



**THE STATES assembled on Wednesday
19th January 2011, at 09.30 a.m. under
the Presidency of the Bailiff,
Michael Cameron St. John Birt Esquire.**

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

Senator Paul Francis Routier – en défaut
Senator Alan John Henry Maclean – en défaut (défaut raised at 10.02 a.m.)
Connétable Daniel Joseph Murphy of Grouville – en défaut (défaut raised at 9.40 a.m.)
Deputy Geoffrey Peter Southern of St. Helier – en défaut (défaut raised at 9.37 a.m.)

Prayers read by the Dean Substitute

The Dean Substitute – welcome

The Bailiff, on behalf of all Members, welcomed The Reverend Geoffrey Houghton, the Dean Substitute whilst the Dean was on a 3 month sabbatical.

Notification of lodged propositions

Shadow Boards and Ministerial Boards: approval by the States (P.170/2010) – amendment. Lodged: 19th January 2011. <i>Minister for Economic Development.</i>	P.170/2010. Amd.
Cold weather payments: amendment to income support. Lodged: 19th January 2011. <i>Senator F. du H. Le Gresley.</i>	P.4/2011.
Assistant Ministers: notification of appointments and dismissals. Lodged: 19th January 2011. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.5/2011.
Assistant Ministers: appointment by the States. Lodged: 19th January 2011. <i>Deputy of St. John.</i>	P.6/2011.

Draft Amendment (No. 14) of the Standing Orders of the States of Jersey P.169/2010

THE STATES resumed consideration of a proposition of the Privileges and Procedures Committee regarding an amendment to the Standing Orders of the States of Jersey (P.169/2010) and adopted amendment 6.

Members present voted as follows –

POUR: 48

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

CONTRE: 2

Deputy G.P. Southern (H)
 Deputy of St. John

ABSTAIN: 0

THE STATES commenced consideration of amendment 7 to the Standing Orders of the States of Jersey and rejected an amendment of the Deputy of St. John that in the inserted Standing Order 68A, paragraph (3) should be deleted and the remaining paragraph renumbered accordingly.

Members present voted as follows –

POUR: 3

Senator S.C. Ferguson
Deputy P.V.F. Le Claire (H)
Deputy of St. John

CONTRE: 48

Senator T.A. Le Sueur
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Senator A. Breckon
Senator A.J.H. Maclean
Senator B.I. Le Marquand
Senator F. du H. Le Gresley
Connétable of St. Ouen
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Connétable of St. Clement
Connétable of St. Peter
Connétable of St. Lawrence
Connétable of St. Mary
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy of St. Ouen
Deputy of Grouville
Deputy of St. Peter
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 I.J. Gorst (C)
Deputy M. Tadier (B)
Deputy A.E. Jeune (B)
Deputy of St. Mary
Deputy T.M. Pitman (H)
Deputy A.T. Dupré (C)
Deputy E.J. Noel (L)
Deputy T.A. Vallois (S)
Deputy M.R. Higgins (H)
Deputy A.K.F. Green (H)

ABSTAIN: 0

Deputy D.J. De Sousa (H)
Deputy J.M. Maçon (S)

THE STATES adopted amendment 7.

Members present voted as follows –

POUR: 49**CONTRE: 1****ABSTAIN: 0**

Senator T.A. Le Sueur
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Senator A. Breckon
Senator S.C. Ferguson
Senator A.J.H. Maclean
Senator B.I. Le Marquand
Senator F. du H. Le Gresley
Connétable of St. Ouen
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. Mary
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy of St. Ouen
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy M. Tadier (B)
Deputy A.E. Jeune (B)
Deputy of St. Mary
Deputy T.M. Pitman (H)
Deputy A.T. Dupré (C)

Deputy of St. John

Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy D.J. De Sousa (H)
 Deputy J.M. Maçon (S)

THE STATES adopted amendment 8.

Members present voted as follows –

POUR: 49

CONTRE: 1

ABSTAIN: 0

Senator T.A. Le Sueur
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Connétable of St. Ouen
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérisier (S)
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy M. Tadier (B)

Deputy of St. John

Deputy A.E. Jeune (B)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy D.J. De Sousa (H)
 Deputy J.M. Maçon (S)

THE STATES, in pursuance of Article 48 of the States of Jersey Law 2005, made Amendment (No. 14) of the Standing Orders of the States of Jersey.

Composition of the States: reduction in number of Senators – referendum P.198/2010

THE STATES commenced consideration of a proposition of Senator Frederick Ellyer Cohen concerning the holding of a referendum regarding a reduction in the number of Senators and rejected an amendment of Senator Alan Breckon that in paragraph (a) of the proposition, after the words “Senators in the States” there should be inserted the words “and in relation to the position of the Connétables as members of the States” and in paragraph (b) for the word “question” there should be substituted the word “questions” and a new question inserted as follows –

2. “Do you think that the 12 Parish Connétables should have an automatic seat in the States Assembly by virtue of their office?

YES NO

Members present voted as follows –

POUR: 10

Senator J.L. Perchard
 Senator A. Breckon
 Senator F. du H. Le Gresley
 Connétable of St. Helier
 Deputy P.V.F. Le Claire (H)
 Deputy S. Pitman (H)
 Deputy of St. John
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)

CONTRE: 37

Senator T.A. Le Sueur
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator F.E. Cohen
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of Trinity
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérisssier (S)
 Deputy J.B. Fox (H)

ABSTAIN: 0

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 of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy A.E. Jeune (B)
 Deputy T.M. Pitman (H)
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy D.J. De Sousa (H)

THE STATES commenced consideration of an amendment of Deputy Trevor Mark Pitman of St. Helier to the proposition of Senator Frederick Ellyer Cohen concerning the holding of a referendum regarding a reduction in the number of Senators and, following discussion, granted leave to Deputy Trevor Mark Pitman of St. Helier to withdraw his amendment that in paragraph (a) after the words “overall number of Senators” there should be inserted the words “or Deputies” and in paragraph (b) for the word “question” there should be substituted the word “questions” and a new question inserted as follows –

“2. Do you wish the number of Deputies representing your Parish to be reduced?

