



**THE STATES assembled on Wednesday
23rd June 2010, at 09.30 a.m. under
the Presidency of the Deputy Bailiff,
William James Bailhache, Esquire.**

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

Senator Paul Francis Routier – ill
Senator Philip Francis Cyril Ozouf – absent on States business
Connétable Silvanus Arthur Yates of St. Martin – ill
Deputy John Alexander Nicholas Le Fondré of St. Lawrence – en défaut (défaut raised at 9.41 a.m.)
Deputy Anne Enid Pryke of Trinity – absent on States business
Deputy Montfort Tadier – en défaut (défaut raised at 9.41 a.m.)

Prayers read by the Greffier of the States

Draft States of Jersey (Period for Election) (Jersey) Regulations 201- P.56/2010

THE STATES commenced consideration of the Draft States of Jersey (Period for Election) (Jersey) Regulations 201- and adopted the principles.

Members present voted as follows –

POUR: 45

Senator T.A. Le Sueur
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Senator A. Breckon
Senator A.J.D. 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 Grouville
Connétable of St. Brelade
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 Hérissier (S)
Deputy J.B. Fox (H)

CONTRE: 2

Deputy G.P. Southern (H)
Deputy T.M. Pitman (H)

ABSTAIN: 1

Deputy of St. Mary

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 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 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, 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 Article 6(3) of the States of Jersey Law 2005, made Regulations entitled the States of Jersey (Period for Election) (Jersey) Regulations 2010.

Members present voted as follows –

POUR: 45

CONTRE: 1

ABSTAIN: 0

Senator T.A. Le Sueur
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator A. Breckon
 Senator A.J.D. 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 Grouville
 Connétable of St. Brelade
 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 of St. John

Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérisssier (S)
 Deputy J.B. Fox (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 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)
 Deputy D.J. De Sousa (H)
 Deputy J.M. Maçon (S)

Jersey Red Ensign: optional use for ships registered in Jersey P.59/2010

THE STATES, adopting a proposition of the Minister for Economic Development, noted the approval of Her Majesty The Queen to display the Arms of Jersey (the Royal Arms of the House of Plantagenet) on the Red Ensign for use on ships registered in Jersey, being a Flag Gules with the great Union in the canton and defaced by an Escutcheon also Gules thereon three Lions passant guardant Or (being the Royal Arms as used and borne by the Island of Jersey) ensigned by an ancient Crown (as attributed unto Her Majesty's Royal predecessors being of the House of Plantagenet) of Gold (as shown for illustrative purposes in the Appendix) and authorised, under Article 4(1)(b)(ii), of the Shipping (Jersey) Law 2002 the use of the Red Ensign displaying the said Arms of Jersey on ships registered in Jersey.

Members present voted as follows –

POUR: 41

CONTRE: 0

ABSTAIN: 0

Senator T.A. Le Sueur
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator J.L. Perchard
 Senator A. Breckon
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Connétable of St. Ouen
 Connétable of Trinity
 Connétable of Grouville

Connétable of St. Brelade
 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 Hérisssier (S)
 Deputy J.B. Fox (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 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 E.J. Noel (L)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy D.J. De Sousa (H)
 Deputy J.M. Maçon (S)

Delegation of functions by Ministers: review of reporting procedures P.65/2010

THE STATES, adopting a proposition of Deputy Paul Vincent Francis Le Claire of St. Helier, agreed to request the Council of Ministers to review the current system of reporting delegations of functions by Ministers and to report back to the States within 3 months setting out how a new system could be introduced to allow for a clearer and more readily understandable reporting of all such decisions in the future.

Members present voted as follows –

POUR: 36

CONTRE: 0

ABSTAIN: 0

Senator T.A. Le Sueur
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator J.L. Perchard
 Senator A. Breckon
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Connétable of St. Ouen

Connétable of Trinity
 Connétable of St. Brelade
 Connétable of St. Saviour
 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 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 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 E.J. Noel (L)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy D.J. De Sousa (H)
 Deputy J.M. Maçon (S)

Arrangement of public business for the current meeting

THE STATES rejected a request of Deputy Shona Pitman of St. Helier, in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of her amendment to the proposition of Deputy Paul Vincent Francis Le Claire of St. Helier entitled 'Central Market: Sub Post Office facility – petition' (P.74/2010), which was a matter of such urgency and importance that it would be prejudicial to Jersey to delay its debate.

