



**THE STATES assembled on Thursday
6th December 2012, at 09.30 a.m. under
the Presidency of
Mr. Michael Nelson de la Haye,
Greffier of the States.**

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

Senator Sarah Craig Ferguson – en défaut (défaut raised at 9.36 a.m.)
Connétable Alan Simon Crowcroft of St Helier – en défaut (défaut raised at 9.48 a.m.)
Deputy Judith Ann Martin of St. Helier – en défaut
Deputy Sean Seamus Patrick Augustine Power of St. Brelade – excused attendance
Deputy Shona Pitman of St. Helier – ill
Deputy Tracey Anne Vallois of St. Saviour – ill

Prayers

Draft Social Security (Amendment of Law No. 4) (Jersey) Regulations 201- P.101/2012

THE STATES resumed consideration of Regulations 15 to 18 of the Draft Social Security (Amendment of Law No. 4) (Jersey) Regulations 201- and, adopting an amendment of Deputy John Hilary Young of St. Brelade, agreed that in the substituted paragraph (1)(b) of the inserted Article 54(C) for the words “has attained the age of 57” there should be substituted the words “has attained the age of 55”.

Members present voted as follows –

POUR: 30

Senator A. Breckon
Senator P.M. Bailhache
Connétable of St. Helier
Connétable of Grouville
Connétable of St. Lawrence
Connétable of St. Mary
Connétable of St. John
Connétable of St. Ouen
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Deputy R.G. Le Hérisssier (S)
Deputy G.P. Southern (H)
Deputy of St. Ouen
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy J.A.N. Le Fondré (L)
Deputy K.C. Lewis (S)
Deputy M. Tadier (B)
Deputy T.M. Pitman (H)
Deputy M.R. Higgins (H)

CONTRE: 15

Senator P.F. Routier
Senator P.F.C. Ozouf
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
Connétable of Trinity
Connétable of St. Clement
Connétable of St. Peter
Deputy R.C. Duhamel (S)
Deputy E.J. Noel (L)
Deputy of St. John
Deputy S.J. Pinel (C)

ABSTAIN: 0

Deputy J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 Deputy J.P.G. Baker (H)
 Deputy J.H. Young (B)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(a), Deputy Anne Enid Pryke of Trinity declared an interest and withdrew from the Chamber for the duration of the debate on the amendments to Regulations 17 and 18.

THE STATES adopted Regulations 16 to 18, as amended.

THE STATES, in pursuance of Articles 50 and 51 of the Social Security (Jersey) Law 1974, made Regulations entitled the Social Security (Amendment of Law No. 4) (Jersey) Regulations 2012.

Members present voted as follows –

POUR: 40

CONTRE: 3

ABSTAIN: 0

Senator P.F. Routier
 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 Trinity
 Connétable of Grouville
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)

Connétable of St. John
 Deputy G.P. Southern (H)
 Deputy of St. Ouen

Deputy E.J. Noel (L)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 Deputy of St. John
 Deputy J.P.G. Baker (H)
 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)

Income Tax: Report on Personal Income Tax Assessments P.106/2012

THE STATES rejected a proposition of Deputy Geoffrey Peter Southern of St. Helier to request the Minister for Treasury and Resources to present to the States a report examining in full the case that personal income tax assessments should apply to individual earnings and not, as currently, to household earnings, and to do so no later than 30th September 2013 so that the report was available in time for proposals and amendments relating to this issue to be lodged for debate in the Budget 2014.

Members present voted as follows –

POUR: 18

Senator A. Breckon
 Senator S.C. Ferguson
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Martin
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy J.A.N. Le Fondré (L)
 Deputy M. Tadier (B)
 Deputy T.M. Pitman (H)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy R.G. Bryans (H)

CONTRE: 26

Senator P.F. Routier
 Senator P.F.C. Ozouf
 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 Grouville
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Saviour
 Deputy of St. Ouen
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 Deputy of St. John
 Deputy J.P.G. Baker (H)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.J. Rondel (H)

ABSTAIN: 0

Changes in Presidency

Mr. Michael Nelson de la Haye, Greffier of the States, retired from the Chair during consideration of the proposition of Deputy Geoffrey Peter Southern of St. Helier entitled 'Income Tax: Report on Personal Income Tax Assessments' (P.106/2012) and the meeting continued under the Presidency of the Bailiff.

