



**THE STATES assembled on Thursday
21st October 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 Frederick Ellyer Cohen – en défaut
Deputy Geoffrey Peter Southern of St. Helier – en défaut (défaut raised at 9.36 a.m.)
Deputy Carolyn Fiona Labey of Grouville – excused attendance (arrived in the Chamber at 12.15 p.m.)
Deputy Shona Pitman of St. Helier – ill
Deputy Michael Roderick Higgins of St. Helier – en défaut (défaut raised at 10.10 a.m.)
Deputy Deborah Jane De Sousa of St. Helier – ill

Prayers read by the Deputy Bailiff

Notification of lodged propositions

Draft Magistrate's Court (Miscellaneous Provisions) (Amendment No. 10) (Jersey) Law P.155/2010.
201-.
Lodged: 21st October 2010.
Chief Minister.

Jersey Finance Ltd.: matched funding P.126/2010

THE STATES rejected a proposition of Deputy Geoffrey Peter Southern of St. Helier to express their support for the principle of matched funding for Jersey Finance Ltd. on a £ for £ basis, excluding any allowance for 'pro bono' work, between the States of Jersey and the private sector; and to request the Minister for Economic Development to apply that principle to the 2012 grant to the company.

Members present voted as follows –

POUR: 8

Senator A. Breckon
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy M. Tadier (B)
Deputy of St. Mary
Deputy T.M. Pitman (H)
Deputy T.A. Vallois (S)
Deputy M.R. Higgins (H)

CONTRE: 37

Senator T.A. Le Sueur
Senator P.F. Routier
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator B.E. Shenton
Senator J.L. Perchard
Senator S.C. Ferguson
Senator A.J.H. 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

ABSTAIN: 0

Connétable of St. Brelade
 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 Hérisier (S)
 Deputy J.B. Fox (H)
 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 I.J. Gorst (C)
 Deputy of St. John
 Deputy A.E. Jeune (B)
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

States Members' remuneration: reconsideration of 2011 increase and repeal of Article 44 of the States of Jersey Law 2005 P.127/2010

THE STATES commenced consideration of a proposition of Senator Ben Edward Shenton concerning the remuneration of States Members and, adopting an amendment the Deputy of St. Mary to paragraph (a), agreed that the words "in light of current and projected economic circumstances" should be deleted.

THE STATES rejected an amendment of Deputy Judith Ann Martin of St. Helier that in paragraph (b) of the proposition of Senator Ben Edward Shenton, for the words "taking account of factors such as the positions of official responsibility held by elected members" there should be substituted the words "including the reintroduction of a means-tested system of remuneration which takes account of the total income of each individual States member,".

Members present voted as follows –

POUR: 13

Senator A. Breckon
 Senator F. du H. Le Gresley
 Connétable of St. Helier
 Connétable of St. Clement
 Deputy R.C. Duhamel (S)
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy of Trinity
 Deputy M. Tadier (B)
 Deputy T.M. Pitman (H)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)

CONTRE: 26

Senator P.F. Routier
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator S.C. Ferguson
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of Trinity
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of St. Peter
 Connétable of St. Lawrence

ABSTAIN: 1

Connétable of Grouville

Deputy J.M. Maçon (S)

Connétable of St. Mary
 Deputy of St. Martin
 Deputy R.G. Le Hérisssier (S)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy A.E. Jeune (B)
 Deputy of St. Mary
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)

THE STATES resumed consideration of the proposition of Senator Ben Edward Shenton, as amended, concerning the remuneration of States Members and, adopting a proposition of Senator Francis du Heaume Le Gresley, agreed in accordance with the provisions of Standing Order 84, that the matter should be put to the vote.

Members present voted as follows –

POUR: 25

Senator T.A. Le Sueur
 Senator T.J. Le Main
 Senator J.L. Perchard
 Senator S.C. Ferguson
 Senator A.J.H. 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. Martin
 Connétable of St. Saviour
 Connétable of St. Clement
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)

CONTRE: 16

Senator P.F. Routier
 Senator A. Breckon
 Connétable of St. Brelade
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy P.V.F. Le Claire (H)
 Deputy M. Tadier (B)
 Deputy A.E. Jeune (B)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

ABSTAIN: 2

Senator B.E. Shenton
 Deputy of St. John

THE STATES adopted paragraph (a) of the proposition of Senator Ben Edward Shenton, as amended, and –

- (a) (requested the Privileges and Procedures Committee to) request the States Members' Remuneration Review Body to review its recommendation for an £800 increase in remuneration for elected members from 1st January 2011 as set out in R.93/2010.

