THE STATES assembled on Wednesday 10th October 2007, 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 (défaut raised at 9.37 a.m.)

Senator Michael Edward Vibert – en défaut (défaut raised at 9.37 a.m.)

Senator Frederick Ellyer Cohen – en défaut

Connétable Kenneth Priaulx Vibert of St. Ouen– en défaut (défaut raised at 9.37 a.m.)

Connétable Alan Simon Crowcroft of St. Helier- en défaut (défaut raised at 9.49 a.m.)

Connétable Daniel Joseph Murphy of Grouville – en défaut

Connétable Graeme Frank Butcher of St. John–en défaut (défaut raised at 10.22 a.m.)

Connétable Peter Frederick Maurice Hanning of St. Saviour - en défaut

Deputy Patrick John Dennis Ryan of St. Helier- en défaut

Deputy Jacqueline Ann Hilton of St. Helier– absent on States business

Deputy Paul Vincent Francis Le Claire of St. Helier- en défaut (défaut raised at 9.49 a.m.)

Deputy Anne Enid Pryke of Trinity – absent on States business

Prayers read by the Deputy Greffier of the States

Mr. Adrian Earnshaw M.H.K.- welcome

The Greffier, on behalf of all Members, welcomed Mr. Adrian Earnshaw M.H.K., Minister for Tourism and Leisure, Isle of Man who was present in the public gallery.

Ambassador of Austria- welcome

The Greffier, on behalf of all Members, welcomed Her Excellency Dr. Gabriele Matzner-Holzner, Ambassador of Austria at the Court of St. James, who was present in the public gallery.

Documents presented or laid

Financial planning disclosures for the 6 month period ended 30th June 2007.

R.98/2007.

Presented: 10th October 2007.

Minister for Treasury and Resources.

Notification of lodged propositions

Senator Frank Harrison Walker, Chief Minister: Vote of Censure.

P.158/2007.

Lodged: 10th October 2007.

Deputy A. Breckon of St. Saviour.

Draft Income Support (Jersey) Regulations 200- P.90/2007

THE STATES resumed consideration of the draft Income Support (Jersey) Regulations 200-, and, adopting an amendment of the Health, Social Security and Housing Scrutiny Panel, agreed that in paragraph (1) of Regulation 1 after the definition "child day care component" there should be inserted the following definition —

- "'day care' means the looking after a child –
- (a) by a day carer, or in day care accommodation, in circumstances regulated by the Day Care of Children (Jersey) Law 2002; and
- (b) by a nanny accredited by the Jersey Child Care Trust;".

THE STATES adopted Regulation 1, as amended.

THE STATES commenced consideration of Regulation 2 and rejected amendments of the Health, Socia Security and Housing Scrutiny Panel that in paragraphs (1) and (2) for the words "35 hours a week" there should be substituted the words "25 hours a week" and that -

- (a) after paragraph (1) there should be inserted the following paragraph and the subsequent paragraphs renumbered accordingly
 - "(2) A person who works for at least 20 hours a week is treated as being engaged in full time work in the person has worked those hours for at least 12 months prior to a claim being made for income support by a member of the person's household.";
- (b) in the renumbered paragraph (3) after the words "35 hours a week" there should be inserted the words "(or for 20 hours a week if the person comes within paragraph (2))".

Members present voted as follows –

POUR: 12 CONTRE: 34 ABSTAIN: 1

Deputy G.C.L. Baudains (C)

Senator S. Syvret
Senator B.E. Shenton
Connétable of St. Martin
Deputy A. Breckon (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 Grouville
Deputy P.V.F. Le Claire (H)
Deputy S. Pitman (H)

Senator F.H. Walker Senator W. Kinnard Senator T.A. Le Sueur Senator P.F. Routier Senator M.E. Vibert Senator P.F.C. Ozouf Senator T.J. Le Main 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 Trinity Connétable of St. Lawrence Connétable of St. Brelade Connétable of St. John Deputy R.C. Duhamel (S) Deputy J.J. Huet (H) Deputy P.N. Troy (B) Deputy C.J. Scott Warren Deputy R.G. Le Hérissier (S) Deputy S.C. Ferguson (B) Deputy of St. Peter Deputy G.W.J. de Faye (H) Deputy J.A.N. Le Fondré (L) Deputy D.W. Mezbourian (L) 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

THE STATES adopted Regulations 2 and 3.

