



**THE STATES assembled on Tuesday
6th March 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 Paul Francis Routier – absent on States business
Senator Sarah Craig Ferguson – excused (arrived in the Chamber at 10.08 a.m.)
Senator Alan John Henry Maclean – en défaut (défaut raised at 9.43 a.m.)
Deputy James Gordon Reed of St. Ouen – excused
Deputy Shona Pitman of St. Helier – en défaut (défaut raised at 2.17 p.m.)
Edward James Noel of St. Lawrence – excused (arrived in the Chamber at 3.38 p.m.)
Deputy Michael Roderick Higgins of St. Helier – absent on States business

Prayers

Tribute to the late Mrs. Evelyn Pullin, former member of the States

The Bailiff paid tribute to the late Mrs. Evelyn Pullin, former Deputy of St. Saviour.

The States observed one minute's silence as a mark of respect.

Subordinate enactments tabled

The following enactments were tabled, namely –

Social Security (General Benefit) (Amendment No. 4) (Jersey) Order 2012. <i>Minister for Social Security.</i>	R&O.28/2012.
Fire and Rescue Service (Charges) (Jersey) Order 2012. <i>Minister for Home Affairs.</i>	R&O.29/2012.
Fire and Rescue Service (Emergencies and Humanitarian Services) (Jersey) Order 2012. <i>Minister for Home Affairs.</i>	R&O.30/2012.
Road Racing (Karts) (Jersey) Order 2012. <i>Minister for Transport and Technical Services.</i>	R&O.31/2012.

Community Provisions (Restrictive Measures – Zimbabwe) (No. 6) (Amendment No. 5) (Jersey) Order 2012. <i>Chief Minister.</i>	R&O.32/2012.
Public Finances (Accounting Standards) (Jersey) Order 2012. <i>Minister for Treasury and Resources.</i>	R&O.33/2012.
Export Quarantine Stations (Regulation) (Revocation) (Jersey) Order 2012. <i>Minister for Planning and Environment.</i>	R&O.34/2012.
Diseases of Animals (Infectious Bovine Rhinotracheitis) (Jersey) Order 2012. <i>Minister for Planning and Environment.</i>	R&O.35/2012.
Firearms (General Provisions) (Amendment) (Jersey) Order 2012. <i>Minister for Home Affairs.</i>	R&O.36/2012.
Community Provisions (Restrictive Measures – Syria) (Amendment) (Jersey) Order 2012. <i>Chief Minister.</i>	R&O.37/2012.
Community Provisions (Restrictive Measures – Belarus) (Amendment No. 5) (Jersey) Order 2012. <i>Chief Minister.</i>	R&O.38/2012.

Documents presented or laid

Electoral Commission: composition and terms of reference (P.5/2012) – amendment (P.5/2012 Amd.) – comments. Presented: 29th February 2012. <i>Privileges and Procedures Committee.</i>	P.5/2012. Amd.Com.
Electoral Commission: composition and terms of reference (P.5/2012) – amendment (P.5/2012 Amd.) – amendment (P.5/2012 Amd.Amd.) – comments. Presented: 29th February 2012. <i>Privileges and Procedures Committee.</i>	P.5/2012. Amd.Amd. Com.
Electoral Commission: composition and terms of reference (P.5/2012) – second amendment (P.5/2012 Amd.(2)) – comments. Presented: 29th February 2012. <i>Privileges and Procedures Committee.</i>	P.5/2012. Amd.(2). Com.
Income Tax: individual tax assessments (P.11/2012) – comments. Presented: 27th February 2012. <i>Minister for Treasury and Resources.</i>	P.11/2012. Com.
States of Jersey Law 2005: delegation of functions – Economic Development – revised delegations February 2012. Presented: 23rd February 2012. <i>Minister for Economic Development.</i>	R.25/2012.

Public Lotteries: report for 2011. R.26/2012.
Presented: 28th February 2012.
Minister for Economic Development.

Utilisation of Compromise Agreements. R.27/2012.
Presented: 28th February 2012.
Chief Minister.

Jersey Director of Civil Aviation: Annual Report for 2011. R.28/2012.
Presented: 6th March 2012.
Chief Minister.

Land Transactions under Standing Order 168(3) – Le Braye Café, St. Ouen’s Bay – R.29/2012.
lease.
Presented: 6th March 2012.
Minister for Treasury and Resources.

Notification of lodged propositions

Prescription charges and income support for primary health costs. P.20/2012.
Lodged: 24th February 2012.
Deputy G.P. Southern of St. Helier.

Draft Loi sur l’Association dite “The Jersey Football Association” (Repeal) (Jersey) P.21/2012.
Law 201-
Lodged: 29th February 2012.
Minister for Education, Sport and Culture.

Draft Loi (201-) (Amendement No. 2) sur l’atténuation des peines et sur la mise en P.22/2012.
liberté surveillé.
Lodged: 6th March 2012.
Chief Minister.

Withdrawal of lodged propositions

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

Annulment of Road Traffic (St. Helier) (Amendment No. 23) (Jersey) Order 2011. P.10/2012.
Lodged: 30th January 2012.
Deputy G.C.L. Baudains of St. Clement.

