



**THE STATES assembled on Tuesday
2nd June 2009, at 09.30 a.m. under
the Presidency of
Mr. Michael Nelson de la Haye,
Greffier of the States.**

**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 Philip Francis Cyril Ozouf – en défaut (défaut raised at 9.38 a.m.)
Senator Terence John Le Main – en défaut
Deputy Frederick John Hill B.E.M. of St. Martin – excused attendance (arrived in the Chamber at 9.46 a.m.)
Deputy John Benjamin Fox of St. Helier – excused attendance (arrived in the Chamber at 10.52 a.m.)
Deputy Shona Pitman of St. Helier – ill

Prayers

Communications by the Presiding Officer

Report of the Investigatory Powers Commissioner for Regulation of Investigatory Powers (Jersey) Law 2005 and Police Procedures and Criminal Evidence (Jersey) Law 2003: 1st January to 31st December 2008.
Presented: 29th May 2009.

R.53/2009.

Subordinate enactments tabled

The following enactments were tabled, namely –

Customs and Excise (Import and Export Control) (Amendment) (Jersey) Order 2009. R&O.48/2009.
Minister for Home Affairs.

Road Racing (International Motoring Festival) (Jersey) Order 2009. R&O.49/2009.
Minister for Transport and Technical Services.

Road Traffic (St. Clement) (Amendment No. 19) (Jersey) Order 2009. R&O.50/2009.
Minister for Transport and Technical Services.

Advocates and Solicitors (Qualifying Examination) (Amendment No. 5) Rules 2009. R&O.51/2009.
Superior Number of the Royal Court.

Documents presented or laid

Public Elections (Jersey) Law 2002: rescindment of Article 39A (P.18/2009) – addendum. Presented: 22nd May 2009. <i>Deputy G.P. Southern of St. Helier.</i>	P.18/2009. Add.
States Strategic Plan 2009 – 2014 (P.52/2009): comments. Presented: 28th May 2009. <i>Chairmen’s Committee.</i>	P.52/2009. Com.
States Strategic Plan 2009 – 2014 (P.52/2009): amendment (P.52/2009 Amd.) – comments. Presented: 29th May 2009. <i>Council of Ministers.</i>	P.52/2009. Amd.Com.
States Strategic Plan 2009 – 2014 (P.52/2009): second amendment (P.52/2009 Amd.(2)) – comments. Presented: 29th May 2009. <i>Council of Ministers.</i>	P.52/2009. Amd.(2) Com.
States Strategic Plan 2009 – 2014 (P.52/2009): third amendment (P.52/2009 Amd.(3)) – comments. Presented: 29th May 2009. <i>Council of Ministers.</i>	P.52/2009. Amd.(3) Com.
States Strategic Plan 2009 – 2014 (P.52/2009): fourth amendment (P.52/2009 Amd.(4)) – comments. Presented: 29th May 2009. <i>Council of Ministers.</i>	P.52/2009. Amd.(4) Com.
States Strategic Plan 2009 – 2014 (P.52/2009): fifth amendment (P.52/2009 Amd.(5)) – comments. Presented: 1st June 2009. <i>Council of Ministers.</i>	P.52/2009. Amd.(5) Com.
States Strategic Plan 2009 – 2014 (P.52/2009): sixth amendment (P.52/2009 Amd.(6)) – comments. Presented: 29th May 2009. <i>Council of Ministers.</i>	P.52/2009. Amd.(6) Com.
States Strategic Plan 2009 – 2014 (P.52/2009): seventh amendment (P.52/2009 Amd.(7)) – comments. Presented: 1st June 2009. <i>Council of Ministers.</i>	P.52/2009. Amd.(7) Com.
States Strategic Plan 2009 – 2014 (P.52/2009): eighth amendment (P.52/2009 Amd.(8)) – comments. Presented: 29th May 2009. <i>Council of Ministers.</i>	P.52/2009. Amd.(8) Com.