THE STATES commenced consideration of Regulations 4 and 5 and, adopting amendments of the Health, Social Security and Housing Scrutiny Panel, agreed that in Regulation 4 for the word "immediately" there should be substituted the words "as soon as reasonably practicable"; in Regulation 5 the existing text should be renumbered as paragraph 1; in paragraph (1)(b) the word and should be deleted; in paragraph (1)(c) for the full stop there should be substituted the word "and"; after paragraph (1)(c) there should be inserted the following sub-paragraph –

"(d) either not received a written notice from the Minister in the form specified in paragraph (2) or, if the person has received such a notice, has, during the 28 days since receiving it complied with sub-paragraphs (a), (b) and (c)."; and,

after paragraph (1) there should be inserted the following paragraph-

"(2) The notice mentioned in paragraph (1)(d) shall warn the person that, in the opinion of the Minister, the person has not, during the past 28 days, been actively seeking work and unless he or she does so during the next 28 days he or she will be treated as not actively seeking work and will be liable to lose entitlement to income support."

THE STATES adopted Regulations 4 and 5 as amended.

THE STATES commenced consideration of Regulation 6 and Schedules 1 and 2 as amended by the Minister for Social Security as follows –

that in paragraph 2 of Schedule 1 there should be substituted the following paragraph-

"2 Rates for basic components

The rates payable for the basic components under Article 5(2) of the Law are—

(a)	under Article	5(2)(a) (adult rate)	£83.58
(b)	under Article	5(2)(b) (single parent rate)	£120.68
(c)	under Article	5(2)(c) (child rate)	£56.42
(d)	under Article	5(2)(d) (household rate)	£42.84".

that in paragraph 3 of Schedule 1, subparagraph (2)(b), for the words "to the claimant (either formally or informally) whether in Jersey or elsewhere" there should be substituted the words "to the member of the household (either formally or informally), whether or not the parent or other person lives in Jersey";

that in paragraph 4 of Schedule 1, for subparagraph (4) there should be substituted the following subparagraph –

"(4) The rates payable under this sub-paragraph are –

(a)	in the case of a bedsit or flat with 1 or 2 bedrooms	£5.18
(b)	in the case of a flat with 3 bedrooms	£7.35
(c)	in the case of a flat with 4 or more bedrooms	£10.43
(d)	in the case of a house with 1 bedroom	£5 18

- in the case of a house with 2 bedrooms £7.35 (e)
- (f) in the case of a house with 3 or more bedrooms £10.43".

that in paragraph 4 of Schedule 1, for subparagraph (6)(c) there should be substituted the following clause-

"(c) the component is divided equally between all the households entitled to it.".

that in paragraph 6 of Schedule 1, for subparagraph (3) there should be substituted the following subparagraph –

"(3) The rate of personal care element payable in respect of the total score calculated under subparagraph (2) is as follows-

(a)	for a score of at least 15 but less than 36	£20.37
(b)	for a score of at least 36 but less than 56	£83.58
(c)	for a score of at least 56 but less than 75	£122.85
(d)	for a score of at least 75	£436.73.".

that in paragraph 7 of Schedule 1, for subparagraph (3) there should be substituted the following subparagraph -

- The rate of mobility element of the impairment component is "(3)
 - (a) £20.37; or
 - £40.74 if the person's average weekly earnings exceed the amount in this clause.";

that in paragraph 8 of Schedule 1, for subparagraph (2) there should be substituted the following subparagraph –

- The rate of clinical cost element of the impairment component is
 - £2.66; or (a)
 - (b) if, based on the criteria set out in sub-paragraph (1)(b), the member will need at leas 9 consultations with an approved medical practitioner,£5.32.";

that in paragraph 9 of Schedule 1, for the words "who has the main responsibility for the physical care of the child" there should be substituted the words "who is treated under Article 3 of the Law as having the main responsibility for the physical care of the children of the household";

that in paragraph 10 of Schedule 1, for subparagraph (3) there should be substituted the following subparagraph –

"(3) The rates payable under this sub-paragraph are –

(a)	for a child under the age of 3 years	£5.38
(L)	for a shild and 2 was an area but under the and of	

for a child aged 3 years or over but under the age of (b) 5 years £4.21

for a child aged 5 years or over £3.03.". (c)

that for paragraph 12 of Schedule1 there should be substituted the following paragraph—

"12 Rate for the carer's component

The rate payable in respect of the carer's component is £41.79.";

THE STATES acceded to a request of the Chairman of the Health, Social Security and Housing Scrutiny Panel to withdraw an amendment to paragraph 1 of Schedule 1 that after subparagraph (1) there should be inserted the following sub-paragraph and the remaining sub-paragraphs and internal cross-references renumbered accordingly -

"(2) However, a household shall continue to be entitled to that component in respect of a member of the household who comes within sub-paragraph (1)(c) or (d) only on account of needing medica treatment.".

THE STATES rejected an amendment of the Health, Social Security and Housing Scrutiny Panel to paragraph 3 of Schedule 1 that in subparagraph (2)(a) for the words "aged 25" there should be substituted the words "aged 21".

