



**THE STATES assembled on Tuesday
17th January 2012, at 09.30 a.m. under
the Presidency of the Deputy Bailiff,
William James Bailhache, 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 Philip Francis Cyril Ozouf – en défaut (défaut raised at 9.58 a.m.)
Connétable Alan Simon Crowcroft of St. Helier – en défaut (défaut raised at 9.41 a.m.)
Deputy Shona Pitman of St. Helier – en défaut (défaut raised at 9.42 a.m.)
Deputy Trevor Mark Pitman of St. Helier – en défaut (défaut raised at 9.50 a.m.)

Prayers

Infra red hearing system

The Deputy Bailiff advised the Assembly that a new infra red system was being tested in the Chamber to improve matters for the hard of hearing.

Subordinate enactments tabled

The following enactments were tabled, namely –

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| Community Provisions (Restrictive Measures – Sudan and South Sudan) (Jersey) Order 2011. <i>Chief Minister.</i> | R&O.164/2011. |
| Community Provisions (Restrictive Measures – Syria) (Amendment No. 9) (Jersey) Order 2011. <i>Chief Minister.</i> | R&O.166/2011. |
| Community Provisions (Restrictive Measures – Iran) (Amendment No. 2) (Jersey) Order 2011. <i>Chief Minister.</i> | R&O.167/2011. |
| Road Traffic (St. Helier) (Amendment No. 23) (Jersey) Order 2011. <i>Minister for Transport and Technical Services.</i> | R&O.168/2011. |
| Road Traffic (Disabled Persons) (Parking) (Amendment No. 8) (Jersey) Order 2011. <i>Minister for Transport and Technical Services.</i> | R&O.169/2011. |

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| Diseases of Animals (Rabies) (Importation of Mammals) (Jersey) Order 2011. <i>Minister for Planning and Environment.</i> | R&O.170/2011. |
| Diseases of Animals (Non-Rabies) (Importation of Mammals) (Jersey) Order 2011. <i>Minister for Planning and Environment.</i> | R&O.171/2011. |
| Public Finances (Transitional Arrangements) (Jersey) Order 2011. <i>Minister for Treasury and Resources.</i> | R&O.172/2011. |
| Community Provisions (Restrictive Measures – Belarus) (Amendment No. 4) (Jersey) Order 2011. <i>Chief Minister.</i> | R&O.173/2011. |
| Fire Precautions (Fees) (Amendment) (Jersey) Order 2011. <i>Minister for Home Affairs.</i> | R&O.174/2011. |
| Social Security (Collection of Contributions) (Amendment No. 3) (Jersey) Order 2011. <i>Minister for Social Security.</i> | R&O.175/2011. |
| Social Security (Contributions) (Amendment No. 10) (Jersey) Order 2011. <i>Minister for Social Security.</i> | R&O.176/2011. |
| Health and Social Services (2012 Fees) (Jersey) Order 2011. <i>Minister for Health and Social Services.</i> | R&O.177/2011. |
| Planning and Environment (2012 Fees) (Jersey) Order 2012. <i>Minister for Planning and Environment.</i> | R&O.1/2012. |
| Community Provisions (Restrictive Measures – Burma/Myanmar) (Amendment No. 7) (Jersey) Order 2012. <i>Chief Minister.</i> | R&O.2/2012. |
| Community Provisions (Restrictive Measures – Libya) (Amendment No. 12) (Jersey) Order 2012. <i>Chief Minister.</i> | R&O.3/2012. |
| Community Provisions (Restrictive Measures – North Korea) (Amendment No. 5) (Jersey) Order 2012. <i>Chief Minister.</i> | R&O.4/2012. |
| Road Traffic (Speed Limits) (Amendment No. 7) (Jersey) Order 2012. <i>Minister for Transport and Technical Services.</i> | R&O.5/2012. |