States Strategic Plan 2009 – 2014 (P.52/2009): ninth amendment (P.52/2009 Amd.(9)) – comments. Presented: 29th May 2009. <i>Council of Ministers.</i>	P.52/2009. Amd.(9) Com.
States Strategic Plan 2009 – 2014 (P.52/2009): tenth amendment (P.52/2009 Amd.(10)) – comments. Presented: 29th May 2009. <i>Council of Ministers.</i>	P.52/2009. Amd.(10) Com.
States Strategic Plan 2009 – 2014 (P.52/2009): eleventh amendment (P.52/2009 Amd.(11)) – comments. Presented: 1st June 2009. <i>Council of Ministers.</i>	P.52/2009. Amd.(11) Com.
Public Finances (Jersey) Law 2005: proposed changes (P.54/2009) – comments. Presented: 28th May 2009. <i>Minister for Treasury and Resources.</i>	P.54/2009. Com.
States Employees Standing for Election: use of annual leave and time off in lieu (P.66/2009) – comments. Presented: 2nd June 2009. <i>Chief Minister.</i>	P.66/2009. Com.
Insolvency: Temporary Scheme for Compensatory Payment – Extension (P.67/2009) – comments. Presented: 1st June 2009. <i>Minister for Social Security.</i>	P.67/2009. Com.
Employment Tribunal Members: extension of appointment. Presented: 22nd May 2009. <i>Minister for Social Security.</i>	R.50/2009.
Jersey Advisory and Conciliation Service: Board Members' Report and Financial Statements for the year ended 31st December 2008. Presented: 22nd May 2009. <i>Minister for Social Security.</i>	R.51/2009.
Tourism Development Fund Annual Report 2008. Presented: 27th May 2009. <i>Minister for Economic Development.</i>	R.52/2009.
Incident in the States Chamber between Senators J.L. Perchard and S. Syvret. Presented: 2nd June 2009. <i>Privileges and Procedures Committee.</i>	R.54/2009.
Use of the States' e-mail system. Presented: 2nd June 2009. <i>Privileges and Procedures Committee.</i>	R.55/2009.
Population Policy. Presented: 1st June 2009. <i>Corporate Services Scrutiny Panel.</i>	S.R.3/2009.

Notification of lodged propositions

Electricity tariffs: Regulations under Article 22 of the Electricity (Jersey) Law 1937 (P.41/2009) – amendment. Lodged: 26th May 2009. <i>Senator A. Breckon.</i>	P.41/2009. Amd.
States Strategic Plan 2009 – 2014 (P.52/2009): eleventh amendment. Lodged: 21st May 2009. <i>Deputy G.P. Southern of St. Helier.</i>	P.52/2009. Amd.(11)
States Strategic Plan 2009 – 2014 (P.52/2009): fifth amendment (P.52/2009 Amd.(5)) – amendment. Lodged: 26th May 2009. <i>Deputy of St. Mary.</i>	P.52/2009. Amd.(5)Amd.
States Strategic Plan 2009 – 2014 (P.52/2009): sixth amendment (P.52/2009 Amd.(6)) – amendment. Lodged: 26th May 2009. <i>Council of Ministers.</i>	P.52/2009. Amd.(6) Amd.
States Strategic Plan 2009 – 2014 (P.52/2009): seventh amendment (P.52/2009 Amd.(7)) – amendment. Lodged: 26th May 2009. <i>Council of Ministers.</i>	P.52/2009. Amd.(7)Amd.
Draft Social Security (Television Licence Benefit) (Jersey) Regulations 200- (P.64/2009): amendment. Lodged: 2nd June 2009. <i>Minister for Social Security.</i>	P.64/2009. Amd.
Draft Employment (Amendment No. 4) (Jersey) Law 2009 (Appointed Day) Act 200-. Lodged: 21st May 2009. <i>Minister for Social Security.</i>	P.73/2009.
Draft Residential Tenancy (Jersey) Law 200-. Lodged: 21st May 2009. <i>Minister for Housing.</i>	P.74/2009.
Draft Amendment (No. 11) of the Standing Orders of the States of Jersey. Lodged: 27th May 2009. <i>Privileges and Procedures Committee.</i>	P.75/2009.
Committee of Inquiry into the death of Mrs. Elizabeth Rourke. Lodged: 29th May 2009. <i>Senator S. Syvret.</i>	P.76/2009.
Esplanade Quarter and Waterfront development: deferral. Lodged: 29th May 2009. <i>Deputy of St. John.</i>	P.77/2009.
Annual Business Plan 2009: variation in respect of pay freeze. Lodged: 29th May 2009. <i>Minister for Treasury and Resources.</i>	P.78/2009.
Property and Infrastructure Regeneration: the States of Jersey Development Company	P.79/2009.