Members present voted as follows -

POUR: 17 CONTRE: 25 ABSTAIN: 0

Senator S. Syvret Senator B.E. Shenton Connétable of St. Mary Deputy R.C. Duhamel (S) Deputy A. Breckon (S) Deputy of St. Martin Deputy G.C.L. Baudains (C) 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) Deputy P.V.F. Le Claire (H) Deputy D.W. Mezbourian (L) Deputy S.S.P.A. Power (B)

Deputy S. Pitman (H) Deputy K.C. Lewis (S) Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity

Connétable of St. Brelade Connétable of St. Martin Connétable of St. John Deputy J.J. Huet (H) Deputy P.N. Troy (B) Deputy S.C. Ferguson (B) Deputy of St. Ouen Deputy G.W.J. de Faye (H) Deputy J.A.N. Le Fondré (L) Deputy A.J.D. Maclean (H) Deputy I.J. Gorst (C) Deputy of St. Mary

THE STATES commenced consideration of an amendment of the Health, Social Security and Housing Scrutiny Panel to , paragraph 3 of Schedule 1 that for the words "whether in Jersey or elsewhere" in , subparagraph (2)(b) there should be substituted the words "and the parent or other person lives in Jersey" and, after discussion, adopted a proposition of the Chief Minister that the matter be deferred until later in the meeting, whilst advice was sought from H.M. Attorney General, and the Assembly should move to the consideration of the next amendment. Following the lunchtime adjournment, the Vice-Chairman of the Health, Social Security and Housing Scrutiny Panel advised the Assembly that the said amendment to Schedule 1, paragraph 3sub-paragraph (2)(b) had been withdrawn.

THE STATES, adopting an amendment of the Health, Social Security and Housing Scrutiny Panel, agreed that in paragraph 4 of Schedule 1, for subparagraph (5) there should be substituted the following paragraph—

- "(5) In this paragraph a dwelling is appropriate to the needs of the household
 - (a) if it is no larger than is reasonably necessary for that household;
 - (b) if, having regard to all the circumstances, it would be unreasonable to expect the household to move from that dwelling; or

- (c) where -
 - (i) it has become larger than reasonably necessary for the household because the household has become smaller within the last 12 months, and
 - (ii) the household is taking all reasonable steps to find alternative accommodation that is appropriate to the needs of the household.".

THE STATES rejected an amendment of the Health, Social Security and Housing Scrutiny Panel to paragraph 7 of Schedule 1, that subparagraph (2) should be deleted and the remaining subparagraph and internal cross-references renumbered accordingly.

Members present voted as follows –

POUR: 7 CONTRE: 32 ABSTAIN: 0

Connétable of St. John
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S. Pitman (H)

Senator L. Norman Senator F.H. Walker Senator T.A. Le Sueur Senator P.F. Routier Senator M.E. Vibert Senator P.F.C. Ozouf Senator B.E. Shenton Senator J.L. Perchard Connétable of St. Ouen Connétable of St. Peter Connétable of St. Clement Connétable of St. Helier Connétable of Trinity Connétable of St. Brelade Connétable of St. Martin Deputy R.C. Duhamel (S) Deputy J.J. Huet (H) Deputy P.N. Troy (B) Deputy C.J. Scott Warren Deputy R.G. Le Hérissier (S) Deputy J.B. Fox (H) Deputy S.C. Ferguson (B) Deputy of St. Ouen Deputy of St. Peter 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 S.S.P.A. Power (B) Deputy A.J.D. Maclean (H) Deputy K.C. Lewis (S) Deputy I.J. Gorst (C)

THE STATES, adopting an amendment of the Health, Social Security and Housing Scrutiny Panel to paragraph 9 of Schedule 1, agreed that in subparagraph (b)(ii) the words "if the education or training being undertaken is likely to result in an increase in the member's earning capacity" should be deleted.

Members present voted as follows -

POUR: 23 CONTRE: 16 ABSTAIN: 0

Senator L. Norman Connétable of St. Clement Connétable of St. Helier Connétable of Trinity Connétable of St. Brelade Connétable of St. Martin

Connétable of St. Brelad Connétable of St. Martin Connétable of St. John Deputy A. Breckon (S) 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.A. Martin (H) Deputy G.P. Southern (H) Deputy of Grouville

Deputy of St. Peter

Deputy P.V.F. Le Claire (H)

Deputy D.W. Mezbourian

(L)

Deputy S.S.P.A. Power (B)

Deputy S. Pitman (H)

Deputy K.C. Lewis (S)

Deputy of St. Mary

Senator W. Kinnard Senator T.A. Le Sueur Senator P.F. Routier Senator M.E. Vibert Senator P.F.C. Ozouf Senator T.J. Le Main Senator J.L. Perchard Connétable of St. Ouen Deputy R.C. Duhamel (S) Deputy J.B. Fox (H) Deputy S.C. Ferguson (B)

Deputy of St. Ouen

Deputy G.W.J. de Faye (H) Deputy J.A.N. Le Fondré

(L)

Deputy A.J.D. Maclean (H)

Deputy I.J. Gorst (C)

THE STATES rejected an amendment of the Health, Social Security and Housing Scrutiny Panel to paragraphs 9 and 10 of Schedule 1, that—

- (a) In paragraph 9(b)—
 - (i) in clause (i) the word "or" should be deleted;
 - (ii) in clause (ii) for the full stop there should be substituted the word "; or";
 - (iii) after clause (ii) the following clause should be added
 - "(iii) Article 3(1)(g) of the Law.";
- (b) In paragraph 10(2)(b), for the words "or education or training commitments" there should be substituted the words ", education or training commitments or job-seeking commitments".

