



**THE STATES assembled on Tuesday
30th June 2009, 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 James Leslie Perchard – excused attendance
Connétable John Le Sueur Gallichan of Trinity – excused attendance
Deputy Geoffrey Peter Southern of St. Helier – en défaut (défaut raised at 9.37 a.m.)
Deputy Andrew Kenneth Francis Green of St. Helier – excused attendance

Prayers

Mr. Anthony Lewis – welcome

The Bailiff, on behalf of all members, welcomed Mr. Anthony Lewis, former Deputy Editor of the Jersey Evening Post, who was present in the public gallery.

Subordinate enactments tabled

The following enactments were tabled, namely –

Companies (Appointment of Takeovers and Mergers Panel) (Jersey) Order 2009. <i>Minister for Economic Development.</i>	R&O.57/2009.
Conservation of Wildlife (Amendment No. 3) (Jersey) Order 2009. <i>Minister for Planning and Environment.</i>	R&O.58/2009.
Battle of Flowers (Jersey) Order 2009. <i>Minister for Transport and Technical Services.</i>	R&O.59/2009.
Gorey Fête (Jersey) Order 2009. <i>Minister for Transport and Technical Services.</i>	R&O.60/2009.

Documents presented or laid

States Employees: pay increase for 2009/2010 (P.68/2009) – comments. Presented: 24th June 2009. <i>Chief Minister.</i>	P.68/2009. Com.
--	--------------------

States Employees: pay increase for 2009/2010 (P.68/2009) – amendment (P.68/2009 Amd.) – comments. Presented: 24th June 2009. <i>Chief Minister.</i>	P.68/2009. Amd.Com.
States Employees: pay increase for 2009/2010 (P.68/2009) – second amendment (P.68/2009 Amd.(2)) – comments. Presented: 24th June 2009. <i>Chief Minister.</i>	P.68/2009. Amd.(2). Com.
Jersey Mutual Insurance Society Incorporated: alteration of Fundamental Rules – Petition (P.71/2009) – comments. Presented: 25th June 2009. <i>Minister for Economic Development.</i>	P.71/2009. Com.
Composition and election of the States: revised structure (P.72/2009) – comments. Presented: 18th June 2009. <i>Minister for Treasury and Resources.</i>	P.72/2009. Com.
Committee of Inquiry into the death of Mrs. Elizabeth Rourke (P.76/2009): comments. Presented: 29th June 2009. <i>Minister for Treasury and Resources.</i>	P.76/2009. Com.(2)
Suspension of States Employees: Composition of Review Panel (P.98/2009) – comments. Presented: 30th June 2009. <i>Council of Ministers.</i>	P.98/2009. Com.
Television Licences for persons over 75 (P.100/2009): comments. Presented: 30th June 2009. <i>Minister for Treasury and Resources.</i>	P.100/2009. Com.
Draft Security Interests (Jersey) Law 200-: Consultation Paper. Presented: 22nd June 2009. <i>Minister for Economic Development.</i>	R.67/2009.
Land Transactions under Standing Order 168(3) – purchase of 46 residential units at “La Providence” from Bel Royal (Jersey) Limited and the onward sale to 46 purchasers in accordance with P.74/2008 and MD-H-2009-0049 and 0055. Presented: 23rd June 2009. <i>Minister for Treasury and Resources.</i>	R.68/2009.
Prison Board of Visitors – Annual Report 2008. Presented: 23rd June 2009. <i>Minister for Home Affairs.</i>	R.69/2009.
States of Jersey Law 2005: delegation of functions – Transport and Technical Services. Presented: 29th June 2009. <i>Minister for Transport and Technical Services.</i>	R.70/2009.

Land Transactions under Standing Order 168(3) – R.71/2009.
 (a) Flat 4, Le Boulevard, La Grande Route des Sablons, Grouville – lease;
 (b) Site of Former Mascot Motors, Georgetown Park Estate, St. Clement – proposed sale.
 Presented: 29th June 2009.
Minister for Transport and Technical Services.

Financial Management in the States: Review June 2009. R.72/2009.
 Presented: 30th June 2009.
Comptroller and Auditor General.

Corporate Services Scrutiny Panel: Waterfront Enterprise Board (P.12/2009) S.R.1/2009.
 (S.R.1/2009) – response of the Chief Minister. Res.
 Presented: 23rd June 2009.
Chief Minister.

Notification of lodged propositions

Composition and election of the States: revised structure (P.72/2009) – amendment. P.72/2009.
 Lodged: 25th June 2009. Amd.
Deputy of St. Martin.

Draft Residential Tenancy (Jersey) Law 200- (P.74/2009): amendment. P.74/2009.
 Lodged: 29th June 2009. Amd.
Deputy J.A.N. Le Fondré of St. Lawrence.

Committee of Inquiry: ‘Operation Blast’. P.102/2009.
 Lodged: 18th June 2009.
Deputy of St. John.

