



**THE STATES assembled on Tuesday
6th December 2011, at 09.30 a.m. under
the Presidency of the Bailiff,
Michael Cameron St. John Birt Esquire.**

**His Excellency the Lieutenant Governor,
General Sir John McColl, K.C.B., C.B.E., D.S.O.
was present.**

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

Senator Paul Francis Routier – excused attendance
Senator Sir Philip Bailhache – ill

Prayers read by the Greffier of the States

Subordinate enactments tabled

The following enactments were tabled, namely –

Transport and Technical Services (Driver and Vehicle Standards – 2012 Fees) (Jersey) Order 2011. <i>Minister for Transport and Technical Services.</i>	R&O.163/2011.
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Documents presented or laid

Homebuy or Shared Equity Scheme: approval by the States (P.163/2011) – comments. Presented: 2nd December 2011. <i>Minister for Housing.</i>	P.163/2011. Com.
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Homebuy or Shared Equity Scheme: approval by the States (P.163/2011) – comments. Presented: 6th December 2011. <i>Minister for Planning and Environment.</i>	P.163/2011. Com.(2)
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St. Helier Waterfront: development (P.175/2011) – comments. Presented: 5th December 2011. <i>Council of Ministers.</i>	P.175/2011. Com.
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Appointment of Assistant Ministers: consent of the Chief Minister. Presented: 29th November 2011. <i>Chief Minister.</i>	R.140/2011.
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Companies (Jersey) Law 1991: proposed amendments – Green Paper. Presented: 29th November 2011. <i>Minister for Economic Development.</i>	R.141/2011.
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States of Jersey Law 2005: delegation of functions – non-contentious Budget transfers.
Presented: 29th November 2011.
Chief Minister. R.142/2011.

States of Jersey Law 2005: delegation of functions – Assistant Ministers – November 2011.
Presented: 29th November 2011.
Chief Minister. R.143/2011.

States of Jersey Law 2005: delegation of functions – Housing – November 2011 revised delegations.
Presented: 30th November 2011.
Minister for Housing. R.144/2011.

States of Jersey Law 2005: delegation of functions – Treasury and Resources – November 2011 revised delegations.
Presented: 30th November 2011.
Minister for Treasury and Resources. R.145/2011.

States of Jersey Law 2005: delegation of functions – authorisation of actions in connection with Iran sanctions.
Presented: 6th December 2011.
Chief Minister. R.146/2011.

Land Transactions under Standing Order 168(3) – 22 La Mondine, Grève d’Azette, St. Clement – lease.
Presented: 6th December 2011.
Minister for Treasury and Resources. R.147/2011.

Notification of lodged propositions

Draft Maintenance Orders (Facilities for Enforcement – Convention Countries) (Amendment) (Jersey) Act 201-.
Lodged: 28th November 2011.
Chief Minister. P.184/2011.

Health Insurance Fund: transfer to Health and Social Services Department for 2012.
Lodged: 29th November 2011.
Minister for Social Security. P.185/2011.

Draft Cold Weather Bonus (Jersey) Regulations 201-.
Lodged: 29th November 2011.
Minister for Social Security. P.186/2011.

Machinery of Government: review by Privileges and Procedures Committee.
Lodged: 29th November 2011.
Deputy G.C.L. Baudains of St. Clement. P.187/2011.

Open ballot for Ministers and Chairmen.
Lodged: 5th December 2011.
Deputy T.M. Pitman of St. Helier. P.188/2011.

Withdrawal of lodged propositions

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

Mobile dental service funded from the Health Insurance Fund.

P.170/2011.

Lodged: 13th October 2011.

Senator A. Breckon.

Appointment of the members of the Privileges and Procedures Committee

In accordance with Standing Order 122(1), the following nominations were made by the Connétable of St. Helier, Chairman of the Privileges and Procedures Committee for members of the Privileges and Procedures Committee who were not Ministers or Assistant Ministers –

Senator Sarah Craig Ferguson
The Connétable of St. Clement
Deputy Montfort Tadier of St. Brelade

Deputy Trevor Mark Pitman of St. Helier was nominated by Deputy Michael Roderick Higgins of St. Helier.

THE STATES, having proceeded to a secret ballot, were informed of the following results by the Bailiff –

Senator Sarah Craig Ferguson	35
The Connétable of St. Clement	37
Deputy Montfort Tadier of St. Brelade	37
Deputy Trevor Mark Pitman of St. Helier	21

The Bailiff accordingly declared that the following had been duly appointed as members of the Privileges and Procedures Committee –

Senator Sarah Craig Ferguson
The Connétable of St. Clement
Deputy Montfort Tadier of St. Brelade.