Draft Alternative Investment Funds (Jersey) Regulations 201- P.109/2012

THE STATES commenced consideration of the Draft Alternative Investment Funds (Jersey) Regulations 201- and adopted the principles.

Members present voted as follows –

POUR: 42**CONTRE: 1****ABSTAIN: 0**

Senator P.F. Routier
 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 Grouville
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy T.M. Pitman (H)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy J.P.G. Baker (H)
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary

Deputy G.C.L. Baudains (C)

Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)

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 to 48 and the Schedule.

THE STATES, in pursuance of Article 2 of the European Communities Legislation (Implementation) (Jersey) Law 1996, made Regulations entitled the Alternative Investment Funds (Jersey) Regulations 2012.

Members present voted as follows –

POUR: 41

CONTRE: 1

ABSTAIN: 0

Senator P.F. Routier
 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
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy T.M. Pitman (H)
 Deputy E.J. Noel (L)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy of St. John
 Deputy J.H. Young (B)

Deputy G.C.L. Baudains (C)

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)

Commissioner of Appeal for Taxes Office: appointment P.116/2012

THE STATES, adopting a proposition of the Minister for Treasury and Resources agreed, in accordance with Article 10 of the Income Tax (Jersey) Law 1961, to approve the appointment of Mr. Craig F. Leach as a Commissioner of Appeal for the Taxes Office for a period of 3 years.

Jersey Heritage Trust: appointment of Chairman P.117/2012

THE STATES, adopting a proposition of the Minister for Education, Sport and Culture, appointed Mr. Clive Stanley Jones as Chairman of the Jersey Heritage Trust for a period of 4 years with immediate effect.

Members present voted as follows –

POUR: 43

CONTRE: 0

ABSTAIN: 0

Senator P.F. Routier
 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 Grouville
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity

Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy T.M. Pitman (H)
 Deputy E.J. Noel (L)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 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)

Draft Financial Services (Amendment of Law No. 4) (Jersey) Regulations 201- P.110/2012

THE STATES commenced consideration of the Draft Financial Services (Amendment of Law No. 4) (Jersey) Regulations 201- and adopted the principles.

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 to 3.

THE STATES, in pursuance of Articles 4(2) and 42 of the Financial Services (Jersey) Law 1998, made Regulations entitled the Financial Services (Amendment of Law No. 4) (Jersey) Regulations 2012.

Members present voted as follows –

POUR: 41

CONTRE: 1

ABSTAIN: 0

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. Breckon
 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 St. Helier
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. Saviour

Deputy G.C.L. Baudains (C)

Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy T.M. Pitman (H)
 Deputy E.J. Noel (L)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy of St. John
 Deputy J.P.G. Baker (H)
 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)

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) –

11th December 2012

Draft Intellectual Property (Unregistered Rights) (Application, Transitional Provisions and Savings) (Jersey) Regulations 201-. P.112/2012.
 Lodged: 30th October 2012.
Minister for Economic Development.

Draft Intellectual Property (Unregistered Rights) (Application, Transitional Provisions and Savings) (Jersey) Regulations 201- (P.112/2012): comments. P.112/2012.
 Presented: 4th December 2012. Com.
Economic Affairs Scrutiny Panel.

Draft Intellectual Property (Unregistered Rights) (Jersey) Law 2011 (Appointed Day) Act 201-. P.111/2012.
 Lodged: 30th October 2012.
Minister for Economic Development.

Plémont Holiday Village – acquisition by the public and sale to the National Trust for Jersey. P.90/2012.
 Lodged: 27th September 2012.
Chief Minister.