Members present voted as follows –

POUR: 10 CONTRE: 31 ABSTAIN: 0

Connétable of St. Mary
Connétable of St. Martin
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy of St. Peter
Deputy P.V.F. Le Claire (H)
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)

Senator L. Norman
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Lawrence

Connétable of St. Brelade Connétable of St. John Deputy R.C. Duhamel (S) Deputy G.C.L. Baudains (C) Deputy P.N. Troy (B) Deputy C.J. Scott Warren Deputy R.G. Le Hérissier (S) Deputy J.B. Fox (H) Deputy S.C. Ferguson (B) Deputy of St. Ouen Deputy of Grouville Deputy G.W.J. de Faye (H) Deputy J.A.N. Le Fondré (L) Deputy D.W. Mezbourian (L) 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 adopted Regulation 6 and Schedules 1 and 2 as amended.

THE STATES, adopting an amendment of the Health, Social Security and Housing Scrutiny Panel, agreed that after Regulation 7 there should be inserted the following Regulation—

"8 Article 5 of Law amended

In Article 5(3)(c) of the Law after the word "household" there shall be inserted the words "or employing a nanny accredited by the Jersey Child Care Trust to look after that child".

THE STATES adopted Regulations 7 and 8 and Schedule 3 as amended by the Minister for Social Security as follows -

that in Regulation 8 there should be substituted the following Regulations–

"8 Amendments consequential on the introduction of GST

Schedule 3 has effect for the purpose of amending Schedule 1 in the event of the commencemer of Article 6 of the Goods and Services Tax (Jersey) Law 2007.

9 Citation and commencement

- (1) These Regulations may be cited as the Income Support (Jersey) Regulations 200.
- (2) These Regulations, apart from Regulation 8 and Schedule 3, shall come into force on th same day as Part 2 of the Income Support (Jersey) Law 2007.
- (3) Regulation 8 and Schedule 3 shall come into force on the same day as Article 6 of the Goods and Services Tax (Jersey) Law 2007";

that after Schedule 2 there should be added the following Schedule-

(Regulation 8)

AMENDMENTS CONSEQUENTIAL ON INTRODUCTION OF GST

Schedule 1 shall be amended as follows-

(a) for paragraph 2 there shall be substituted the following paragraph—

'2 Rates for basic components

The rates payable for the basic components under Article 5(2) of the Law are—

(a)	under Article 5(2)(a) (adult rate)	£86.10
(b)	under Article 5(2)(b) (single parent rate)	£124.32
(c)	under Article 5(2)(c) (child rate)	£58.10
(d)	under Article 5(2)(d) (household rate)	£44.10';

- (b) for paragraph 6(3) there shall be substituted the following subparagraph
 - '(3) The rate of personal care element payable in respect of the total score calculated under subparagraph (2) is as follows—

(a)	for a score of at least 15 but less than 36	£21.00
(b)	for a score of at least 36 but less than 56	£86.10
(c)	for a score of at least 56 but less than 75	£126.56
(d)	for a score of at least 75	£436.73.';

- (c) for paragraph 7(3) there shall be substituted the following subparagraph
 - '(3) (a) £21.00; or
 - (b) £42.00 if the person's average weekly earnings exceed the amount in this clause.';
- (d) for paragraph 12 there shall be substituted the following paragraph—

'12 Rate for the carer's component

The rate payable in respect of the carer's component is £43.05."

THE STATES, in pursuance of Articles 3, 5 and 18 of the Income Support (Jersey) Law 2007, made Regulations entitled the Income Support (Jersey) Regulations 2007.

Draft Income Support (Special Payments) (Jersey) Regulations 200- P.91/2007

THE STATES commenced consideration of the draft Income Support (Special Payments) (Jersey) Regulations 200- and adopted the principles.

THE STATES adopted Regulation 1.