Documents presented or laid

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| Election campaign period: restrictions (P.174/2011) – comments. Presented: 6th January 2012. <i>Privileges and Procedures Committee.</i> | P.174/2011. Com. |
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| Standing Orders: Answers to Questions (P.177/2011) – comments. Presented: 6th January 2012. <i>Privileges and Procedures Committee.</i> | P.177/2011. Com. |
| Minimum Wage: revised hourly rate from 1st April 2012 (P.183/2011) – comments. Presented: 13th January 2012. <i>Council of Ministers.</i> | P.183/2011. Com. |
| Minimum Wage: revised hourly rate from 1st April 2012 (P.183/2011) – comments. Presented: 13th January 2012. <i>Minister for Social Security.</i> | P.183/2011. Com.(2) |
| Health Insurance Fund: transfer to Health and Social Services Department for 2012 (P.185/2011) – comments. Presented: 13th January 2012. <i>Council of Ministers.</i> | P.185/2011. Com. |
| Machinery of Government: review by Privileges and Procedures Committee (P.187/2011) – comments. Presented: 6th January 2012. <i>Privileges and Procedures Committee.</i> | P.187/2011. Com. |
| Open ballot for Ministers and Chairmen (P.188/2011): comments. Presented: 6th January 2012. <i>Privileges and Procedures Committee.</i> | P.188/2011. Com. |
| Code of Conduct for the Minister for Planning and Environment in the determination of planning applications and pre-application advice. Presented: 12th December 2011. <i>Minister for Planning and Environment.</i> | R.148/2011. |
| States of Jersey Law 2005: delegation of functions – Home Affairs – December 2011 revised delegations. Presented: 12th December 2011. <i>Minister for Home Affairs.</i> | R.149/2011. |
| Land Transactions under Standing Order 168(3) – (a) Plémont Café, Plémont Headland, St. Ouen – approval of lease; (b) Blocks A, B and C, Les Quennevais Park, St. Brelade – transfer to flying freehold – boundary arrangement with 191 Les Quennevais Park; (c) Garage 140, Les Quennevais Park, St. Brelade – conclusion of sale. Presented: 12th December 2011. <i>Minister for Treasury and Resources.</i> | R.150/2011. |
| Budget Management Report for the period ended 30th June 2011. Presented: 14th December 2011. <i>Minister for Treasury and Resources.</i> | R.151/2011. |
| Residential Tenancies: Condition Reports, Standard Tenancy Agreements, Standard Forms of Notice and Obligatory Tenancy Provisions – Consultation Paper. Presented: 15th December 2011. <i>Minister for Housing.</i> | R.152/2011. |

- Guidance on access by States Members to official information. R.153/2011.
Presented: 23rd December 2011.
Privileges and Procedures Committee.
- Charitable Funds Managed by the States: report of the Comptroller and Auditor General. R.154/2011.
Presented: 23rd December 2011.
Comptroller and Auditor General.
- Charitable Funds Managed by the States: accounts of the larger charitable funds for the year ended 31 December 2010. R.155/2011.
Presented: 23rd December 2011.
Comptroller and Auditor General.
- States of Jersey – Charitable Funds: accounts of the larger funds for the year ended 31 December 2010. R.156/2011.
Presented: 23rd December 2011.
Comptroller and Auditor General.
- Asset disposals by the States of Jersey during 2010: report by the Comptroller and Auditor General. R.157/2011.
Presented: 28th December 2011.
Comptroller and Auditor General.
- Annual performance report of the States of Jersey: report of the Comptroller and Auditor General. R.158/2011.
Presented: 28th December 2011.
Comptroller and Auditor General.
- Annual performance report of the States of Jersey for the year ended 31 December 2010. R.159/2011.
Presented: 28th December 2011.
Comptroller and Auditor General.
- Land Transactions under Standing Order 168(3) – R.160/2011.
(a) Oxford Road (Part), St. Helier – proposed extinguishment and transfer to the public as part of the Millennium Town Park;
(b) Ambulance Station, Rouge Bouillon, St. Helier – confirmation of rights.
Presented: 28th December 2011.
Minister for Treasury and Resources.
- State of Jersey Report 2005 – 2010. R.1/2012.
Presented: 9th January 2012.
Minister for Planning and Environment.
- States of Jersey Law 2005: delegation of functions – Chief Minister – non-contentious budget transfers – Director of International Affairs. R.2/2012.
Presented: 10th January 2012.
Chief Minister.
- Land Transactions under Standing Order 168(3) – Garage H5, Quennevais Park, St. Brelade – proposed sale. R.3/2012.
Presented: 11th January 2012.
Minister for Treasury and Resources.

Parish Assemblies: Information Pack. R.4/2012.
Presented: 13th January 2012.
Comité des Connétables.

Strategic Plan 2012: Green Paper. R.5/2012.
Presented: 16th January 2012.
Council of Ministers.