YES NO ”;

THE STATES, having resumed consideration of a proposition of Senator Frederick Ellyer Cohen concerning the holding of a referendum regarding a reduction in the number of Senators, rejected his proposition –

- (a) to agree that a referendum in accordance with the Referendum (Jersey) Law 2002 should be held, prior to any reduction in the overall number of Senators in the States;
- (b) to agree that the text of the question should be –

“1. Do you agree that the number of Senators should be reduced from 12 to 8?

YES NO ”;

- (c) to request the Chief Minister to take the necessary steps to implement the referendum.

Members present voted as follows –

POUR: 19

CONTRE: 29

ABSTAIN: 0

Senator T.A. Le Sueur
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator B.E. Shenton

Senator A. Breckon
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Connétable of St. Helier

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

Changes in Presidency

THE STATES re-assembled after the lunch adjournment under the Presidency of Mr. Michael Nelson de la Haye, Greffier of the States. Mr. Michael Nelson de la Haye, Greffier of the States retired from the Chair during consideration of the proposition of Senator Frederick Ellyer Cohen entitled the 'Composition of the States: reduction in number of Senators – referendum' (P.198/2010) and the meeting continued under the Presidency of the Deputy Bailiff.

Composition of the States: reduction in number of Deputies P.2/2011 – withdrawn

THE STATES commenced consideration of a proposition of Deputy Edward James Noel of St. Lawrence concerning a reduction in the number of Deputies and, following discussion, acceded to the request of Deputy Edward James Noel of St. Lawrence that proposition should be withdrawn.

Arrangement of public business for the present meeting

Following the withdrawal of the proposition of Deputy Edward James Noel of St. Lawrence entitled 'Composition of the States: reduction in number of Deputies' (P.2/2011), the Presiding Officer informed the Assembly that the consequential amendments to the Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010) lodged 'au Greffe' by Deputy Edward James Noel of St. Lawrence, Deputy Montfort Tadier of St. Brelade, Deputy Angela Elizabeth Jeune of St. Brelade and Deputy Trevor Mark Pitman of St. Helier were deemed to have been withdrawn.

Draft States of Jersey (Miscellaneous Provisions) Law 201- P.176/2010

THE STATES commenced consideration of a proposition of the Privileges and Procedures Committee concerning the Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010) and adopted the principles.

Members present voted as follows –

POUR: 42

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

CONTRE: 2

Connétable of St. Lawrence
 Deputy I.J. Gorst (C)

ABSTAIN: 0

THE STATES adopted Article 1.

THE STATES commenced consideration of Article 2 and adopting an amendment of Senator Philip Francis Cyril Ozouf (with the exception of paragraph 1(b)(iv)(A)), agreed that in paragraph (1) of Article 2 of the Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010) –

- (a) in the substituted Article 6, in paragraphs (1) and (2), for the words “May 2015” there should be substituted the words “May 2018”;
- (b) in the substituted Article 6A –
 - (i) in the heading, for the words “2011, 2014 and 2015” there should be substituted the words “2011 and 2014”,
 - (ii) in paragraph (1)(a) for the words “May 2015” there should be substituted the words “October 2014”,
 - (iii) in paragraph (1)(b) for the words “May 2015” there should be substituted the words “October 2014”,
 - (iv) in paragraph (2) –
 - (B) for the words “May 2019” there should be substituted the words “May 2018”,
 - (v) after paragraph (2) there should be inserted the following paragraph –
 - “(–) There shall be held, in the period of 7 days beginning on 15th October 2014, an ordinary election to elect Deputies, for a term expiring upon the persons elected as Deputies at the ordinary election in May 2018 taking the oath of their office.”,
 - (vi) paragraph (3) should be deleted.

Members present voted as follows –

POUR: 47

CONTRE: 0

ABSTAIN: 1

Senator T.A. Le Sueur
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Connétable of St. Ouen
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of St. Brelade
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)

Connétable of St. Mary

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

Following the adoption of the above amendments of Senator Philip Francis Cyril Ozouf, the Presiding Officer informed the Assembly that the amendments of Senator Francis Du Heaume Le Gresley entitled 'Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010): second amendment' and part (b) of the amendments of Senator Sarah Craig Ferguson entitled 'Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010): third amendment' were deemed to have been withdrawn.

THE STATES commenced consideration of an amendment of Senator Sarah Craig Ferguson, as amended, to Article 2 of the Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010), that in paragraph (1), in the inserted Article 6A –

- (a) in paragraph (1)(a) for the words "4 Senators" there should be substituted the words "6 Senators";
- (aa) in paragraph (2) for the words "4 Senators" there should be substituted the words "12 Senators".

Bailiff's Ruling – Standing Order 89A

The Deputy Bailiff ruled that Standing Order 89A, which determined that a matter should be decided by a majority of the elected members of which the States are constituted, did not apply in relation to the voting outcome of the amendment of Senator Sarah Craig Ferguson, as amended, to Article 2 of the Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010), as her amendment did not to alter, in any way, the membership of the States of Jersey.

Adjournment

THE STATES adjourned, having agreed to reconvene on Thursday 20th January 2011 to continue the consideration of the Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010) and the outstanding items of public business.

THE STATES rose at 5.36 p.m.

M.N. DE LA HAYE

Greffier of the States