Members present voted as follows –

POUR: 39 CONTRE: 0 ABSTAIN: 0

Senator L. Norman Senator W. Kinnard Senator T.A. Le Sueur Senator P.F. Routier Senator M.E. Vibert

Connétable of St. Ouen

Connétable of St. Mary

Connétable of St. Peter

Connétable of St. Clement

Connétable of St. Helier

Connétable of Trinity

Connétable of St. Lawrence

Connétable of St. Brelade

Connétable of St. Martin

Connétable of St. John

Deputy R.C. Duhamel (S)

Deputy A. Breckon (S)

Deputy of St. Martin

Deputy G.C.L. Baudains (C)

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 of St. Ouen

Deputy of Grouville

Deputy of St. Peter

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 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

Change of Presidency

Mr. Michael Nelson de la Haye, Greffier of the States, retired from the Chair during consideration c Regulation 1 of the draft Income Support (Special Payments) (Jersey) Regulations 200- and the meeting continued under the Presidency of the Bailiff.

THE STATES commenced consideration of Regulations 2 to 4 and rejected an amendment of the Health, Social Security and Housing Scrutiny Panel to Regulation 3, that after paragraph (1)(a) there should be inserted the following sub-paragraph and the remaining sub-paragraphs renumbered accordingly –

"(b) the cost of any repairs to a dwelling owned by the claimant and occupied as his or her principal residence;".

Members present voted as follows -

POUR: 7 CONTRE: 37 ABSTAIN: 0

Senator S. Syvret
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy C.J. Scott Warren (S)

Senator L. Norman Senator W. Kinnard Senator T.A. Le Sueur Senator P.F. Routier Deputy J.A. Martin (H) Deputy G.P. Southern (H) Deputy S. Pitman (H) Senator M.E. Vibert Senator P.F.C. Ozouf Senator T.J. Le Main 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 Trinity Connétable of St. Lawrence Connétable of St. Brelade Connétable of St. Martin Connétable of St. John Deputy R.C. Duhamel (S) Deputy G.C.L. Baudains (C) Deputy P.N. Troy (B) Deputy R.G. Le Hérissier (S) Deputy J.B. Fox (H) Deputy S.C. Ferguson (B) Deputy of St. Ouen Deputy of Grouville Deputy of St. Peter 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 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)

THE STATES rejected an amendment of the Health, Social Security and Housing Scrutiny Panel to Regulation 3, that after paragraph (4) there should be inserted the following paragraph and the remainin paragraphs renumbered accordingly –

Deputy of St. Mary

"(5) A special payment may be made to defray the cost of insulating a dwelling owned by the claimant and occupied as his or her principal residence;".

Members present voted as follows –

POUR: 8 CONTRE: 36 ABSTAIN: 0

Senator S. Syvret
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy G.W.J. de Faye (H)
Deputy D.W. Mezbourian
(L)

Deputy S. Pitman (H)

Senator L. Norman Senator W. Kinnard Senator T.A. Le Sueur Senator P.F. Routier Senator M.E. Vibert Senator P.F.C. Ozouf

Senator T.J. Le Main 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 Trinity

Connétable of St. Lawrence

Connétable of St. Brelade

Connétable of St. Martin

Connétable of St. John

Deputy R.C. Duhamel (S)

Deputy G.C.L. Baudains (C)

Deputy P.N. Troy (B)

Deputy C.J. Scott Warren

Deputy R.G. Le Hérissier (S)

Deputy J.B. Fox (H)

Deputy S.C. Ferguson (B)

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 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

THE STATES rejected an amendment of the Health, Social Security and Housing Scrutiny Panel to Regulation 3, that in paragraph (5) after the word However," there should be inserted the words "except in the case of a claimant who is a member of a household in receipt of income support,".

Members present voted as follows –

POUR: 6 **CONTRE: 38 ABSTAIN: 0**

Senator L. Norman

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

Senator W. Kinnard Senator T.A. Le Sueur Senator P.F. Routier Senator M.E. Vibert Senator P.F.C. Ozouf Senator T.J. Le Main 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 Trinity Connétable of St. Lawrence Connétable of St. Brelade Connétable of St. Martin Connétable of St. John Deputy R.C. Duhamel (S) 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 S.C. Ferguson (B)

Deputy of St. Ouen
Deputy of Grouville
Deputy of St. Peter
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 S.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John

THE STATES rejected an amendment of the Health, Social Security and Housing Scrutiny Panel to Regulation 3 and 4 that after Regulation 3(1)(c)-

Deputy I.J. Gorst (C) Deputy of St. Mary

- (a) there should be inserted the following sub-paragraph and the remaining sub-paragraphs renumbered accordingly
 - "(d) mortgage payments made in respect of a dwelling owned and occupied by the claimant as his or her principal residence;"; and,
- (b) After Regulation 4(2) there should be inserted the following paragraph—
 - "(3) Despite paragraph (1), the maximum amount of a special payment under Regulation 3(1)(d) shabe a sum equivalent to the rate payable under paragraph 4(2) of Schedule 1 to the Incom Support Regulations for the type of dwelling concerned and such sum shall be payable weekly for a maximum of 12 months."

