation revenue for 2010 shall be increased by £0.9 million by the replacement of the vehicle emissions duty proposed by the Minister for Treasury and Resources in the Budget Statement by a new annual environmental emission tax on all vehicles registered in Jersey from September 2010 based on engine sizes as follows –

| | | |
|-------|--|-----------------|
| (i) | private vehicles up to 1,200cc | No annual tax |
| (ii) | private vehicles between 1,200cc and 2,000cc | £75 annual tax |
| (iii) | private vehicles between 2,001cc and 3,000cc | £150 annual tax |
| (iv) | private vehicles over 3,000cc | £250 annual tax |
| (v) | commercial vehicles up to 1,600cc | £100 annual tax |
| (vi) | commercial vehicles over 1,600cc | £150 annual tax |

provided that the Minister for Treasury and Resources shall have discretion to exempt certain categories of vehicle from the tax, including those used by charitable organisations, classic cars, vehicles used by essential services and hire cars imported for short periods;”.

THE STATES, adopting a proposition of the Minister for Treasury and Resources, agreed, in accordance with Article 20(3) of the Public Finances (Jersey) Law 2005, that the Minister's amendment to the amendment of Senator Terence John Le Main could be considered by the Assembly at the present meeting.

Members present voted as follows –

POUR: 32

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 St. Brelade
 Connétable of St. Saviour
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisier (S)
 Deputy of St. Ouen
 Deputy of Grouville
 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 M. Tadier (B)
 Deputy A.E. Jeune (B)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy A.K.F. Green (H)

CONTRE: 3

Deputy of St. Martin
 Deputy of St. John
 Deputy D. De Sousa (H)

ABSTAIN: 0

THE STATES rejected an amendment of the Minister for Treasury and Resources that for the words “engine sizes” there should be substituted the words “CO₂ emissions” and for the table setting out the amounts of the tax there should be substituted the following table –

| | |
|---|------------------|
| “(i) vehicles up to 120g (CO ₂ g/km) | No annual tax |
| (ii) vehicles between 121g and 185g | £75 annual tax |
| (iii) vehicles between 186g and 250g | £150 annual tax |
| (iv) vehicles over 251g | £250 annual tax” |

and after the words “from September 2010” there should be inserted the words “(or the earliest possible date thereafter)”.

Members present voted as follows –

POUR: 21

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator F.E. Cohen
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Brelade
 Connétable of St. Saviour
 Connétable of St. Peter
 Connétable of St. Mary
 Deputy R.G. Le Hérissier (S)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy I.J. Gorst (C)
 Deputy M. Tadier (B)
 Deputy of St. Mary
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)

CONTRE: 25

Senator B.E. Shenton
 Senator J.L. Perchard
 Senator A. Breckon
 Connétable of St. Ouen
 Connétable of Grouville
 Connétable of St. John
 Connétable of St. Lawrence
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of St. Peter
 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 of St. John
 Deputy A.E. Jeune (B)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy D. De Sousa (H)
 Deputy J.M. Maçon (S)

ABSTAIN: 0**Change in Presidency**

THE STATES re-assembled after the lunch adjournment under the Presidency of the Deputy Bailiff.

Budget Statement 2010 P.179/2009

THE STATES rejected a proposition of Senator Terence John Le Main that his amendment to the Budget Statement 2010 be withdrawn.

Members present voted as follows –

POUR: 25

Senator T.A. Le Sueur
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator S.C. Ferguson
 Connétable of St. Helier
 Connétable of Grouville

CONTRE: 25

Senator P.F. Routier
 Senator A. Breckon
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of Trinity
 Connétable of St. Brelade
 Connétable of St. John

ABSTAIN: 0

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|-----------------------------|-----------------------------|
| Connétable of St. Saviour | Connétable of St. Clement |
| Connétable of St. Peter | Connétable of St. Lawrence |
| Deputy R.C. Duhamel (S) | Connétable of St. Mary |
| Deputy of St. Martin | Deputy J.A. Martin (H) |
| Deputy R.G. Le Hérisier (S) | Deputy G.P. Southern (H) |
| Deputy J.B. Fox (H) | Deputy J.A.N. Le Fondré (L) |
| Deputy of St. Ouen | Deputy S. Pitman (H) |
| Deputy of Grouville | Deputy K.C. Lewis (S) |
| Deputy of St. Peter | Deputy of St. John |
| Deputy J.A. Hilton (H) | Deputy M. Tadier (B) |
| Deputy P.V.F. Le Claire (H) | Deputy T.M. Pitman (H) |
| Deputy of Trinity | Deputy E.J. Noel (L) |
| Deputy S.S.P.A. Power (B) | Deputy T.A. Vallois (S) |
| Deputy I.J. Gorst (C) | Deputy M.R. Higgins (H) |
| Deputy A.E. Jeune (B) | Deputy A.K.F. Green (H) |
| Deputy of St. Mary | Deputy D. De Sousa (H) |
| Deputy A.T. Dupré (C) | Deputy J.M. Maçon (S) |

THE STATES noted that, as there was an equality of votes, the matter had been determined in the negative in accordance with Article 16(2) of the States of Jersey Law 2005.

