

**THE STATES assembled on Tuesday
24th March 2009, at 09.30 a.m. under
the Presidency of the Deputy Bailiff,
Michael Cameron St. John Birt, Esquire.**

**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 Philip Francis Cyril Ozouf – en défaut
Connétable Juliette Gallichan of St. Mary– absent on States business
Deputy Geoffrey Peter Southern of St. Helier– en défaut (défaut raised at 9.38 a.m.)
Deputy Daniel John Arabin Wimberley of St. Mary– en défaut (défaut raised at 9.44 a.m.)
Deputy Trevor Mark Pitman of St. Helier– en défaut (défaut raised at 9.44 a.m.)

Prayers

Subordinate enactments tabled

The following enactments were tabled, namely –

Planning and Building (General Development) (Amendment) (Jersey) Order 2009. R&O.28/2009.
Minister for Planning and Environment.

Motor Vehicles (Wearing of Seat Belts by Adults) (Jersey) Order 2009. R&O.30/2009.
Minister for Transport and Technical Services.

Documents presented or laid

Ministerial government: review (P.181/2008) – comments. P.181/2008.
Presented: 23rd March 2009. Com.
Council of Ministers.

Ministerial government: review (P.181/2008) – comments. P.181/2008.
Presented: 24th March 2009. Com.(2)
Minister for Treasury and Resources.

Draft Employment (Amendment No. 5) (Jersey) Law 200- (P.27/2009): comments. P.27/2009.
Presented: 23rd March 2009. Com.
Minister for Treasury and Resources.

Ex gratia compensation payment: Mr. and Mrs. R. Pinel (P.29/2009)– comments. P.29/2009.
Presented: 23rd March 2009. Com.
Minister for Treasury and Resources.

Payment of Statutory Notice payments: establishment of precedent (P.34/2009) – P.34/2009.
comments. Com.

Presented: 23rd March 2009. <i>Minister for Treasury and Resources.</i>	
States of Jersey Law 2005: delegated functions – Planning and Environment. Presented: 13th March 2009. <i>Minister for Planning and Environment.</i>	R.21/2009.
Public Lotteries: report for 2008. Presented: 17th March 2009. <i>Minister for Economic Development.</i>	R.22/2009.
Waterfront Enterprise Board Limited: annual report and accounts for 2008. Presented: 18th March 2009. <i>Minister for Treasury and Resources.</i>	R.23/2009.
Energy from Waste Plant: management of foreign currency exchange risks. Presented: 23rd March 2009. <i>Comptroller and Auditor General.</i>	R.24/2009.
Land Transactions under Standing Order 168(3) – (a) Les Cinq Chênes Housing Estate, Princes Tower Road, Five Oaks, St. Saviour– proposed 99 year lease of land to the J.E.C. Limited for new electricity substation; (b) Le Douet de Ste Croix Estate/Clos du BasFirst Tower, St. Helier– proposed land transfer; (c) 2 Beauvoir Court, La Rue de Samarès, St. Clement Assisted House Purchase property. Presented: 23rd March 2009. <i>Minister for Treasury and Resources.</i>	R.25/2009.
States of Jersey Law 2005: delegation of functions – planning obligation agreements. Presented: 24th March 2009. <i>Minister for Planning and Environment.</i>	R.26/2009.
Land Transactions under Standing Order 168(3) – The Workshop, Drury Lane, St. Helier– proposed sale. Presented: 24th March 2009. <i>Minister for Treasury and Resources.</i>	R.27/2009.
Corporate Services Scrutiny Panel: Waterfront Enterprise Board (P.12/2009). Presented: 18th March 2009. <i>Corporate Services Scrutiny Panel.</i>	S.R.1/2009.
Corporate Services Scrutiny Panel: Deemed Rent (P.161/2008). Presented: 23rd March 2009. <i>Corporate Services Scrutiny Panel.</i>	S.R.2/2009.

Notification of lodged propositions

Draft Employment (Amendment No. 5) (Jersey) Law 200- (P.27/2009): amendment. Lodged: 18th March 2009. <i>Deputy G.P. Southern of St. Helier</i>	P.27/2009. Amd.
Goods and Services Tax: exemption or zero-rating for foodstuffs and domestic energy (P.28/2009) – amendment. Lodged: 24th March 2009.	P.28/2009. Amd.

Deputy A.K.F. Green of St. Helier

Waterfront Enterprise Board: appointment of States Directors (P.32/2009) – amendment. P.32/2009.
Amd.

Lodged: 17th March 2009.

Deputy G.P. Southern of St. Helier

Payment of Statutory Notice Payments: establishment of precedent (P.34/2009) – amendment. P.34/2009.
Amd.

Lodged: 18th March 2009.

Minister for Social Security.

Draft Public Elections (Amendment No. 3) (Jersey) Regulations 200. P.36/2009.

Lodged: 13th March 2009.

Comité des Connétables.

Draft Health and Safety at Work (Amendment No. 4) (Jersey) Law 200-. P.37/2009.

Lodged: 17th March 2009.

Minister for Social Security.

Jersey Community Relations Trust: appointment of Trustee. P.38/2009.

Lodged: 19th March 2009.

Minister for Home Affairs.

Draft Loi (200-) (Amendement No. 11) réglant la procédure criminelle. P.39/2009.

Lodged: 19th March 2009.

Minister for Home Affairs.

Oral Questions with notice: extension to 2 hours. P.40/2009.

Lodged: 20th March 2009.