Review of Speed Limits: Revised Policy (S.R.4/2011) – response of the Minister for Transport and Technical Services. S.R.4/2011.
Presented: 12th December 2011. Res.
Minister for Transport and Technical Services.

Lime Grove House: Failure to Complete Transaction (S.R.12/2011) – response of the Minister for Treasury and Resources. S.R.12/2011.
Presented: 13th December 2011. Res.
Minister for Treasury and Resources.

Comprehensive Spending Review 2 (S.R.13/2011) – response of the Minister for Health and Social Services. S.R.13/2011.
Presented: 13th December 2011. Res.
Minister for Health and Social Services.

Comprehensive Spending Review: 2012 – 2013 and Delivery (S.R.14/2011) – joint response of the Chief Minister and the Minister for Treasury and Resources. S.R.14/2011.
Presented: 22nd December 2011. Res.
Chief Minister.

Protecting our Marine Environment (S.R.15/2011) – response of the Minister for Planning and Environment. S.R.15/2011.
Presented: 10th January 2012. Res.
Minister for Planning and Environment.

Issues surrounding the review of financial management of Operation Rectangle (S.R.16/2011) – response of the Minister for Home Affairs. S.R.16/2011.
Presented: 6th January 2012. Res.
Minister for Home Affairs.

Notification of lodged propositions

Planning Applications Panel: appointment of Members. P.189/2011.
Lodged: 16th December 2011.
Minister for Planning and Environment.

Jersey Employment Tribunal: appointment of Members. P.190/2011.
Lodged: 19th December 2011.
Minister for Social Security.

Jersey Police Complaints Authority: appointment of Member. P.191/2011.
Lodged: 19th December 2011.
Minister for Home Affairs.

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| Draft Policing of Beaches (Amendment No. 10) (Jersey) Regulations 201-. Lodged: 20th December 2011. <i>Minister for Economic Development.</i> | P.192/2011. |
| Jersey Financial Services Commission: re-appointment of Commissioner. Lodged: 20th December 2011. <i>Minister for Economic Development.</i> | P.193/2011. |
| Jersey Overseas Aid Commission: re-appointment of Non-States Commissioner. Lodged: 20th December 2011. <i>Senator P.F. Routier, M.B.E.</i> | P.194/2011. |
| Jersey Consumer Council: appointment of Chairman. Lodged: 23rd December 2011. <i>Minister for Economic Development.</i> | P.195/2011. |
| Draft States of Jersey (Transfer of Functions No. 5) (Economic Development to Chief Minister) (Jersey) Regulations 201-. Lodged: 23rd December 2011. <i>Chief Minister.</i> | P.196/2011. |
| Draft Civil Aviation (Amendment of Law) (Jersey) Regulations 201-. Lodged: 23rd December 2011. <i>Chief Minister.</i> | P.197/2011. |
| Draft Social Security (Amendment of Law No. 2) (Jersey) Regulations 201-. Lodged: 4th January 2012. <i>Minister for Social Security.</i> | P.1/2012. |
| Committee of Inquiry: payments on premature cessation of employment contracts. Lodged: 11th January 2012. <i>Deputy R.G. Le Hérisssier of St. Saviour.</i> | P.2/2012. |
| Manual Workers' Joint Council: Employers' Side membership. Lodged: 12th January 2012. <i>States Employment Board.</i> | P.3/2012. |
| Draft Amendment (No. 18) of the Standing Orders of the States of Jersey. Lodged: 13th January 2012. <i>Privileges and Procedures Committee.</i> | P.4/2012. |
| Electoral Commission: composition and terms of reference. Lodged: 13th January 2012. <i>Privileges and Procedures Committee.</i> | P.5/2012. |
| Channel Islands Lottery: allocation of profits for 2011. Lodged: 17th January 2012. <i>Minister for Economic Development.</i> | P.6/2012. |
| Law Revision Board: appointment of member. Lodged: 17th January 2012. <i>Minister for Treasury and Resources.</i> | P.7/2012. |

Property and Infrastructure Regeneration: appointment of Member to the Regeneration Steering Group.
Lodged: 17th January 2012.
Chief Minister.

P.8/2012.

Written Questions

(see Official Report/Hansard)

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

The Minister for Home Affairs tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the reintroduction of police motorcycles.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding enforcement notices.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding outstanding planning applications from 2005 to 2010.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Human Rights compatibility of Planning legislation and procedures.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the designation of Buildings of Local Interest.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding parking provisions for St. Helier planning applications.