Members present voted as follows –

POUR: 28

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator J.L. Perchard
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator F. du H. Le Gresley
 Connétable of St. Helier
 Connétable of St. Martin
 Connétable of St. Peter
 Connétable of St. Lawrence
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Martin (H)
 Deputy of Grouville
 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 A.E. Jeune (B)
 Deputy T.M. Pitman (H)
 Deputy A.T. Dupré (C)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

CONTRE: 12

Senator T.A. Le Sueur
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Mary
 Deputy of St. Martin
 Deputy G.P. Southern (H)
 Deputy of St. Peter
 Deputy M. Tadier (B)
 Deputy of St. Mary
 Deputy M.R. Higgins (H)

ABSTAIN: 5

Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Brelade
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)

THE STATES rejected paragraph (b) of the proposition of Senator Ben Edward Shenton, as amended, requesting the Privileges and Procedures Committee to –

- (b) agree that Article 44 of the States of Jersey Law 2005, which currently prevented the payment of different amounts of remuneration or allowances to different elected members, should be repealed and to agree that, following its repeal, the States Members' Remuneration Review Body should be requested to bring forward a scheme of differential remuneration for elected members for 2012 and beyond, taking account of factors such as the positions of official responsibility held by elected members ensuring that there was nevertheless no overall increase (other than any normal annual inflationary increase) in the total budget for States members' remuneration;

Members present voted as follows –

POUR: 13

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator B.E. Shenton
 Senator J.L. Perchard
 Senator A. Breckon
 Senator A.J.H. Maclean
 Connétable of St. Ouen
 Connétable of Trinity
 Connétable of St. Peter
 Deputy R.G. Le Hérisier (S)
 Deputy J.A. Martin (H)
 Deputy I.J. Gorst (C)

CONTRE: 31

Senator T.J. Le Main
 Senator S.C. Ferguson
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Connétable of St. Helier
 Connétable of St. Brelade
 Connétable of St. Martin
 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 G.P. Southern (H)
 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 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 J.M. Maçon (S)

ABSTAIN: 2

Connétable of Grouville
 Deputy of St. John

Following the rejection of paragraph (b), the Presiding Officer informed the Assembly that paragraph (c) of the proposition was deemed to have been withdrawn.

Changes in Presidency

The Deputy Bailiff retired from the Chamber during consideration of the amendment of Deputy Judith Ann Martin of St. Helier to paragraph (b) of the proposition of Senator Ben Edward Shenton concerning the remuneration of States Members and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States until the lunch adjournment. The States re-assembled after the lunch adjournment under the Presidency of the Deputy Bailiff.

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) –

2nd November 2010

Sites of Special Interest: removal from list. Lodged: 7th July 2010. <i>Senator J.L. Perchard.</i>	P.96/2010.
Sites of Special Interest: removal from list (P.96/2010) – comments. Presented: 13th September 2010. <i>Minister for Planning and Environment.</i>	P.96/2010. Com.
Draft Community Provisions (Bovine Embryos) (Jersey) Regulations 201- Lodged: 17th August 2010. <i>Minister for Planning and Environment.</i>	P.115/2010.
Draft Health Insurance Fund (Miscellaneous Provisions) (Jersey) Law 201- Lodged: 13th September 2010. <i>Minister for Social Security.</i>	P.125/2010.
Reg's Skips Limited – Planning Applications (R.118/2010): compensation and further action. Lodged: 28th September 2010. <i>Senator B.E. Shenton.</i>	P.130/2010.
Reg's Skips Limited – Planning Applications (R.118/2010): compensation and further action (P.130/2010) – amendment. Lodged: 4th October 2010. <i>Deputy of St. John.</i>	P.130/2010. Amd.
Reg's Skips Limited – Planning Applications (R.118/2010): compensation and further action (P.130/2010) – third amendment. Lodged: 19th October 2010. <i>Minister for Planning and Environment.</i>	P.130/2010. Amd.(3)
Reg's Skips Limited – Planning Applications (R.118/2010): compensation and further action (P.130/2010) – fourth amendment. Lodged: 19th October 2010. <i>Senator F. du H. Le Gresley.</i>	P.130/2010. Amd.(4)
Minister for Planning and Environment: powers. Lodged: 5th October 2010. <i>Deputy R.G. Le Hérisier of St. Saviour.</i>	P.132/2010.
Esplanade Quarter: deferment of works and endorsement of Development Agreement. Lodged: 7th October 2010. <i>Deputy of St. John.</i>	P.136/2010.
Children (Jersey) Law 2002: appointment of children's guardians and advocates in certain court proceedings. Lodged: 7th October 2010. <i>Deputy of St. Martin.</i>	P.137/2010.
Postal services: direction and guidance to the Jersey Competition Regulatory Authority. Lodged: 7th October 2010. <i>Deputy G.P. Southern of St. Helier.</i>	P.138/2010.