Members present voted as follows –

POUR: 11

Deputy of St. Martin
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy P.V.F. Le Claire (H)
 Deputy S. Pitman (H)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy D.J. De Sousa (H)
 Deputy J.M. Maçon (S)

CONTRE: 30

Senator T.A. Le Sueur
 Senator T.J. Le Main
 Senator J.L. Perchard
 Senator A. Breckon
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Connétable of St. Ouen
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. Clement

ABSTAIN: 0

Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy J.B. Fox (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 S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy M. Tadier (B)
 Deputy A.E. Jeune (B)
 Deputy E.J. Noel (L)
 Deputy A.K.F. Green (H)

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(a), Senator Ben Edward Shenton declared an interest and withdrew from the Chamber for the duration of the debate.

Central Market: Sub-Post Office facility – petition P.74/2010

THE STATES, adopting a proposition of Deputy Paul Vincent Francis Le Claire of St. Helier, noted that 1,922 petitioners wished that the Sub-Post Office in the Central Market remained open, and requested the Minister for Treasury and Resources, as representative of the shareholder in Jersey Post, to take the necessary steps to request Jersey Post to reconsider its position relating to the presence of a Sub-Post Office facility in the Central Market.

Members present voted as follows –

POUR: 41

Senator T.A. Le Sueur
 Senator T.J. Le Main
 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. Helier
 Connétable of Trinity
 Connétable of Grouville
 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 Hérisssier (S)

CONTRE: 1

Connétable of St. Brelade

ABSTAIN: 0

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 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 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 noted that, in accordance with the provisions of Standing Order 106(1)(a), Senator Ben Edward Shenton declared an interest and withdrew from the Chamber for the duration of the debate.

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) –

6th July 2010

Samarès Nursery site, St. Clement: removal from draft Island Plan – petition. Lodged: 20th April 2010. <i>Connétable of St. Clement.</i>	P.49/2010.
Housing Development Fund: cost/benefit analysis. Lodged: 12th May 2010. <i>Senator A. Breckon.</i>	P.61/2010.
Housing Development Fund: cost/benefit analysis (P.61/2010) – amendment. Lodged: 21st June 2010. <i>Minister for Treasury and Resources.</i>	P.61/2010. Amd.
Public Finances (Jersey) Law 2005: funding requests under Article 11(8). Lodged: 25th May 2010. <i>Minister for Treasury and Resources.</i>	P.64/2010.

Civil servants earning over £60,000 per annum: publication of salary bands. P.71/2010.
Lodged: 4th June 2010.
Deputy M.R. Higgins of St. Helier.

Public Employees Contributory Retirement Scheme: Membership of the Committee of Management. P.79/2010.
Lodged: 11th June 2010.
Chief Minister.

States becoming inquorate during a meeting: revised procedures. P.82/2010
Lodged: 15th June 2010.
Deputy P.V.F. Le Claire of St. Helier.

Human Rights Law: statements of compatibility. P.84/2010.
Lodged: 17th June 2010.
Deputy of St. Martin.

Jersey Financial Services Commission: appointment of Commissioner. P.86/2010.
Lodged: 22nd June 2010.
Minister for Economic Development.

Havre des Pas Swimming Pool: retention of lifeguard service. P.88/2010.
Lodged: 22nd June 2010.
Deputy P.V.F. Le Claire of St. Helier.

19th July 2010

Island Plan 2002: H3 Site No. 8, Field 1248 and Channel Television Site. P.10/2010.
Lodged: 2nd February 2010.
Deputy J.A. Hilton of St. Helier.

'User Pays' Charges: issuing of animal health export and associated certificates. P.25/2010.
Lodged: 5th March 2010.
Minister for Planning and Environment.

Chief Officer of the States of Jersey Police Force: appointment. P.30/2010.
Lodged: 16th March 2010.
Minister for Home Affairs.