In accordance with Standing Order 122(5), the following nominations were made by the Connétable of St. Helier, Chairman of the Privileges and Procedures Committee for members of the Privileges and Procedures Committee who were Ministers or Assistant Ministers –

Senator Sir Philip Bailhache
Deputy Judith Ann Martin of St. Helier.

There being no other Ministers or Assistant Ministers nominated, the Bailiff declared that Senator Sir Philip Bailhache and Deputy Judith Ann Martin of St. Helier had been duly elected as members of the Privileges and Procedures Committee.

In accordance with Standing Order 122(9), the Connétable of St. Helier, Chairman of the Privileges and Procedures Committee, nominated the Deputy of St. Peter as the Chairmen’s Committee representative.

There being no other nominations, the Bailiff declared that the Deputy of St. Peter had been duly elected as a member of the Privileges and Procedures Committee.

Environment Scrutiny Panel – appointment of member

In accordance with Standing Order 125(7) the Chairman of the Environment Scrutiny Panel nominated the Deputy of St. Martin as a member of the Environment Scrutiny Panel.

There being no other nominations, the Bailiff declared that the Deputy of St. Martin had been duly appointed as a member of the Environment Scrutiny Panel.

Written Questions

(see Official Report/Hansard)

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding advertisements in cars.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy J.H. Young of St. Brelade regarding planning applications.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding scaffolding at St. James' Centre.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy R.J. Rondel of St. Helier regarding commercial planning applications.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy R.J. Rondel of St. Helier regarding the Island Plan and housing developments.

The Minister for Social Security tabled an answer to a question asked by Senator A. Breckon regarding Social Security cards.

The Minister for Social Security tabled an answer to a question asked by Senator A. Breckon regarding the delay in publication of a Government Actuary Report.

The Chief Minister tabled an answer to a question asked by Senator A. Breckon regarding contract employees.

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

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the Tenants Deposit Scheme.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the cost of Income Support.

The Chairman of the Health, Social Security and Housing Scrutiny Panel tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding reviews to be undertaken by the Panel.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the cost of additional unemployed Islanders.

The Minister for Health and Social Services tabled an answer to a question asked by the Connétable of St. John regarding Samarès Ward, Overdale Hospital.

The Chief Minister tabled an answer to a question asked by the Connétable of St. John regarding a disaster recovery plan for the finance sector.

The Minister for Health and Social Services tabled an answer to a question asked by Senator S.C. Ferguson regarding the implementation timetable of the K.P.M.G. report.

The Minister for Economic Development tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the 'enhancement' of contracts of employment.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding Hospital Consultants.

The Minister for Economic Development tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the renewal of the Airport Director's contract.

Oral Questions

(see Official Report/Hansard)

Deputy T.M. Pitman of St. Helier asked a question of President of the Chairmen's Committee regarding the potential scrutiny of the media by one of the Scrutiny Panels.

Deputy R.G. Le Hérisier of St. Saviour asked a question of the Minister for Planning and Environment regarding the adoption of the recommendations contained within the report by the internal Task Force.

The Deputy of St. Martin asked a question of the Minister for Treasury and Resources regarding the 'fast tracking' of the construction of the new St. Martin's Primary School.

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the delivery of 'real' jobs for the unemployed.

Deputy R.J. Rondel of St. Helier asked a question of the Minister for Treasury and Resources regarding the implementation of restrictions by Jersey Water.

Deputy M.R. Higgins of St. Helier asked a question of the Minister for Economic Development regarding the current and projected financial situation of Jersey Airport.

Senator S.C. Ferguson asked a question of the Minister for Treasury and Resources regarding advice received in relation to the £40 million Gigabit Jersey proposals.

Senator A. Breckon asked a question of the Minister for Housing regarding the use of UK contractors on the refurbishment of Pomme d'Or Farm.

The Connétable of St. John asked a question of the Minister for Social Security regarding his definition of a 'proper' job.

Deputy S. Pitman of St. Helier asked a question of the Minister for Education, Sport and Culture regarding the overall cost of young people attending university in 2011.

Deputy G.C.L. Baudains of St. Clement asked a question of the Chief Minister regarding proposals to assist the unemployed find work.

Deputy S.S.P.A. Power of St. Brelade asked a question of the Minister for Treasury and Resources regarding the consideration of a payroll tax as a method of raising income from non-locally owned Jersey trading companies.