Limited.

Lodged: 2nd June 2009.

Council of Ministers.

Waterfront Enterprise Board: appointment of Directors.

P.80/2009.

Lodged: 2nd June 2009.

Chief Minister.

Draft Income Tax (Amendment No. 32) (Jersey) Law 200-.

P.81/2009.

Lodged: 2nd June 2009.

Minister for Treasury and Resources.

Draft Income Tax (Amendment No. 33) (Jersey) Law 200-.

P.82/2009.

Lodged: 2nd June 2009.

Minister for Treasury and Resources.

Public Finances (Jersey) Law 2005: funding requests under Article 11(8).

P.83/2009.

Lodged: 2nd June 2009.

Minister for Treasury and Resources.

Strategic Reserve Fund: use for Bank Depositors' Compensation Scheme.

P.84/2009.

Lodged: 2nd June 2009.

Minister for Treasury and Resources.

Draft Public Finances (Depositors Compensation) (Jersey) Regulations 200-.

P.85/2009.

Lodged: 2nd June 2009.

Minister for Treasury and Resources.

Draft Banking Business (Depositors Compensation) (Jersey) Regulations 200-.

P.86/2009.

Lodged: 2nd June 2009.

Minister for Economic Development.

Draft Banking (Depositors Compensation) (Jersey) Regulations 200-.

P.87/2009.

Lodged: 2nd June 2009.

Minister for Economic Development.

Draft Foundations (Amendment) (Jersey) Regulations 200-.

P.88/2009.

Lodged: 2nd June 2009.

Minister for Economic Development.

Draft Foundations (Continuance) (Jersey) Regulations 200-.

P.89/2009.

Lodged: 2nd June 2009.

Minister for Economic Development.

Draft Companies (Takeovers and Mergers Panel) (Jersey) Law 2009 (Appointed Day) Act 200-.

P.90/2009.

Lodged: 2nd June 2009.

Minister for Economic Development.

Draft Companies (Takeovers and Mergers Panel) (Amendment of Law) (Jersey) Regulations 200-.

P.91/2009.

Lodged: 2nd June 2009.

Minister for Economic Development.

States of Jersey Complaints Panel: appointment of members.

P.92/2009.

Lodged: 2nd June 2009.

Privileges and Procedures Committee.

Draft Income Support (Amendment No. 4) (Jersey) Regulations 200-.
Lodged: 2nd June 2009.
Minister for Social Security.

P.93/2009.

Written Questions*(see Official Report/Hansard)*

The Chief Minister tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding the work of the Migration Advisory Group.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding planning permission for the Waterfront development.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding liability of the States in relation to the Waterfront development.

The Minister for Planning and Environment tabled an answer to a question asked by Senator J.L. Perchard regarding the cost of the settlement for the Trinity landfill rescindment.

The Chief Minister tabled an answer to a question asked by the Deputy of St. John regarding the recent visit to Jersey by the former President of South Africa.

The Minister for Treasury and Resources tabled an answer to a question asked by Senator J.L. Perchard regarding the proposed deemed rental charge.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding a pedestrian crossing at Miladi Parade.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the proposed Jersey anthem.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding the use of States' land for allotments.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy J.M. Maçon of St. Saviour regarding assistance with the costs of higher education.

The Minister for Treasury and Resources tabled an answer to a question asked by the Deputy of St. John regarding the taxation of non-local companies.

The Chief Minister tabled an answer to a question asked by the Deputy of St. John regarding links with France.

The Minister for Social Security tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding Long-Term Incapacity Allowance.

The Chief Minister tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding succession planning.

The Chief Minister tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding changes to the inheritance laws.

The Minister for Social Security tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the occupational breakdown of those registered as unemployed.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding possible job losses in the public sector.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact of the migration policy on moves to diversify the economy.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding bids for funding from the fiscal stimulus plan.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding economic growth under the proposed migration policy.

The Minister for Economic Development tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding an OXERA report on a depositor compensation scheme.

The Chief Minister tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding unemployment statistics.

The Minister for Economic Development tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding bank lending.

H.M. Attorney General tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the penalties sought by the Crown in relation to certain criminal prosecutions.