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| Plémont Holiday Village – acquisition by the public and sale to the National Trust for Jersey (P.90/2012) – amendment Lodged: 10th October 2012. <i>Deputy G.C.L. Baudains of St. Clement.</i> | P.90/2012. Amd. |
| Plémont Holiday Village – acquisition by the public and sale to the National Trust for Jersey (P.90/2012) – second amendment. Lodged: 27th November 2012. <i>Deputy G.P. Southern of St. Helier.</i> | P.90/2012. Amd.(2) (re-issue) |
| Draft Fire Precautions (Amendment No. 2) (Jersey) Law 2012 (Appointed Day) Act 201- Lodged: 30th October 2012. <i>Minister for Home Affairs.</i> | P.114/2012. |
| Draft Fire Precautions (Designated Premises) (Jersey) Regulations 201- Lodged: 30th October 2012. <i>Minister for Home Affairs.</i> | P.115/2012. |
| Draft Repatriation of Prisoners (Jersey) Law 2012 (Appointed Day) Act 201- Lodged: 13th November 2012. <i>Minister for Home Affairs.</i> | P.121/2012. |
| Draft Health Insurance (Amendment No. 14) (Jersey) Law 2012 (Appointed Day) Act 201- Lodged: 13th November 2012. <i>Minister for Social Security.</i> | P.122/2012. |
| <u>15th January 2013</u> | |
| Jersey Appointments Commission: appointment of Commissioner. Lodged: 23rd October 2012. <i>Chief Minister.</i> | P.108/2012. |
| Tourism Shadow Board: establishment. Lodged: 30th October 2012. <i>Minister for Economic Development.</i> | P.113/2012. |
| Committee of Inquiry: Historical Child Abuse. Lodged: 6th November 2012. <i>Council of Ministers.</i> | P.118/2012. |
| Connétables and other parish officials: explanatory document and new legislation. Lodged: 6th November 2012. <i>Deputy M.R. Higgins of St. Helier.</i> | P.119/2012. |
| Minister for Justice and Department of Justice: report. Lodged: 13th November 2012. <i>Senator L.J. Farnham.</i> | P.120/2012. |
| Greville Bathe Fund: appointment of Jurat. Lodged: 16th November 2012. <i>Minister for Treasury and Resources.</i> | P.123/2012. |

- Jersey Innovation Fund: establishment, funding and operation. P.124/2012.
Lodged: 20th November 2012.
Minister for Treasury and Resources.
- Draft Community Provisions (Goods Infringing Intellectual Property Rights) (Jersey) P.125/2012.
Regulations 201-
Lodged: 27th November 2012.
Minister for Home Affairs.
- Draft Public Employees (Contributory Retirement Scheme) (States of Jersey Prison P.126/2012.
Service – Amendments) (Jersey) Regulations 201-
Lodged: 29th November 2012.
States Employment Board.
- States Members' remuneration: proposed increase for 2013. P.127/2012.
Lodged: 3rd December 2012.
Connétable of St. Saviour.
- Draft Civil Partnership (Consequential Amendments) (No. 2) (Jersey) Regulations 201-. P.128/2012.
Lodged: 4th December 2012.
Chief Minister.
- Ratification of the Agreement for the Avoidance of Double Taxation and the Prevention P.129/2012.
of Fiscal Evasion with Respect to Taxes on Income between the Government of Jersey
and the Government of the Republic of Singapore.
Lodged: 4th December 2012.
Chief Minister.
- Draft Taxation (Double Taxation) (Amendment) (Jersey) Regulations 201-. P.130/2012.
Lodged: 4th December 2012.
Chief Minister.
- Starter Home Deposit Loan Scheme. P.131/2012.
Lodged: 4th December 2012.
Minister for Treasury and Resources.
- Draft Limited Liability Partnerships (Amendment of Law) (Jersey) Regulations 201-. P.132/2012.
Lodged: 4th December 2012.
Minister for Economic Development.
- Draft Income Tax (Amendment No. 42) (Jersey) Law 201-. P.133/2012.
Lodged: 4th December 2012.
Minister for Treasury and Resources.

29th January 2013**19th February 2013**

- Police Station Relocation: review of decision (as amended). P.92/2012.
Lodged: 2nd October 2012.
Deputy J.A. Martin of St. Helier.

Police Station Relocation: review of decision (P.92/2012) – comments.
Presented: 19th November 2012.
Council of Ministers.

P.92/2012.
Com.

Police Station Relocation: review of decision (P.92/2012) – comments.
Presented: 20th November 2012.
Minister for Planning and Environment.

P.92/2012.
Com.(2)

THE STATES rose at 11.32 a.m.

A.H. HARRIS

Deputy Greffier of the States