The Chairman of the Public Accounts Committee tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding a review of 'golden handshakes'.

The Minister for Home Affairs tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the cost of disciplinary investigations.

The Minister for Home Affairs tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the Board of Governors at Haut de la Garenne.

The Minister for Home Affairs tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding an investigation of the handling of the Curtis Warren case.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding public sector pay negotiations.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the protection of local businesses.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding licences issued in accordance with the Regulation of Undertakings and Development (Jersey) Law 1973.

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

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding raising the Social Security contributions ceiling.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding special needs and mental health care.

The Minister for Social Security tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding discrimination legislation.

The Minister for Economic Development tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding Jersey Milk.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding a review of Maison du Lac.

The Chairman of the Health, Social Security and Housing Scrutiny Panel tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding a review of Maison du Lac.

Oral Questions

(see Official Report/Hansard)

The Deputy of St. Martin asked a question of the Chief Minister regarding the reduction of the time taken by the Privy Council to approve legislation.

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Treasury and Resources regarding compensation paid to Royal Mail in relation to the volume of outgoing mail from Jersey exceeding that of incoming.

Deputy S. Pitman of St. Helier asked a question of the Minister for Housing regarding Housing Trusts' responsibility for maintenance issues.

Deputy J.H. Young of St. Brelade asked a question of the Minister for Planning and Environment regarding the prevention of 'procedural irregularities' when determining Planning applications.

Deputy R.J. Rondel of St. Helier asked a question of the Chairman of the Comité des Connétables regarding the imposition of fines for dog fouling offences over the past 3 years.

Deputy T.M. Pitman of St. Helier asked a question of Chief Minister regarding the potential Chairman of the Electoral Commission.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Education, Sport and Culture regarding plans to close down, reduce or replace the service provided by St. Brelade's Youth Club.

Deputy S. Pitman of St. Helier asked a question of the Minister for Social Security regarding alleged administrative problems within his Department.

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the objectives for the new Strategic Plan.

Deputy G.C.L. Baudains of St. Clement asked a question of the Chairman of the Privileges and Procedures Committee regarding a ban on the use of all electronic devices in the Chamber.

Deputy R.J. Rondel of St. Helier asked a question of the Minister for Health and Social Services regarding the cost of replacement surgery for those with P.I.P. breast implants in Jersey.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the review of Income Support.

Deputy J.H. Young of St. Brelade asked a question of the Minister for Planning and Environment regarding amendments to Royal Court Rules.

Deputy T.M. Pitman of St. Helier asked a question of the Chairman of the Privileges and Procedures Committee regarding the decision to have the Electoral Commission chaired by a States Member.

Deputy M. Tadier of St. Brelade asked a question of the President of the Chairmen's Committee regarding Scrutiny Panel meetings held either wholly or partly in secret.

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Education, Sport and Culture answered questions without notice from members.

The Minister for Health and Social Services answered questions without notice from members.

Appointment of unelected members of the Public Accounts Committee

In accordance with the provisions of Standing Order 124(1), the following nominations were made by the Chairman of the Public Accounts Committee, as unelected members of the Public Accounts Committee –

Mr. Alexander Fearn
Mr. Stephen Haigh
Mr. Christopher Evans.

There having been no further nominations in accordance with the provisions of Standing Order 124(2), the Deputy Bailiff declared that the above persons had been duly appointed as unelected members of the Public Accounts Committee.

Arrangement of Public Business for the present meeting

THE STATES, adopting a proposition of the Chairman of the Privileges and Procedures Committee, agreed to defer consideration of the proposition entitled 'Election campaign period: restrictions' (P.174/2011) lodged 'au Greffe' on 21st October 2011 by Deputy Roy George Le Hérissier of St. Saviour.

Members present voted as follows –

POUR: 29

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 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 Hérissier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)

CONTRE: 10

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 M. Tadier (B)
 Deputy T.M. Pitman (H)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)

ABSTAIN: 0

THE STATES, adopting a proposition of the Chairman of the Privileges and Procedures Committee, agreed to defer consideration of the proposition entitled 'Machinery of Government: review by Privileges and Procedures Committee' (P.187/2011) lodged 'au Greffe' on 29th November 2011 by Deputy Gerard Clifford Lemmens Baudains of St. Clement.

