

**THE STATES assembled on Tuesday  
16th December 2008, at 09.30 a.m. under  
the Presidency of the Bailiff,  
Sir Philip Bailhache.**

**His Excellency the Lieutenant Governor,  
Lieutenant-General Andrew Peter Ridgway, C.B., C.B.E.,  
was present**

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

Senator Stuart Syvret – en défaut (défaut raised at 9.42 a.m.)  
Senator Frederick Ellyer Cohen – en défaut  
Deputy Geoffrey Peter Southern of St. Helier– en défaut (défaut raised at 10.05 a.m.)  
Deputy Sean Seamus Patrick Augustine Power of St. Brelade– excused

Prayers

**Subordinate enactments tabled**

The following enactments were tabled, namely –

Motor Cars (Driving Instruction) (Amendment No. 19) (Jersey) Order 2008. <i>Minister for Transport and Technical Services.</i>	R&O.159/2008.
Motor Traffic (Public Service Vehicles) (Fees) (Jersey) Order 2008. <i>Minister for Transport and Technical Services.</i>	R&O.160/2008.
Motor Vehicles (Driving Licences) (Amendment No. 11) (Jersey) Order 2008. <i>Minister for Transport and Technical Services.</i>	R&O.161/2008.
Motor Vehicles (Construction and Use) (Amendment No. 11) (Jersey) Order 2008. <i>Minister for Transport and Technical Services.</i>	R&O.162/2008.
Motor Vehicle Registration (General Provisions) (Amendment No. 17) (Jersey) Order 2008. <i>Minister for Transport and Technical Services.</i>	R&O.163/2008.
Water Resources (Registration) (Jersey) Order 2008. <i>Minister for Planning and Environment.</i>	R&O.164/2008.
Income Support (General Provisions) (Amendment No. 2) (Jersey) Order 2008. <i>Minister for Social Security.</i>	R&O.165/2008.
Mental Health (General Provisions) (Amendment No. 2) (Jersey) Order 2008. <i>Minister for Health and Social Services.</i>	R&O.166/2008.
Mental Health (Review Tribunal) (Procedure) (Amendment No. 2) (Jersey) Order 2008. <i>Minister for Health and Social Services.</i>	R&O.167/2008.

Health and Social Services (2009 Fees) (Jersey) Order 2008. <i>Minister for Health and Social Services.</i>	R&O.168/2008.
Income Tax (Superannuation Funds) (Amendment No. 3) (Jersey) Order 2008. <i>Minister for Treasury and Resources.</i>	R&O.169/2008.
Shipping (Fees) (No. 2) (Jersey) Order 2008. <i>Minister for Economic Development.</i>	R&O.170/2008.
Planning and Environment (2009 Fees) (Jersey) Order 2008. <i>Minister for Planning and Environment.</i>	R&O.171/2008.

### **Documents presented or laid**

Code of Conduct for elected members: complaint against Senator S. Syvret. Presented: 5th December 2008. <i>Privileges and Procedures Committee.</i>	R.124/2008.
Code of Conduct for elected members: complaint against Senator T.J. Le Main. Presented: 5th December 2008. <i>Privileges and Procedures Committee.</i>	R.125/2008.
Jersey Advisory and Conciliation Service Board – appointment of members. Presented: 9th December 2008. <i>Minister for Social Security.</i>	R.126/2008.
External Review Report: the States of Jersey Youth Service 2008. Presented: 9th December 2008. <i>Minister for Education, Sport and Culture.</i>	R.127/2008.
Land Transactions under Standing Order 168(3) – (a) Miltonia, Old St. John's Road, St. Helier, JE2 3LG – lease; (b) St. Helier Harbour leases– PG 1654/8, 1669/19, 1669/22, 1669/45, 1713/1 – E16, V24, V26, V32A, LB1AA, A55 and V55. Presented: 9th December 2008. <i>Minister for Treasury and Resources.</i>	R.128/2008.
Land Transactions under Standing Order 168(3) – Howard Davis Farm Trinity – lease to Jersey Dairy Property Limited. Presented: 9th December 2008. <i>Minister for Treasury and Resources.</i>	R.129/2008.
Proposed Dormant Bank Accounts (Jersey) Law 200-: Green Paper December 2008. Presented: 15th December 2008. <i>Minister for Economic Development.</i>	R.130/2008.
States of Jersey Law 2005: delegation of functions – Planning and Environment. Presented: 16th December 2008. <i>Minister for Planning and Environment.</i>	R.131/2008.
Social Security Report and Accounts 2007. Presented: 16th December 2008. <i>Minister for Social Security.</i>	R.132/2008.