Oral Questions

(see Official Report/Hansard)

Deputy M. Tadier of St. Brelade asked a question of H.M. Attorney General (which had been deferred from the meeting of 19th May 2009 at the request of the latter) regarding the criteria used to judge whether or not to pursue cases in relation to historic child abuse.

The Deputy of St. Mary asked a question of the Chief Minister regarding the maximum figure for the Island's population.

The Deputy of St. Martin asked a question of the Minister for Health and Social Services regarding the cost of the suspension of a senior Health employee.

Senator S.C. Ferguson asked a question of the Minister for Transport and Technical Services regarding the operation of the abattoir.

The Connétable of Grouville asked a question of the Minister for Economic Development regarding the reimbursement of investors of Alternate Insurance Services Ltd.

Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Home Affairs regarding the implementation of a sex offenders' register in Jersey.

Deputy T.M. Pitman of St. Helier asked a question of the Minister for Education, Sport and Culture regarding funding from the Economic Stimulus package to help improve Fort Regent.

Senator B.E. Shenton asked a question of the Assistant Minister for Housing regarding the regulation of Housing Trusts in Jersey.

The Deputy of St. John asked a question of the Minister for Health and Social Services regarding the terms of reference for the Verita inquiry.

The Connétable of St. Mary asked a question of the Minister for Health and Social Services regarding the closure of the Newgate Street entrance to the General Hospital.

Senator S. Syvret asked a question of the Minister for Home Affairs regarding alleged breaches of Article 39A of the Public Elections (Jersey) Law 2002, as amended.

Senator S.C. Ferguson asked a question of the Assistant Minister for Economic Development regarding the role of the abattoir in supporting and encouraging the local farming industry.

Deputy M. Tadier of St. Brelade asked a question of the Assistant Minister for Home Affairs regarding the treatment of mentally ill inmates or those with addictions.

Senator S. Syvret asked a question of H.M. Attorney General regarding the recent prosecution of Deputies S. Pitman and G.P. Southern of St. Helier.

Deputy A.E. Jeune of St. Brelade asked a question of the Minister for Transport and Technical Services regarding steps to ensure that the abattoir resumed a weekly service to assist local pig farmers.

Deputy P.V.F. Le Claire asked a question of H.M. Attorney General regarding the extension of the UK's ratification of the UN Convention on the Rights of the Child to the Island.

The Deputy of St. Martin asked a question of the Chief Minister regarding arrangements for the establishment of an independent panel to review the continuation of employees' suspensions.

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Social Security answered questions without notice from members.

The Minister for Planning and Environment answered questions without notice from members.

Arrangement of Public Business for the present meeting

THE STATES, adopting a proposition of Senator Philip Francis Cyril Ozouf, agreed that should the consideration of the Strategic Plan (P.52/2009) and associated amendments not be completed by 5.30 p.m. on 4th June 2009, the States would reconvene on Tuesday 9th June 2009 to conclude the debate on this matter.

States Strategic Plan 2009 – 2014 P.52/2009

THE STATES commenced consideration of the States Strategic Plan 2009 – 2014 (P.52/2009) and, adopting a proposition of Deputy Geoffrey Peter Southern of St. Helier, agreed, in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of his amendments entitled 'States Strategic Plan 2009 – 2014 (P.52/2009): eleventh amendment' (lodged 'au Greffe' on 21st May 2009), to enable them to be debated, if necessary, before Thursday 4th June 2009.

Members present voted as followed –

POUR: 46**CONTRE: 0****ABSTAIN: 0**

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator J.L. Perchard
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 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. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérissier (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 of Trinity
 Deputy S.S.P.A. Power (B)
 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. De Sousa (H)
 Deputy J.M. Maçon (S)

THE STATES commenced consideration of an amendment of the Deputy of St. Mary that after the words “attached as Appendix 1” there should be inserted the words –

“, except that in Aim on page 7, before the first bullet point there should be inserted the following new bullet point –

Maintain the overall population of the Island at its present level and make consequential changes in Priority 5 on page 17 by deleting the third bullet point in the section entitled 'Why we must do this' and the second and fourth bullet points in the section entitled 'What we will do'.

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 3rd June 2009 to continue consideration of the States Strategic Plan 2009 – 2014 (P.52/2009).

THE STATES rose at 5.29 p.m.

A.H. HARRIS

Deputy Greffier of the States