Members present voted as follows –

POUR: 29

Senator P.F.C. Ozouf
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Clement

CONTRE: 13

Senator A. Breckon
 Connétable of St. Mary
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy J.A.N. Le Fondré (L)
 Deputy S. Pitman (H)
 Deputy T.M. Pitman (H)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)

ABSTAIN: 0

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| Connétable of St. Peter | Deputy G.C.L. Baudains (C) |
| Connétable of St. Lawrence | |
| Connétable of St. Ouen | |
| Connétable of St. Martin | |
| Deputy J.A. Martin (H) | |
| Deputy of St. Ouen | |
| Deputy K.C. Lewis (S) | |
| Deputy M. Tadier (B) | |
| Deputy J.M. Maçon (S) | |
| Deputy of St. John | |
| Deputy J.P.G. Baker (H) | |
| 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) | |

THE STATES, adopting a proposition of the Chairman of the Privileges and Procedures Committee, agreed to defer consideration of the proposition entitled ‘Open ballot for Ministers and Chairmen’ (P.188/2011) lodged ‘au Greffe’ on 5th December 2011 by Deputy Trevor Mark Pitman of St. Helier.

Members present voted as follows –

POUR: 26

Senator P.F.C. Ozouf
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 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. Martin
 Connétable of St. Saviour
 Deputy of St. Ouen
 Deputy of St. John
 Deputy J.P.G. Baker (H)
 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)

CONTRE: 17

Senator A. Breckon
 Senator F. du H. Le Gresley
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisseier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 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 J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 Deputy J.H. Young (B)

ABSTAIN: 0

Price control: investigation P.165/2011

THE STATES rejected a proposition of Deputy Geoffrey Peter Southern of St. Helier to request the Minister for Economic Development –

- (a) to investigate the potential for controlling, through regulation, either directly or through the Jersey Competition Regulatory Authority or otherwise, the price of goods and services in the Island; and
- (b) to report the findings to the States no later than September 2012.

Members present voted as follows –

POUR: 7

Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy G.P. Southern (H)
Deputy S. Pitman (H)
Deputy M. Tadier (B)
Deputy J.H. Young (B)
Deputy R.G. Bryans (H)

CONTRE: 43

Senator P.F. Routier
Senator P.F.C. Ozouf
Senator A. Breckon
Senator S.C. Ferguson
Senator A.J.H. Maclean
Senator B.I. Le Marquand
Senator F. du H. Le Gresley
Senator I.J. Gorst
Senator P.M. Bailhache
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
Deputy R.G. Le Hérisse (S)
Deputy J.A. Martin (H)
Deputy of St. Ouen
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy K.C. Lewis (S)
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)

ABSTAIN: 0

Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy of St. Peter
 Deputy R.J. Rondel (H)

Senator Philip Francis Cyril Ozouf, in accordance with the provisions of Standing Order 106(b), declared an interest not being of a direct financial nature, but remained in the Chamber for the duration of the debate.

Changes in Presidency

The Deputy Bailiff retired from the Chamber during consideration of the proposition of Deputy Geoffrey Peter Southern of St. Helier regarding the investigation of price controls (P.165/2011), and the meeting continued under the presidency of Mrs. Anne Helen Harris, Deputy Greffier of the States.

THE STATES re-assembled after the lunch adjournment under the Presidency of the Deputy Bailiff and concluded consideration of P.165/2011 ('Price control: investigation').

Draft Shipping (MARPOL) (Jersey) Regulations 201- P.172/2011

THE STATES commenced consideration of the Draft Shipping (MARPOL) (Jersey) Regulations 201- and adopted the principles.

Members present voted as follows –

POUR: 47

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Clement
 Connétable of St. Peter
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 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 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 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)

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 to 22.

The Deputy Bailiff, in accordance with Standing Order 75(4), which enabled a clerical error to a draft to be amended during third reading, advised the Assembly that the heading to Regulation 10 should be amended to read '**Duty to report incidents**'.

THE STATES, in pursuance of Articles 90, 91 and 196 of the Shipping (Jersey) Law 2002, made Regulations entitled the Shipping (MARPOL) (Jersey) Regulations 2012.

Members present voted as follows –

POUR: 46

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 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. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy G.P. Southern (H)
 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 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)

Draft Criminal Justice (Miscellaneous Provisions) (No. 3) (Jersey) Law 201- P.173/2011

THE STATES commenced consideration of the Draft Criminal Justice (Miscellaneous Provisions) (No. 3) (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 to 5.