Rent control: removal of exemptions. Lodged: 8th October 2010. <i>Senator F. du H. Le Gresley.</i>	P.139/2010.
Jersey Post: petition. Lodged: 11th October 2010. <i>Deputy J.A. Martin of St. Helier.</i>	P.140/2010.
Draft Employment (Amendment No. 5) (Jersey) Law 2010 (Appointed Day) Act 201- Lodged: 12th October 2010. <i>Minister for Social Security.</i>	P.142/2010.
Fiscal Policy Panel: re-appointment of members. Lodged: 13th October 2010. <i>Minister for Treasury and Resources.</i>	P.146/2010.
Jersey Police Complaints Authority: re-appointment of member. Lodged: 18th October 2010. <i>Minister for Home Affairs.</i>	P.147/2010.
<u>16th November 2010</u>	
Planning and Building Law: repeal of Minister's power to grant permission that is inconsistent with the Island Plan. Lodged: 10th June 2010. <i>Senator B.E. Shenton.</i>	P.78/2010.
North of Town Masterplan (Revised). Lodged: 19th July 2010. <i>Minister for Planning and Environment.</i>	P.103/2010.
North of Town Masterplan (Revised) (P.103/2010): addendum. Presented: 3rd August 2010. <i>Minister for Planning and Environment.</i>	P.103/2010. Add.
North of Town Masterplan (Revised) (P.103/2010): second amendment. Lodged: 9th August 2010. <i>Deputy A.K.F. Green of St. Helier.</i>	P.103/2010. Amd.(2)
Sustainable Transport Policy. Lodged: 19th July 2010. <i>Minister for Transport and Technical Services</i>	P.104/2010.
Social Security Scheme: amendments. Lodged: 20th August 2010. <i>Senator A. Breckon.</i>	P.117/2010.
User Pays charges: use of the trade marks "Jersey Royal" or "Jersey Royals" (words) and the Jersey Royal Logo. Lodged: 20th August 2010. <i>Minister for Economic Development.</i>	P.119/2010.
Samarès Nursery site, St. Clement: removal from draft Island Plan – petition. Lodged: 1st October 2010. <i>Connétable of St. Clement.</i>	P.131/2010.

Draft Policing of Parks (Amendment No. 2) (Jersey) Regulations 201-. Lodged: 6th October 2010. <i>Minister for Transport and Technical Services.</i>	P.135/2010.
Income Support: mortgage payments. Lodged: 19th October 2010. <i>Deputy G.P. Southern of St. Helier.</i>	P.149/2010
Jersey Financial Services Commission: imposition of fines. Lodged: 19th October 2010. <i>Senator A. Breckon.</i>	P.150/2010.
Rezoned Sites: assessment of housing needs. Lodged: 19th October 2010. <i>Deputy of St. John.</i>	P.152/2010.
Social Security Fund: a new method of funding. Lodged: 20th October 2010. <i>Deputy G.P. Southern of St. Helier.</i>	P.154/2010.
<u>30th November 2010</u>	
Media Relations: Code of Conduct. Lodged: 15th July 2010. <i>Privileges and Procedures Committee.</i>	P.100/2010.
Media Relations: Code of Conduct (P.100/2010) – amendment. Lodged: 2nd September 2010. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.100/2010. Amd.
Draft Freedom of Information (Jersey) Law 201-. Lodged: 19th July 2010. <i>Privileges and Procedures Committee.</i>	P.101/2010.
Draft Freedom of Information (Jersey) Law 201- (P.101/2010): comments. Presented: 6th October 2010. <i>Council of Ministers.</i>	P.101/2010. Com.
Draft Intellectual Property (Unregistered Rights) (Jersey) Law 201-. Lodged: 12th October 2010. <i>Minister for Economic Development.</i>	P.141/2010.
Draft Employment (Amendment No. 6) (Jersey) Law 201-. Lodged: 12th October 2010. <i>Minister for Social Security.</i>	P.143/2010.
Draft Harbours (Protection of Cables in Territorial Waters) (Jersey) Regulations 201-. Lodged: 13th October 2010. <i>Minister for Economic Development.</i>	P.144/2010.
Freedom of Information: implementation plan. Lodged: 13th October 2010. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.145/2010.

Draft Housing (General Provisions) (Amendment No. 27) (Jersey) Regulations 201-. P.151/2010.
Lodged: 19th October 2010.
Minister for Housing.

Draft Rates (Amendment of Law) (Jersey) Regulations 201-. P.153/2010
Lodged: 19th October 2010.
Comité des Connétables.

7th December 2010

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

Jersey Financial Services Commission: Companies' Register (P.87/2010) – comments. P.87/2010.
Presented: 28th September 2010. Com.
Minister for Economic Development.

Draft Income Tax (Amendment No. 36) (Jersey) Law 201-. P.121/2010.
Lodged: 27th August 2010.
Minister for Treasury and Resources.

Draft Magistrate's Court (Miscellaneous Provisions) (Amendment No. 10) (Jersey) Law P.155/2010.
201-.
Lodged: 21st October 2010.
Chief Minister.

18th January 2011

Draft Loi (No. 7) (201-) concernant la charge de Juge d'Instruction. P.148/2010.
Lodged: 19th October 2010.
Chief Minister.

THE STATES rose at 4.24 p.m.

M.N. DE LA HAYE

Greffier of the States