Draft Supply of Goods and Services (Jersey) Law 2009 (Appointed Day) Act 200-. P.103/2009.
 Lodged: 23rd June 2009.
Minister for Economic Development.

Committee of Inquiry: confidential files held by States of Jersey Police on States P.104/2009.
 Members and others.
 Lodged: 23rd June 2009.
Deputy M.R. Higgins of St. Helier.

Oral Questions with notice: revised ballot procedures. P.105/2009.
 Lodged: 29th June 2009.
Deputy M. Tadier of St. Brelade.

Sea Fisheries: sale of fish without licence and licensing of ormer fishing. P.106/2009.
 Lodged: 29th June 2009.
Deputy A.K.F. Green of St. Helier.

Senator Stuart Syvret: Vote of Censure. P.107/2009.
 Lodged: 29th June 2009.
Privileges and Procedures Committee.

Ann Court housing site, St. Helier: temporary use. P.108/2009.
Lodged: 30th June 2009.
Connétable of St. Helier.

Composition and election of the States: single election day each year. P.109/2009.
Lodged: 30th June 2009.
Deputy J.A.N. Le Fondré of St. Lawrence.

Withdrawal of lodged propositions

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

States Employees: pay increase for 2009/2010 (P.68/2009) – second amendment. P.68/2009.
Lodged: 12th June 2009. Amd.(2)
Connétable of St. Peter.

Committee of Inquiry: ‘Operation Blast’. P.102/2009.
Lodged: 18th June 2009.
Deputy of St. John.

Bailiff’s Consultative Panel – appointment of members

THE STATES, having referred to their Act dated 16th May 2006, in which they agreed to revise the composition of the Bailiff’s Consultative Panel (comprising elected members of the States with whom the Bailiff would be able to meet in order to consult on a confidential basis in appropriate cases), noted the following nominations for membership –

The Deputy of St. John was nominated by Deputy J.M. Macon of St. Saviour
The Connétable of St. Lawrence was nominated by Deputy S.S.P.A. Power of St. Brelade
Senator T.J. Le Main was nominated by the Connétable of Grouville
The Connétable of Grouville was nominated by Senator T.J. Le Main
The Deputy of Grouville was nominated by Senator F.E. Cohen
Deputy J.A. Martin of St. Helier was nominated by the Deputy of St. Mary
Deputy J.M. Macon of St. Saviour was nominated by Deputy T.A. Vallois of St. Saviour

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

The Deputy of St. John	27
The Connétable of St. Lawrence	30
Senator T.J. Le Main	27
The Connétable of Grouville	28
The Deputy of Grouville	28
Deputy J.A. Martin of St. Helier	29
Deputy J.M. Macon of St. Saviour	19

The Presiding Officer accordingly declared that the following four members had been elected to serve on the Bailiff’s Consultative Panel –

The Connétable of St. Lawrence
 The Connétable of Grouville
 The Deputy of Grouville
 Deputy J.A. Martin of St. Helier.

A second secret ballot was held between the Deputy of St. John and Senator T.J. Le Main to determine which would be the fifth member of the Panel.

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

The Deputy of St. John	26
Senator T.J. Le Main	19

There was one spoilt paper.

The Presiding Officer accordingly declared that the Deputy of St. John had been elected to serve on the Bailiff's Consultative Panel.

Written Questions

(see Official Report/Hansard)

The Chief Minister tabled an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding the adoption of recommendations from scrutiny reports.

The Chief Minister tabled an answer to a question asked by the Deputy of St. Martin regarding staff suspensions.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding plans to privatise or outsource elements of service delivery.

The Minister for Home Affairs tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding plans to privatise or outsource elements of service delivery.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding plans to privatise or outsource elements of service delivery.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding plans to privatise or outsource elements of service delivery.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding plans to privatise or outsource elements of service delivery.

The Minister for Social Security tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding plans to privatise or outsource elements of service delivery.

The Minister for Economic Development tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding plans to privatise or outsource elements of service delivery.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding plans to privatise or outsource elements of service delivery.

The Minister for Housing tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding plans to privatise or outsource elements of service delivery.

The Chief Minister tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding plans to privatise or outsource elements of service delivery.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding estimates for the downturn in the economy for 2009 and 2010.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the number of secondary teaching vacancies advertised by his department for September 2009.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding changes made to teachers' pension terms and conditions for new entrants.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the number of vacant nursing and social worker positions.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the recruitment of the new Deputy Chief Executive.

The Minister for Social Security tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding employment trends and the collation of unemployment statistics.

The Chairman of the Privileges and Procedures Committee tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding cases placed before the Complaints Board.

The Minister for Social Security tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the status of the claim against the assets of Woolworths in Jersey by GMAC.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the reform of the public sector.