Members present voted as follows –

POUR: 41

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley

Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisssier (S)
 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 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

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Criminal Justice (Miscellaneous Provisions) (No. 3) (Jersey) Law 201-.

Members present voted as follows –

POUR: 44

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of Trinity

Connétable of Grouville
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy J.A. Martin (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 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)

Draft Criminal Justice (International Co-operation) (Amendment No. 2) (Jersey) Law 201-P.181/2011

THE STATES commenced consideration of the Draft Criminal Justice (International Co-operation) (Amendment No. 2) (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 to 5.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Criminal Justice (International Co-operation) (Amendment No. 2) (Jersey) Law 201-.

Members present voted as follows –

POUR: 43

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 Senator P.F.C. Ozouf

Senator S.C. Ferguson
Senator B.I. Le Marquand
Senator F. du H. Le Gresley
Senator I.J. Gorst
Senator L.J. Farnham
Connétable of Trinity
Connétable of Grouville
Connétable of St. Peter
Connétable of St. Lawrence
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 Hérissier (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy of Grouville
Deputy J.A. Hilton (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 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 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)

Changes in Presidency

The Deputy Bailiff retired from the Chamber during consideration of the Draft Criminal Justice (Miscellaneous Provisions) (No. 3) (Jersey) Law 201- (P.173/2011), and the meeting continued under the presidency of Mrs. Anne Helen Harris, Deputy Greffier of the States. The Deputy Bailiff returned to the Chamber during consideration of the Draft Criminal Justice (International Co-operation) (Amendment No. 2) (Jersey) Law 201- (P.181/2011) and the meeting continued under his Presidency.

Minimum Wage: revised hourly rate from 1st April 2012 P.183/2011

THE STATES rejected a proposition of Deputy Geoffrey Peter Southern of St. Helier to request the Minister for Social Security, having sought the views of the Employment Forum as required by Article 18(1) of the Employment (Jersey) Law 2003, to make an Order fixing the minimum wage at £6.52 per hour from 1st April 2012 and, as this figure was different from the £6.48 rate recommended by the Forum, to report to the States as required by Article 18(4) of the Employment (Jersey) Law 2003.

Members present voted as follows –

POUR: 8

Senator A. Breckon
 Connétable of St. Brelade
 Deputy G.P. Southern (H)
 Deputy S. Pitman (H)
 Deputy M. Tadier (B)
 Deputy T.M. Pitman (H)
 Deputy M.R. Higgins (H)
 Deputy G.C.L. Baudains (C)

CONTRE: 43

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 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. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Martin (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 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)

ABSTAIN: 0

Draft Employment (Minimum Wage) (Amendment No. 8) (Jersey) Regulations 201- P.180/2011

THE STATES commenced consideration of the Draft Employment (Minimum Wage) (Amendment No. 8) (Jersey) Regulations 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 Regulations 1 and 2.

THE STATES, in pursuance of Articles 17 and 104 of the Employment (Jersey) Law 2003, made Regulations entitled the Employment (Minimum Wage) (Amendment No. 8) (Jersey) Regulations 2012.

Members present voted as follows –

POUR: 41

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 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 of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary

CONTRE: 1

Deputy S. Pitman (H)

ABSTAIN: 1

Deputy M. Tadier (B)

Deputy of St. Martin
Deputy R.G. Bryans (H)
Deputy of St. Peter
Deputy R.J. Rondel (H)

Health Insurance Fund: transfer to Health and Social Services Department for 2012 P.185/2011

THE STATES commenced consideration of a proposition of the Minister for Social Security regarding the proposed transfer to Health and Social Services Department for 2012, from the Health Insurance Fund.

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 18th January 2012 to continue its consideration of the proposition of the Minister for Social Security entitled 'Health Insurance Fund: transfer to Health and Social Services Department for 2012' (P.185/2011) and the outstanding items of public business.

THE STATES rose at 5.30 p.m.

A.H. HARRIS

Deputy Greffier of the States

Re-issue Note

These States Minutes are re-issued because the Acts entitled "**Appointment of unelected members of the Public Accounts Committee**" (*see page 9*) and "**Changes in Presidency**" (*see page 13*) were inadvertently omitted from the original version.