Members present voted as follows -

POUR: 9 CONTRE: 35 ABSTAIN: 0

Senator L. Norman

Senator S. Syvret
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy of Grouville
Deputy S. Pitman (H)
Deputy of St. John

Senator W. Kinnard Senator T.A. Le Sueur Senator P.F. Routier Senator M.E. Vibert Senator P.F.C. Ozouf Senator T.J. Le Main 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 Trinity Connétable of St. Lawrence Connétable of St. Brelade Connétable of St. Martin Connétable of St. John Deputy R.C. Duhamel (S) Deputy P.N. Troy (B) Deputy C.J. Scott Warren (S) Deputy R.G. Le Hérissier (S) Deputy J.B. Fox (H) Deputy S.C. Ferguson (B)

Deputy of St. Ouen
Deputy of St. Peter
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 S.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)

THE STATES rejected an amendment of the Health, Social Security and Housing Scrutiny Panel to Regulation 4 that paragraph (2) should be deleted and the numbering removed from paragraph (1).

Deputy of St. Mary

Members present voted as follows –

POUR: 13 CONTRE: 31 ABSTAIN: 0

Senator W. Kinnard
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérissier (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy of Grouville
Deputy D.W. Mezbourian
(L)
Deputy S. Pitman (H)

Senator S. Syvret

Senator L. Norman Senator T.A. Le Sueur Senator P.F. Routier Senator M.E. Vibert Senator P.F.C. Ozouf Senator T.J. Le Main Senator J.L. Perchard Connétable of St. Ouen Connétable of St. Mary

(L)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy of St. John

Connétable of St. Peter Connétable of St. Clement Connétable of St. Helier Connétable of Trinity Connétable of St. Lawrence

Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Deputy R.C. Duhamel (S)
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of St. Peter

Deputy of St. Peter Deputy G.W.J. de Faye (H) Deputy P.V.F. Le Claire (H) Deputy J.A.N. Le Fondré (L) Deputy S.S.P.A. Power (B) Deputy A.J.D. Maclean (H) Deputy I.J. Gorst (C) Deputy of St. Mary

THE STATES, adopting an amendment of the Health, Social Security and Housing Scrutiny Panel to Regulation 4 agreed that after paragraph (2) there should be inserted the following paragraph-

"(3) The full cost of defraying the expense under paragraph (1) shall be taken to include any reasonable costs of delivery and installation.".

THE STATES commenced consideration of Regulations 5 and 6 and rejected an amendment the Health, Social Security and Housing Scrutiny Panel to Regulation 5 that for paragraph (2) there should be substitute the following paragraph –

- "(2) The amount of a special payment under this Regulation is
 - (a) for the first week in which a special payment is claimed, the amount of income support to which the household would be entitled were that adult member actively seeking work, less 25% of the rate of basic component payable under Article 5(2)(a) or (b) of the Law, as the case may be, that would have been payable in respect of that member;
 - (b) for each of the next 3 weeks in which a special payment is claimed—
 - (i) if that adult member has, during the past week, satisfied Regulation 5(a), (b) and (c) of the Income Support Regulations, the amount of income support to which the household would be entitled were that adult member actively seeking work, or
 - (ii) if that adult member has not, during the past week, satisfied that Regulation, the amount of income support to which the household would be entitled were that adult member actively seeking work, less 25% of the rate of basic component payable under Article 5(2)(a) or (b) of the Law, as the case may be, that would have beer payable in respect of that member;
 - (c) for each week after the first 4 weeks in which a special payment is claimed—
 - (i) if that adult member has, during the past week, satisfied Regulation 5(a), (b), and (c) of the Income Support Regulations, the amount of income support to which the household would be entitled were that adult member actively seeking work, or
 - (ii) if that adult member has not, during the past week, satisfied that Regulation, the same amount as paid in respect of the previous week less a further 25% of the rate of basic component payable under Article 5(2)(a) or (b) of the Law, as the case may be, that would have been payable in respect of that member, up to a maximum deduction of the full rate of that basic component.".

Members present voted as follows -

POUR: 6 CONTRE: 37 ABSTAIN: 0

Senator L. Norman

Senator W. Kinnard

Deputy A. Breckon (S)
Deputy of St. Martin
Deputy C.J. Scott Warren (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S. Pitman (H)

Senator T.A. Le Sueur Senator P.F. Routier Senator M.E. Vibert Senator P.F.C. Ozouf Senator T.J. Le Main 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 Trinity Connétable of St. Lawrence Connétable of St. Brelade Connétable of St. Martin Connétable of St. John Deputy R.C. Duhamel (S) Deputy G.C.L. Baudains (C) Deputy P.N. Troy (B) Deputy R.G. Le Hérissier (S) Deputy J.B. Fox (H) Deputy S.C. Ferguson (B) Deputy of St. Ouen Deputy of Grouville Deputy of St. Peter 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 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

THE STATES adopted Regulations 5 and 6.