Urban Regeneration Review.  
Presented: 5th December 2008.  
*Environment Scrutiny Panel.*

S.R.15/2008.

### **Notification of lodged propositions**

Draft Amendment (No. 10) of the Standing Orders of the States of Jersey.  
Lodged: 5th December 2008.  
*Privileges and Procedures Committee.*

P.179/2008.

Draft Employment (Minimum Wage) (Amendment No. 5) (Jersey) Regulations 200.  
Lodged: 9th December 2008.  
*Minister for Social Security.*

P.180/2008.

Ministerial government: review.  
Lodged: 10th December 2008.  
*Deputy of St. John.*

P.181/2008.

### **Statements on a matter of official responsibility**

*(see Official Report)*

The Chief Minister, in accordance with Article 25(3) of the States of Jersey Law 2005, announced that the following members had been appointed as Assistant Ministers –

#### Assistant Ministers to the Chief Minister

Senator Paul Francis Routier

Deputy John Alexander Nicholas Le Fondré of St. Lawrence

#### Assistant Ministers to the Minister for Treasury and Resources

Deputy John Alexander Nicholas Le Fondré of St. Lawrence

Deputy Edward James Noel of St. Lawrence

#### Assistant Ministers to the Minister for Economic Development

Senator Paul Francis Routier

The Connétable of St. Clement

#### Assistant Minister to the Minister for Planning and Environment

The Deputy of Trinity

#### Assistant Ministers to the Minister for Health and Social Services

The Connétable of St. Lawrence

Deputy Judith Ann Martin of St. Helier

#### Assistant Minister to the Minister for Home Affairs

Deputy Jacqueline Ann Hilton of St. Helier

#### Assistant Minister to the Minister for Social Security

Deputy Angela Elizabeth Jeune of St. Brelade

#### Assistant Minister to the Minister for Transport and Technical Services

Deputy Kevin Charles Lewis of St. Saviour

#### Assistant Ministers to the Minister for Education, Sport and Culture

Deputy Anne Teresa Dupré of St. Clement

Deputy Andrew Kenneth Francis Green M.B.E. of St. Helier

Assistant Minister to the Minister for Housing

Deputy Sean Seamus Patrick Augustine Power of St. Brelade

### **Appointment of President of the Chairmen's Committee**

In accordance with the provisions of Standing Order 121(1), Senator Ben Edward Shenton was nominated by Senator Sarah Craig Ferguson.

There being no other nominations, the Bailiff declared that Senator Ben Edward Shenton had been duly appointed as the President of the Chairmen's Committee.

### **Appointment of the members of the Privileges and Procedures Committee**

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

Deputy John Benjamin Fox of St. Helier  
Deputy Montfort Tadier of St. Brelade  
The Deputy of St. Peter

Deputy Trevor Mark Pitman of St. Helier was nominated by Deputy Deborah Jane de Sousa of St. Helier

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

Deputy John Benjamin Fox of St. Helier	33
Deputy Montfort Tadier of St. Brelade	41
The Deputy of St. Peter	36
Deputy Trevor Mark Pitman of St. Helier	17

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

Deputy John Benjamin Fox of St. Helier  
Deputy Montfort Tadier of St. Brelade  
The Deputy of St. Peter

The following nominations were made by the Connétable of St. Mary, Chairman of the Privileges and Procedures Committee, for members who were Ministers or Assistant Ministers –

Senator Bryan Ian Le Marquand  
Deputy Judith Ann Martin of St. Helier

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

The following nomination was made by the Connétable of St. Mary, Chairman of the Privileges and Procedures Committee, for a member who was a member of the Chairmen's Committee –