Deputy R.G. Le Hérisssier of St. Saviour asked a question of the Minister for Health and Social Services regarding the 'Adopt a Granny Scheme'.

Deputy T.M. Pitman of St. Helier asked a question of the Minister for Education, Sport and Culture regarding the future use of St. James' Centre.

Deputy S.S.P.A. Power of St. Brelade asked a question of the Minister for Transport and Technical Services regarding road access to any site proposed for a new General Hospital or a new Police Headquarters.

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding 2012 pay negotiations with public sector employees.

Deputy R.J. Rondel of St. Helier asked a question of the Minister for Education, Sport and Culture regarding the UK universities which have agreed to charge 'local' fees.

Deputy M.R. Higgins of St. Helier asked a question of the Minister for Treasury and Resources regarding risks to the Jersey finance industry.

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Transport and Technical Services regarding the recently installed pedestrian refuge near La Mare slip.

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Treasury and Resources 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 Social Security made a statement regarding access to dental health services.

Clos des Sables: further development – petition P.121/2011

THE STATES, adopting a proposition of Deputy Montfort Tadier of St. Brelade, agreed to request the Minister for Treasury and Resources to instruct the Property Holdings Department not to proceed with plans for the proposed sale of 2 plots of public land (one adjoining 116 and 123 Le Clos des Sables and the other separating 132 and 145 Le Clos des Sables); and to consult fully with residents and parish representatives before any future proposals were pursued for the sale or development of public land in Le Clos des Sables or Les Quennevais Park.

Members present voted as follows –

POUR: 43

CONTRE: 0

ABSTAIN: 0

Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator I.J. Gorst
 Senator L.J. Farnham
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 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 J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)

Homebuy or Shared Equity Scheme: approval by the States P.163/2011

THE STATES, adopting a proposition of Senator Alan Breckon, requested the Minister for Planning and Environment, following consultation with other Ministers as appropriate, to bring forward for approval by the Assembly a comprehensive ‘Homebuy’ or shared equity policy (set within the proper context of legal advice) and agreed that the ‘Homebuy’ scheme should not be extended to any other properties until this policy has been approved by the States.

Members present voted as follows –

POUR: 44**CONTRE: 1****ABSTAIN: 0**

Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy T.M. Pitman (H)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy of St. John
 Deputy J.P.G. Baker (H)
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)

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

Changes in Presidency

The Bailiff retired briefly from the Chamber during consideration of the proposition of Senator Alan Breckon entitled 'Homebuy or Shared Equity Scheme: approval by the States' (P.163/2011) and the meeting continued under the presidency of Mrs. Anne Helen Harris, Deputy Greffier of the States, until his return.

Draft Endangered Species (CITES) (Jersey) Law 201- P.171/2011

THE STATES commenced consideration of the Draft Endangered Species (CITES) (Jersey) Law 201- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Articles 1–50 and the Schedule.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Endangered Species (CITES) (Jersey) Law 201-.

Members present voted as follows –

POUR: 43**CONTRE: 0****ABSTAIN: 0**

Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. John
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 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 J.M. Maçon (S)
Deputy G.C.L. Baudains (C)
Deputy of St. John
Deputy J.P.G. Baker (H)
Deputy J.H. Young (B)
Deputy S.J. Pinel (C)
Deputy of St. Mary
Deputy of St. Martin
Deputy R.G. Bryans (H)
Deputy of St. Peter
Deputy R.J. Rondel (H)

St. Helier Waterfront: development P.175/2011

THE STATES commenced consideration of a proposition of the Connétable of St. Helier entitled 'St. Helier Waterfront: development' (P.175/2011).

Changes in Presidency

The Bailiff retired briefly from the Chamber during consideration of the Draft Endangered Species (CITES) (Jersey) Law 201- (P.171/2011) and the meeting continued under the presidency of Mrs. Anne Helen Harris, Deputy Greffier of the States, until his return.

The Bailiff retired from the Chamber during consideration of the Draft Endangered Species (CITES) (Jersey) Law 201- (P.171/2011) and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States, until his return during consideration of the proposition of the Connétable of St. Helier entitled 'St. Helier Waterfront: development' (P.175/2011).

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 7th December 2011 to continue consideration of proposition of the Connétable of St. Helier entitled 'St. Helier Waterfront: development' (P.175/2011) and the outstanding items of public business.

THE STATES rose at 5.29 p.m.

M.N. DE LA HAYE

Greffier of the States

Re-issue Note

This set of States Minutes is re-issued because the Minutes as originally published did not show the correct page numbers.