Written Questions

(see Official Report/Hansard)

The Minister for Housing tabled an answer to a question asked by Deputy R.J. Rondel of St. Helier regarding the composition of the Housing waiting list.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy R.J. Rondel of St. Helier regarding residential developments of three properties or more.

The Chief Minister tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the introduction of residence and work permits.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the Energy from Waste plant and its potential use by Guernsey.

The Chief Minister tabled an answer to a question asked by Deputy J.A. Hilton of St. Helier regarding the number of placements offered to registered unemployed persons by States departments.

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

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding savings in the draft Strategic Plan Resources Statement.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding savings proposals to avoid tax rises.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the delivery of affordable housing.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding population figures and the membership of the Health Insurance scheme.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding improving public parking at La Rue des Pres.

The Chief Minister tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the contractual and legal basis of standards required of civil servants.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the tender process for the States-wide printing machine contract.

Oral Questions

(see Official Report/Hansard)

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Treasury and Resources regarding the notification of changes to individuals' Income Tax Instalment System (ITIS) rates.

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding proposals for changes to public sector employees' terms and conditions.

The Connétable of St. John asked a question of the Chief Minister regarding the Island's Emergency Planning policy.

Deputy J.A. Hilton of St. Helier asked a question of the Minister for Planning and Environment regarding the sale of homes at Uplands Drive under a 'Homebuy' style scheme.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Minister for Health and Social Services regarding the total cost of the suspension of the surgeon who was suspended/excluded on 2nd February 2009.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Education, Sport and Culture regarding travel grants funded by public monies.

Deputy T.M. Pitman of St. Helier asked a question of H.M. Attorney General regarding the dismissal of a court case through 'lack of evidence'.

Deputy J.H. Young of St. Brelade asked a question of the Minister for Planning and Environment regarding changes to the Third Party Appeal system.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding a review of the uses for the Strategic Reserve.

Deputy T.M. Pitman of St. Helier asked a question of the Minister for Housing regarding an increase in social housing rents.

Deputy J.H. Young of St. Brelade asked a question of the Minister for Planning and Environment regarding changes to the Planning process.

Deputy M. Tadier of St. Brelade asked a question of the Comité des Connétables regarding warrant cards issued to Constables.

Oral Questions without notice

(see Official Report/Hansard)

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

The Chief Minister answered questions without notice from members.

Draft Amendment (No. 18) of the Standing Orders of the States of Jersey P.4/2012

THE STATES, in pursuance of Article 48 of the States of Jersey Law 2005, made Amendment (No. 18) of the Standing Orders of the States of Jersey.

Members present voted as follows –

POUR: 38

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 St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence

CONTRE: 5

Connétable of Grouville
 Connétable of St. John
 Connétable of St. Ouen
 Deputy G.C.L. Baudains (C)
 Deputy J.P.G. Baker (H)

ABSTAIN: 1

Connétable of St. Mary

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 J.A. Hilton (H)
 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 T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy of St. John
 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)

Electoral Commission: composition and terms of reference P.5/2012

THE STATES commenced consideration of a proposition of the Privileges and Procedures Committee concerning the composition and terms of reference for the Electoral Commission and rejected Part 1(a) to (c) of an amendment of Deputy Roy George Le Hérissier of St. Saviour that on line 1, for the number '3' there should be substituted the words '7 independent', and after the words 'members' the words 'of the States' should be deleted; after the word 'Chairman,' the words 'together with 3 other persons with' should be deleted and the word 'possessing' should be inserted; and after the word 'experience' the words 'who are not members of the States' should be deleted; paragraph (b) should be deleted and in paragraph (d) the words ', in consultation with the States members appointed as Chairman and members,' should be deleted.

Members present voted as follows –

POUR: 22

Senator A. Breckon
 Senator F. du H. Le Gresley
 Connétable of St. Helier
 Connétable of St. Brelade
 Connétable of St. Martin
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)

CONTRE: 25

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 Trinity
 Connétable of Grouville
 Connétable of St. Clement
 Connétable of St. Peter

ABSTAIN: 1

Connétable of St. Lawrence

Deputy J.A.N. Le Fondré (L)	Connétable of St. Mary
Deputy S. Pitman (H)	Connétable of St. John
Deputy K.C. Lewis (S)	Connétable of St. Ouen
Deputy M. Tadier (B)	Connétable of St. Saviour
Deputy T.M. Pitman (H)	Deputy of Trinity
Deputy T.A. Vallois (S)	Deputy S.S.P.A. Power (B)
Deputy J.M. Maçon (S)	Deputy E.J. Noel (L)
Deputy G.C.L. Baudains (C)	Deputy A.K.F. Green (H)
Deputy of St. John	Deputy J.P.G. Baker (H)
Deputy J.H. Young (B)	Deputy S.J. Pinel (C)
Deputy R.J. Rondel (H)	Deputy of St. Mary
	Deputy of St. Martin
	Deputy R.G. Bryans (H)
	Deputy of St. Peter

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 7th March 2012 to continue consideration of the proposition of the Privileges and Procedures Committee entitled 'Electoral Commission: composition and terms of reference' (P.5/2012) and related amendments and the outstanding items of public business.

THE STATES rose at 5.29 p.m.

A.H. HARRIS

Deputy Greffier of the States