Chief Officer of the States of Jersey Police Force: appointment (P.30/2010) – comments. P.30/2010.
Presented: 8th April 2010. Com.
Education and Home Affairs Scrutiny Panel.

Chief Officer of States of Jersey Police: appointment process. P.33/2010.
Lodged: 23rd March 2010.
Deputy of St. Martin.

Chief Officer of States of Jersey Police: appointment process (P.33/2010) – amendment. P.33/2010.
Lodged: 13th April 2010. Amd.
Minister for Home Affairs.

North of Town Masterplan. Lodged: 11th May 2010. <i>Minister for Planning and Environment.</i>	P.57/2010.
North of Town Masterplan (P.57/2010): amendment. Lodged: 13th May 2010. <i>Connétable of St. Helier.</i>	P.57/2010. Amd.
North of Town Masterplan (P.57/2010): second amendment. Lodged: 8th June 2010. <i>Deputy A.K.F. Green of St. Helier.</i>	P.57/2010. Amd.(2)
North of Town Masterplan (P.57/2010): third amendment. Lodged: 8th June 2010. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.57/2010. Amd.(3)
Income Support: eligibility for educational or training courses. Lodged: 27th May 2010. <i>Health, Social Security and Housing Scrutiny Panel.</i>	P.66/2010.
Draft Howard Davis Farm (Abrogation of Covenant) (Amendment of Law) (Jersey) Regulations 201-. Lodged: 28th May 2010. <i>Minister for Treasury and Resources.</i>	P.67/2010.
Draft Income Tax (Amendment No. 35) (Jersey) Law 201-. Lodged: 28th May 2010. <i>Minister for Treasury and Resources.</i>	P.68/2010.
Draft Unlawful Public Entertainments (Jersey) Regulations 201-. Lodged: 7th June 2010. <i>Minister for Home Affairs.</i>	P.72/2010.
Property and Infrastructure Regeneration: the States of Jersey Development Company Limited. Lodged: 7th June 2010. <i>Council of Ministers.</i>	P.73/2010.
Jersey Heritage Trust: service level agreement and funding requirements. Lodged: 8th June 2010. <i>Minister for Education, Sport and Culture.</i>	P.75/2010.
Draft Income Support (Amendment No. 5) (Jersey) Regulations 201-. Lodged: 8th June 2010. <i>Minister for Social Security.</i>	P.77/2010.
Draft Taxation Relief (Arrangement with the United Kingdom) (Jersey) Act 201-. Lodged: 17th June 2010. <i>Chief Minister.</i>	P.83/2010.

14th September 2010

Island Plan 2002: Field 622, St. Ouen – rezoning. P.48/2010.
 Lodged: 19th April 2010.
Connétable of St. Ouen.

Immigration, Asylum and Nationality Act, 2006 and Immigration and Asylum Act, 1999: P.80/2010.
 Extension of Certain Sections to Jersey.
 Lodged: 14th June 2010.
Chief Minister.

Draft Census (Amendment No. 3) (Jersey) Law 201-. P.81/2010.
 Lodged: 14th June 2010.
Chief Minister.

Questions in the States: Connétables and political parties. P.85/2010.
 Lodged: 18th June 2010.
Deputy P.V.F. Le Claire of St. Helier.

28th September 2010

Planning and Building Law: repeal of Minister's power to grant permission that is P.78/2010.
 inconsistent with the Island Plan.
 Lodged: 10th June 2010.
Senator B.E. Shenton.

Jersey Financial Services Commission: Companies' Register. P.87/2010.
 Lodged: 22nd June 2010.
Deputy P.V.F. Le Claire of St. Helier.

12th October 2010

Machinery of Government: amended structure. P.70/2010.
 Lodged: 3rd June 2010.
Senator A. Breckon.

Machinery of Government: amended structure (P.70/2010) – amendment. P.70/2010.
 Lodged: 10th June 2010. Amd.
Deputy P.V.F. Le Claire of St. Helier.

THE STATES rose at 12.09 p.m.

M.N. DE LA HAYE

Greffier of the States