THE STATES rejected an amendment of Senator Terence John Le Main, that in paragraph (a) after the words “as set out in the Budget Statement” there should be inserted the words –

“except that the estimate of total taxation revenue for 2010 shall be increased by £0.9 million by the replacement of the vehicle emissions duty proposed by the Minister for Treasury and Resources in the Budget Statement by a new annual environmental emission tax on all vehicles registered in Jersey from September 2010 based on engine sizes as follows –

| | | |
|-------|--|-----------------|
| (i) | private vehicles up to 1,200cc | No annual tax |
| (ii) | private vehicles between 1,200cc and 2,000cc | £75 annual tax |
| (iii) | private vehicles between 2,001cc and 3,000cc | £150 annual tax |
| (iv) | private vehicles over 3,000cc | £250 annual tax |
| (v) | commercial vehicles up to 1,600cc | £100 annual tax |
| (vi) | commercial vehicles over 1,600cc | £150 annual tax |

provided that the Minister for Treasury and Resources shall have discretion to exempt certain categories of vehicle from the tax, including those used by charitable organisations, classic cars, vehicles used by essential services and hire cars imported for short periods;”.

Members present voted as follows –

POUR: 7

Senator T.J. Le Main
 Connétable of St. Helier
 Connétable of Trinity
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy J.A. Hilton (H)
 Deputy S.S.P.A. Power (B)

CONTRE: 43

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean

ABSTAIN: 0

Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of Grouville
 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 G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy of St. Peter
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 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 T.M. Pitman (H)
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy D. De Sousa (H)
 Deputy J.M. Maçon (S)

THE STATES rejected an amendment of Senator Alan Breckon that in paragraph (a) after the words “as set out in the Budget Statement” there should be inserted the words –

“except that, in Summary Table A, States Income 2010, the estimate of total taxation revenue for 2010 shall be increased by £4.9 million by increasing the New Company Fees via the Financial Services Commission, which shall be achieved by increasing the Company Annual Return Fee to £300, as follows –

| | |
|--|------------|
| New Company Fees via Financial Services Commission | 8, 600,000 |
|--|------------|

Members present voted as follows –

POUR: 7

Senator A. Breckon
 Deputy G.P. Southern (H)
 Deputy S.S.P.A. Power (B)

CONTRE: 41

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf

ABSTAIN: 1

Deputy M.R. Higgins (H)

| | |
|------------------------|-----------------------------|
| Deputy S. Pitman (H) | Senator T.J. Le Main |
| Deputy of St. Mary | Senator B.E. Shenton |
| Deputy T.M. Pitman (H) | Senator F.E. Cohen |
| Deputy D. De Sousa (H) | Senator J.L. Perchard |
| | Senator S.C. Ferguson |
| | Senator A.J.D. Maclean |
| | Senator B.I. Le Marquand |
| | Connétable of St. Ouen |
| | Connétable of St. Helier |
| | Connétable of Trinity |
| | Connétable of Grouville |
| | Connétable of St. Brelade |
| | Connétable of St. John |
| | Connétable of St. Saviour |
| | Connétable of St. Clement |
| | Connétable of St. Peter |
| | 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 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 K.C. Lewis (S) |
| | Deputy I.J. Gorst (C) |
| | Deputy of St. John |
| | Deputy M. Tadier (B) |
| | Deputy A.E. Jeune (B) |
| | Deputy A.T. Dupré (C) |
| | Deputy E.J. Noel (L) |
| | Deputy T.A. Vallois (S) |
| | Deputy A.K.F. Green (H) |
| | Deputy J.M. Maçon (S) |

Senators Terence Augustine Le Sueur, Paul Francis Routier, Philip Francis Cyril Ozouf, James Leslie Perchard and Sarah Craig Ferguson, the Connétables of St. Ouen, Trinity, St. Brelade and St. Saviour, the Deputy of St. Ouen, Deputies Paul Vincent Francis Le Claire of St. Helier, John Alexander Nicholas Le Fondré of St. Lawrence and Kevin Charles Lewis of St. Saviour, the Deputy of St. John, Deputies Anne Teresa Dupré of St. Clement, Edward James Noel of St. Lawrence, Michael Roderick Higgins of St. Helier and Deborah Jane de Sousa of St. Helier, in accordance with the provisions of Standing Order 106(b), declared an interest not being of a direct financial nature.

In accordance with the provisions of Standing Order 106(1)(c), Deputy Ian Joseph Gorst of St. Clement, declared an interest but remained for the duration of the debate.

THE STATES resumed consideration of the Budget Statement 2010, as amended and, adopting a proposition of Deputy Paul Vincent Francis Le Claire of St. Helier, agreed that the meeting should be adjourned.

Members present voted as follows –

POUR: 31

Senator T.A. Le Sueur
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator F.E. Cohen
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. Clement
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy J.B. Fox (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy A.E. Jeune (B)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy D. De Sousa (H)

CONTRE: 14

Senator P.F. Routier
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Connétable of St. Saviour
 Connétable of St. Peter
 Deputy R.G. Le Hérisier (S)
 Deputy J.A. Martin (H)
 Deputy of Trinity
 Deputy I.J. Gorst (C)
 Deputy of St. John
 Deputy M. Tadier (B)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

ABSTAIN: 0**Adjournment**

THE STATES adjourned, having agreed to reconvene on Thursday 10th December 2009 to continue consideration of the Budget Statement 2010 and the outstanding items of public business.

THE STATES rose at 5.31 p.m.

A.H. HARRIS

Deputy Greffier of the States