Deputy Michael Roderick Higgins of St. Helier

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

#### **Appointment of the elected members of the Public Accounts Committee**

In accordance with the provisions of Standing Order 123(1), Senator Ben Edward Shenton, Chairman of the Public Accounts Committee indicated that he wished to have three elected members as members of the Committee, but would only be nominating two at the present meeting. Senator Shenton accordingly nominated the following elected members –

The Connétable of St. Peter  
Deputy Tracey Anne Vallois of St. Saviour

There being no further other nominations, the Bailiff declared that the following had been duly appointed as elected members of the Public Accounts Committee –

The Connétable of St. Peter  
Deputy Tracey Anne Vallois of St. Saviour

#### **Appointment of the members of the Corporate Services Scrutiny Panel**

In accordance with the provisions of Standing Order 125(1) Senator Sarah Craig Ferguson, Chairman of the Corporate Services Scrutiny Panel, indicated that she wished to have 3 members of the Panel and nominated the following –

The Connétable of Grouville  
The Deputy of St. Peter  
Deputy Tracey Anne Vallois of St. Saviour

There being no further other nominations, the Bailiff declared that the following had been duly appointed as elected members of the Corporate Services Scrutiny Panel –

The Connétable of Grouville  
The Deputy of St. Peter  
Deputy Tracey Anne Vallois of St. Saviour

#### **Appointment of the members of the Economic Affairs Scrutiny Panel**

In accordance with the provisions of Standing Order 125(1) Deputy Michael Roderick Higgins of St. Helier Chairman of the Economic Affairs Scrutiny Panel, indicated that he wished to have 4 members of the Panel and nominated the following –

The Deputy of Grouville  
The Deputy of St. Mary  
Deputy Shona Pitman of St. Helier  
Deputy Jeremy Martin Maçon of St. Saviour

There being no further other nominations, the Bailiff declared that the following had been duly appointed as elected members of the Economic Affairs Scrutiny Panel –

The Deputy of Grouville  
The Deputy of St. Mary  
Deputy Shona Pitman of St. Helier

Deputy Jeremy Martin Maçon of St. Saviour

### **Appointment of the members of the Education and Home Affairs Scrutiny Panel**

In accordance with the provisions of Standing Order 125(1) Deputy Roy George Le Hérissier of St. Saviour Chairman of the Education and Home Affairs Scrutiny Panel, indicated that he wished to have 3 members of the Panel and nominated the following –

The Connétable of St. John  
Deputy Montfort Tadier of St. Brelade  
Deputy Trevor Mark Pitman of St. Helier

There being no further other nominations, the Bailiff declared that the following had been duly appointed as elected members of the Education and Home Affairs Scrutiny Panel –

The Connétable of St. John  
Deputy Montfort Tadier of St. Brelade  
Deputy Trevor Mark Pitman of St. Helier

### **Appointment of the members of the Environment Scrutiny Panel**

In accordance with the provisions of Standing Order 125(1) the Deputy of St. John, Chairman of the Environment Scrutiny Panel, indicated that he wished to have 2 members of the Panel and nominated the following–

The Connétable of St. Peter  
The Deputy of St. Mary

There being no further other nominations, the Bailiff declared that the following had been duly appointed as elected members of the Environment Scrutiny Panel –

The Connétable of St. Peter  
The Deputy of St. Mary

### **Appointment of the members of the Health, Social Security and Housing Scrutiny Panel**

In accordance with the provisions of Standing Order 125(1) Senator Alan Breckon, Chairman of the Health, Social Security and Housing Scrutiny Panel, indicated that he wished to have 3 members of the Panel and nominated the following –

The Connétable of St. Martin  
Deputy Deborah Jane de Sousa of St. Helier  
Deputy Geoffrey Peter Southern of St. Helier

There being no further other nominations, the Bailiff declared that the following had been duly appointed as elected members of the Health, Social Security and Housing Scrutiny Panel –

The Connétable of St. Martin  
Deputy Deborah Jane de Sousa of St. Helier  
Deputy Geoffrey Peter Southern of St. Helier

### **Appointment of the States Commissioners of the Jersey Overseas Aid Commission**

THE STATES, in accordance with the provisions of the Jersey Overseas Aid Commission (Jersey) Law 2005, and on the nomination of Deputy Ian Joseph Gorst of St. Clement, Chairman of the Jersey Overseas Aid Commission appointed the following elected members as States Commissioners –