Members present voted as follows –

POUR: 38 CONTRE: 5 ABSTAIN: 0

Senator L. Norman Senator W. Kinnard Senator T.A. Le Sueur Senator P.F. Routier Senator M.E. Vibert Senator P.F.C. Ozouf Senator T.J. Le Main

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 Trinity

Connétable of St. Lawrence

Connétable of St. Brelade

Connétable of St. Martin

Connétable of St. John

Deputy R.C. Duhamel (S)

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 S.C. Ferguson (B)

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 D.W. Mezbourian

(L)

Deputy S.S.P.A. Power (B)

Deputy A. Breckon (S) Deputy J.A. Martin (H)

Deputy G.P. Southern (H)

Deputy G.W.J. de Faye (H)

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 adopted Regulations 7 and 8.

THE STATES, in pursuance of Articles 8 and 18 of the Income Support (Jersey) Law 2007, made Regulations entitled the Income Support (Special Payments) (Jersey) Regulations 2007.

Draft Income Support (Consequential Amendments) (Jersey) Regulations 200- P. 102/2007

THE STATES, in pursuance of Article 21(2) of the Income Support (Jersey) Law 2007, made Regulations entitled the Income Support (Consequential Amendments) (Jersey) Regulations 2007.

Draft Income Support (Jersey) Law 2007 (Appointed Day) Act 200 P.140/2007

THE STATES, in pursuance of Article 23 of the Income Support (Jersey) Law 2007, made an Act entitled th Income Support (Jersey) Law 2007 (Appointed Day) Act 2007.

Deputy G.P. Southern (H)

Deputy S. Pitman (H)

Members present voted as follows -

POUR: 41 CONTRE: 2 ABSTAIN: 0

Senator L. Norman

Senator W. Kinnard

Senator T.A. Le Sueur

Senator P.F. Routier

Senator M.E. Vibert

Senator P.F.C. Ozouf

Senator T.J. Le Main

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 Trinity

Connétable of St. Lawrence

Connétable of St. Brelade

Connétable of St. Martin

Connétable of St. John

Deputy R.C. Duhamel (S)

Deputy A. Breckon (S)

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 S.C. Ferguson (B)

Deputy of St. Ouen

Deputy of Grouville

Deputy of St. Peter

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 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

Arrangement of public business for future meetings

THE STATES adopted a proposition of the Minister for Economic Development that, in accordance with Standing Order 26(7), the minimum lodging period for the draft Price and Charge Indicators (Jersey) Law 200- (P.149/2007 lodged 'au Greffe' on 4th October 2007), should be reduced to enable the matter to be considered on 6th November 2007, as it related to a matter of such urgency and importance that it would be prejudicial to Jersey to delay its debate.

THE STATES agreed the following arrangement of public business for future meetings proposed, as amended, by the Chairman of the Privileges and Procedures Committee in accordance with the provisions of Standing Order 88(3) –

23rd October 2007

Lodged: 9th October 2007. *Minister for Social Security*.

2514 October 2007	
Island Plan 2002: H4 Site No. 15, Samarès Nursery, St. Clement and future amendments to the Island Plan. Lodged: 20th July 2007. Deputy I.J. Gorst of St. Clement.	P.95/2007.
Draft Police (Complaints and Discipline) (Amendment) (Jersey) Law 200 Lodged: 29th August 2007. <i>Minister for Home Affairs</i> .	P.116/2007.
Draft Police (Honorary Police Complaints and Discipline Procedure) (Amendment No. 2) (Jersey) Regulations 200. Lodged: 23rd August 2007. Minister for Home Affairs.	P.112/2007.
Draft Goods and Services Tax (Jersey) Regulations 200 Lodged: 11th September 2007. Minister for Treasury and Resources.	P.122/2007.
Fields 848, 851 and 853, Bel Royal, St. Lawrence: Committee of Inquiry–appointment of member. Lodged: 3rd October 2007. Connétable of St. Lawrence.	P.147/2007.
Jersey Financial Services Commission: appointment of Commissioner. Lodged: 8th October 2007. <i>Minister for Economic Development.</i>	P.150/2007.
Draft Employment Relations (Jersey) Law 2007 (Appointed Day) Act 200	P.154/2007.

Draft Employment Relations (Amendment No. 2) (Jersey) Law 2007 (Appointed

P.155/2007.

Day) Act 200-.

Lodged: 9th October 2007. *Minister for Social Security*.

6th November 2007

Draft Financial Services (Amendment of Law) (No. 2) (Jersey) Regulations 200 P.114/2007.

Lodged: 28th August 2007.

Minister for Economic Development.

Draft Marriage and Civil Status (Amendment) (Jersey) Law 200-. P.120/2007.

Lodged: 7th September 2007. *Minister for Home Affairs*.

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Crime (Sentences) Act 1997: extension to Jersey. P.124/2007.

Lodged: 14th September 2007.

Chief Minister.