The Minister for Home Affairs tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the Jersey Field Squadron.

Oral Questions

(see Official Report/Hansard)

Deputy T.A. Vallois of St. Saviour asked a question of the Assistant Minister for Economic Development regarding the breakdown of in Salary and Wages costs for Jersey Harbours.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Minister for Treasury and Resources regarding the number of projects approved as part of the Fiscal Stimulus Package.

Deputy P.V.F. Le Claire of St. Helier asked a question of the Minister for Home Affairs regarding the purpose of files kept on States Members by the States of Jersey Police.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Education, Sport and Culture regarding the local graduate training initiative for secondary teachers.

Deputy D.J. de Sousa of St. Helier asked a question of the Minister for Housing regarding rent rebate.

Deputy T.M. Pitman asked a question of the Chief Minister regarding the involvement of the Chief Executive Officer in the establishment of 'Operation Blast'.

Deputy T.M. Pitman of St. Helier asked a question of the Assistant Minister for Economic Development regarding anti-social behaviour involving cars and motorbikes on the road along Albert Quay.

The Deputy of St. Mary asked a question of the Minister for Planning and Environment regarding the possible breach of the Construction Environmental Action Plan in relation to the Energy from Waste Plant.

The Deputy of St. Mary asked a question of the Assistant Minister for Treasury and Resources regarding the use of agricultural land for allotments.

Senator P.F.C. Ozouf asked a question of the Chairman of the Economic Affairs Scrutiny Panel regarding the progress of a security review of the Depositor Protection Scheme.

The Deputy of St. John asked a question of the Minister for Social Security regarding doctors' home visits to patients with flu symptoms.

The Deputy of St. John asked a question of the Assistant Minister for Health and Social Services regarding the recovery of the costs of non-natives being cared for in nursing homes/hospitals at the taxpayer's expense.

Deputy R.G. Le Hérisier of St. Saviour asked a question of the Chairman of Privileges and Procedures Committee regarding Operation Blast.

Deputy S. Pitman of St. Helier asked a question of the Minister for Social Security regarding recipients of Long Term Incapacity Allowance.

Deputy S. Pitman of St. Helier asked a question of H.M. Solicitor General regarding when H.M. Attorney General was first informed about Operation Blast.

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the justification of a pay freeze for nurses and other public sector workers.

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Transport and Technical Services answered questions without notice from members.

The Minister for Treasury and Resources answered questions without notice from members.

Change in Presidency

The Bailiff retired from the Chamber and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States.

Urgent Oral Question

The Deputy of St. Mary asked the following question of the Chief Minister which the Bailiff had allowed in accordance with Standing Order 15 relating to urgent oral questions –

“Will the Chief Minister confirm that heritage and culture are important to the Council of Ministers, the work of the Heritage Trust is valued by them and advise the Assembly what action, if any, will be taken to avoid three major sites closing in the middle of summer, and what action will be taken in the longer term to secure a sustainable future for the service?”

Statements on a matter of official responsibility

(see Official Report/Hansard)

The Chairman of the Comité des Connétables made a statement regarding the Island-wide rate.

The Minister for Economic Development made a statement regarding fare regulation of the car ferry market.

The Minister for Health and Social Services made a statement regarding the Verita inquiry.

Change in Presidency

The Bailiff returned to the Chamber during the statement by the Minister for Economic Development and the meeting continued under his Presidency.

Draft Employment (Amendment No. 4) (Jersey) Law 2009 (Appointed Day) Act 200- P.73/2009

THE STATES, in pursuance of Article 4(2) of the Employment (Amendment No. 4) (Jersey) Law 2009, made an Act entitled the Employment (Amendment No. 4) (Jersey) Law 2009 (Appointed Day) Act 2009.

Members present voted as follows –

POUR: 41

CONTRE: 0

ABSTAIN: 0

Senator S. Syvret
 Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator F.E. Cohen
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 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 of St. Ouen
 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 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 D. De Sousa (H)
 Deputy J.M. Maçon (S)

Committee of Inquiry into the death of Mrs. Elizabeth Rourke P.76/2009

THE STATES commenced consideration of a proposition of Senator Stuart Syvret entitled ‘Committee of Inquiry into the death of Mrs. Elizabeth Rourke’ (P.76/2009).

Bailiff – tribute

The Chairman of the Privileges and Procedures Committee, on behalf of all the Members and Officers of the States, paid tribute to Sir Philip Bailhache for his 37 years of service to the Island, the last 14 years of which were as Bailiff, and wished him a long, healthy and happy retirement.

The Bailiff suitably responded.

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 1st July 2009 to continue consideration of a proposition of Senator Stuart Syvret entitled ‘Committee of Inquiry into the death of Mrs. Elizabeth Rourke’ (P.76/2009) and the outstanding items of public business.

THE STATES rose at 5.32 p.m.

M.N. DE LA HAYE

Greffier of the States