Senator Paul Francis Routier  
The Deputy of Grouville

### **Arrangement of public business for future meetings**

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) –

#### **20th January 2009**

Rates: the States' liability. P.147/2008.  
Lodged: 16th September 2008.  
*Connétable of St. Helier.*

Waterfront Enterprise Board Ltd: appointment of Director. P.153/2008.  
Lodged: 1st October 2008.  
*Chief Minister.*

Waterfront Enterprise Board Ltd.: appointment of Director (P.153/2008) – P.153/2008.  
amendment. Amd.  
Lodged: 21st October 2008.  
*Senator B.E. Shenton.*

Traditional delivery of Christmas addresses. P.168/2008.  
Lodged: 31st October 2008.  
*Senator S. Syvret.*

Traditional delivery of Christmas addresses (P.168/2008): comments. P.168/2008.  
Presented: 18th November 2008. Com.  
*Privileges and Procedures Committee.*

Draft Employment Tribunal (Amendment No. 2) (Jersey) Regulations 200. P.169/2008.  
Lodged: 4th November 2008.  
*Minister for Social Security.*

Draft Health and Safety at Work (Amendment No. 4) (Jersey) Law 200. P.170/2008.  
Lodged: 4th November 2008.  
*Minister for Social Security.*

Ratification of the Agreement for the Exchange of Information Relating to Tax P.171/2008.  
Matters between the Federal Republic of Germany and the States of Jersey.  
Lodged: 4th November 2008.  
*Chief Minister.*

Draft Taxation (Exchange of Information with Third Countries) (Amendment) P.172/2008.  
(Jersey) Regulations 200-.  
Lodged: 4th November 2008.  
*Chief Minister.*

Draft Gender Recognition (Jersey) Law 200-. P.174/2008.  
Lodged: 25th November 2008.  
*Chief Minister.*

Draft Protection of Children (Restriction on Supply of Goods) (Jersey) Law 200-. P.175/2008.  
Lodged: 27th November 2008.  
Minister for Economic Development.

Draft Public Employees (Contributory Retirement Scheme) (Existing Members) P.176/2008.  
(Amendment No. 10) (Jersey) Regulations 200.  
Lodged: 2nd December 2008.  
*Chief Minister.*

Draft Public Employees (Contributory Retirement Scheme) (New Members) P.177/2008.  
(Amendment No. 13) (Jersey) Regulations 200.  
Lodged: 2nd December 2008.  
*Chief Minister.*

### **3rd February 2009**

Draft Amendment (No. 10) of the Standing Orders of the States of Jersey. P.179/2008.  
Lodged: 5th December 2008.  
*Privileges and Procedures Committee.*

Draft Employment (Minimum Wage) (Amendment No. 5) (Jersey) Regulations 200. P.180/2008.  
Lodged: 9th December 2008.  
*Minister for Social Security.*

Ministerial government: review. P.181/2008.  
Lodged: 10th December 2008.  
*Deputy of St. John.*

### **24th February 2009**

Draft Sex Offenders (Jersey) Law 200-. P.178/2008.  
Lodged: 3rd December 2008.  
*Minister for Home Affairs.*

### **24th March 2008**

Draft Income Tax (Amendment No. 32) (Jersey) Law 200. P.161/2008.  
Lodged: 21st October 2008.  
*Minister for Treasury and Resources.*

Draft Income Tax (Amendment No. 32) (Jersey) Law 200 (P.161/2008): comments. P.161/2008.  
Presented: 25th November 2008. Com.  
*Corporate Services Scrutiny Panel.*

### **Compliments of the season**

*(see Official Report)*

The Bailiff exchanged compliments of the season with all members, represented by Senator Stuart Syvret on behalf of the Senators, the Connétable of St. Ouen on behalf of the Connétables, Deputy Robert Charles Duhamel of St. Saviour on behalf of the Deputies, and H.M. Attorney General on behalf of the Law Officers and the Dean.



THE STATES rose at 10.26 a.m.

**M.N. DE LA HAYE**

*Greffier of the States*