Goods and Services Tax: petition. P.125/2007.

Lodged: 18th September 2007. *Connétable of St. Helier*.

Draft Price and Charge Indicators (Jersey) Law 200-. P.149/2007.

Lodged: 4th October 2007.

Minister for Economic Development.

Draft Loi (1939) sur les honoraires des Avocats et des Écrivains (Repeal) (Jersey) P.126/2007.

Law 200-.

Lodged: 18th September 2007.

Chief Minister.

Draft Drug Trafficking (Offences) (Amendment) (Jersey) Law 200-. P.128/2007.

Lodged: 24th September 2007.

Minister for Treasury and Resources.

Draft Proceeds of Crime (Amendment) (Jersey) Law 200-. P.129/2007.

Lodged: 24th September 2007.

Minister for Treasury and Resources.

Draft Corruption (Amendment of Definitions) (Jersey) Regulations 200-. P.130/2007.

Lodged: 24th September 2007.

Minister for Home Affairs.

Draft Terrorism (Amendment No. 2) (Jersey) Law 200. P.131/2007.

Lodged: 24th September 2007.

Minister for Home Affairs.

Draft Crime (Transnational Organized Crime) (Jersey) Law 200-. P.132/2007.

Lodged: 24th September 2007.

Minister for Home Affairs.

Draft Proceeds of Crime (Cash Seizure) (Jersey) Law 200-. P.133/2007.

Lodged: 24th September 2007.

Minister for Home Affairs.

Draft Criminal Justice (International Co-operation) (Amendment) (Jersey) Law P.134/2007.

200-

Lodged: 24th September 2007.

Minister for Treasury and Resources.

Draft Civil Asset Recovery (International Co-operation) (Jersey) Law 200 Lodged: 25th September 2007. <i>Minister for Home Affairs</i> .	P.135/2007.
Draft Banking Business (Amendment No. 6) (Jersey) Law 200. Lodged: 25th September 2007. Minister for Economic Development.	P.136/2007.
Draft Insurance Business (Amendment No. 6) (Jersey) Law 200. Lodged: 25th September 2007. Minister for Economic Development.	P.137/2007.
Draft Financial Services (Amendment No. 4) (Jersey) Law 200. Lodged: 25th September 2007. Minister for Economic Development.	P.138/2007.
Draft Collective Investment Funds (Amendment No. 4) (Jersey) Law 200. Lodged: 25th September 2007. Minister for Economic Development.	P.139/2007.
Draft Electricity Link with France (Protection of Submarine Cable) (Jersey) Regulations 200 Lodged: 25th September 2007. Minister for Economic Development.	P.142/2007.
Senator Frank Harrison Walker, Chief Minister: Vote of Censure. Lodged: 10th October 2007. Deputy A. Breckon of St. Saviour.	P.158/2007.
20th November 2007	
Criminal Justice Policy. Lodged: 4th September 2007. Minister for Home Affairs.	P.118/2007.
Draft Goods and Services Tax (Jersey) Law 2007 (Appointed Day) Act 200 Lodged: 11th September 2007. Minister for Treasury and Resources.	P.121/2007.
Income Support Scheme: deferral of introduction. Lodged: 26th September 2007. Health, Social Security and Housing Scrutiny Panel.	P.143/2007.
Draft Community Provisions (Ship and Port Facility – Security) (Amendment) (Jersey) Regulations 200 Lodged: 26th September 2007. Minister for Economic Development.	P.144/2007.
Health Insurance Exemption cards: free bus travel and Active cards. Lodged: 26th September 2007. Health, Social Security and Housing Scrutiny Panel.	P.145/2007.
Draft Public Library (Jersey) Regulations 200 Lodged: 3rd October 2007. Minister for Education, Sport and Culture.	P.146/2007.

Draft Amendment (No. 7) of the Standing Orders of the States of Jersey. Lodged: 9th October 2007. <i>Chairmen's Committee</i> .	P.151/2007.
Draft States of Jersey (Implementation) (Jersey) Regulations 200- Lodged: 9th October 2007. Minister for Treasury and Resources.	P.152/2007.
JT Group Limited ("Jersey Telecom"): proposed sale. Lodged: 9th October 2007. Minister for Treasury and Resources.	P.153/2007
Draft Income Tax (Amendment No. 29) (Jersey) Law 200. Lodged: 9th October 2007. Minister for Treasury and Resources.	P.156/2007.
Draft Income Tax (Deemed Dividends) (Jersey) Regulations 200 Lodged: 9th October 2007. Minister for Treasury and Resources.	P.157/2007.

12th February 2008

Draft Proceeds of Crime (Substitution of Schedule 2) (Jersey) Regulations 200. P.127/2007. Lodged: 24th September 2007. *Minister for Treasury and Resources*.

THE STATES rose at 5.44 p.m.

A.H. HARRIS

Deputy Greffier of the States