Deputy of St. Martin

Electricity tariffs: Regulations under Article 22 of the Electricity (Jersey) Law 1937. P.41/2009.

Lodged: 24th March 2009.

Senator A. Breckon.

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 –

Rates: the States’ liability. P.147/2008.

Lodged: 16th September 2008.

Connétable of St. Helier

Draft Income Tax (Amendment No. 32) (Jersey) Law 200-. P.161/2008.

Lodged: 21st October 2008.

Minister for Treasury and Resources.

Written Questions

(see Official Report/Hansard)

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the contribution level required to obviate the need for supplementation.

The Minister for Planning and Environment tabled an answer to a question asked by Senator B.E. Shenton regarding the short-listing of architects for the St. Helier Masterplan.

The Minister for Economic Development tabled an answer to a question asked by the Deputy of St. John regarding the annual electricity costs at Jersey Airport and Jersey Harbours.

The Minister for Transport and Technical Services tabled an answer to a question asked by the Deputy of St. John regarding temporary bollards at Les Charrières de Bonne Nuit.

The Minister for Economic Development tabled an answer to a question asked by Senator B.E. Shenton regarding the development of the Esplanade Quarter.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding proposals to raise the 20% income tax rate.

The Minister for Social Security tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the removal of the ceiling on social security contributions.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the sharing of tax information with the United Kingdom and France.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the use of Ministerial discretion in relation to Income Support claims.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding proposals for the funding of residential care for the elderly under the Income Support system.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the lack of Vesting Certificates secured in relation to the Energy from Waste Plant contract.

H.M. Attorney General tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding prosecutions of candidates for breaches to the electoral law.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the development of the Water's Edge Hotel.

The Minister for Treasury and Resources tabled an answer to a question asked by the Deputy of St. John regarding the States shareholding in the Jersey Electricity Company and its subsidiary companies.

The Minister for Economic Development tabled an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding legislation for a Depositor Protection Scheme.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the remit of the Fiscal Policy Panel.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the working pattern of hospital consultants.

The Minister for Social Security tabled an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the number of clients on Long Term Invalidity Allowance returning to work.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy M. Tadier of St. Brelade regarding the cost of consultants.

The Minister for Planning and Environment tabled an answer to a question asked by the Deputy of St. Mary regarding La Collette Phase 2 Reclamation Site.

The Minister for Transport and Technical Services tabled an answer to a question asked by the Deputy of St. Mary regarding the contract for the new Energy from Waste plant.

The Minister for Transport and Technical Services tabled an answer to a question asked by the Deputy of St. Mary regarding advance payment bonds for the new Energy from Waste plant.

The Minister for Transport and Technical Services tabled an answer to a question asked by the Deputy of St. Mary regarding companies invited to submit an expression of interest in the development of the new Energy from Waste plant.

The Minister for Transport and Technical Services tabled an answer to a question asked by the Deputy of St. Mary regarding communications with Babcock and ART to provide a waste solution for Jersey.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the annual fee paid to the providers of corporate travel services to the States.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding assurances in respect of the main contractor or sub contractors of the Energy from Waste plant should they go into liquidation.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy A.K.F. Green of St. Helier regarding discharge of "brackish water" arising from the new Energy from Waste plant excavation.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the possibility of additional costs in the contract for the Energy from Waste plant.

Oral Questions

(see Official Report/Hansard)

Deputy S. Pitman of St. Helier asked a question of the Assistant Minister for Treasury and Resources regarding the cost of implementing and administering GST.

Deputy R.G. Le Hérisier of St. Saviour asked a question of the Minister for Housing regarding the demand for over-55s housing.

Deputy K.C. Lewis of St. Saviour asked a question of Minister for Home Affairs regarding the proposed implementation of e-Border controls between Jersey, the United Kingdom and France.

The Deputy of St. John asked a question of the Minister for Planning and Environment regarding the percentage for art contribution within the Energy from Waste planning consent.

Deputy G.P. Southern of St. Helier asked a question of H.M. Solicitor General regarding offences called into question by Article 39A of the Public Elections (Jersey) Law 2002.

Senator B.E. Shenton asked a question of the Assistant Minister for Treasury and Resources regarding the commercial valuation of beach-front land in St. Breladé's Bay.

The Deputy of St. Mary asked a question of the Minister for Education, Sport and Culture regarding the New Scientist articles circulated to all Members about a sustainable, ecological economy.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Minister for Education, Sport and Culture regarding grants to the Cultural sector.

The Deputy of St. Martin asked a question of the President of the Chairmen's Committee regarding allowing members of the public to film at Scrutiny hearings.

Deputy S.S.P.A. Power of St. Brelade asked a question of the Minister for Transport and Technical Services regarding roadworks on La Route de la Haule.

Deputy T.A. Vallois of St. Saviour asked a question of the Minister for Economic Development regarding staffing levels within the Economic Development Department.

Deputy P.V.F. Le Claire of St. Helier asked a question of the Minister for Education, Sport and Culture regarding special discounts on entry to Heritage sites for Active Card-holders.

Deputy T.M. Pitman of St. Helier asked a question of the Minister for Housing regarding the viability of constructing sheltered housing for the elderly on the site of Ann Court.

The Deputy of St. John asked a question of the Minister for Economic Development regarding boats damaged by vandals at Elizabeth Marina on 6th and 7th March 2009.

Suspension of Standing Order 63(1)

THE STATES rejected a proposition of the Deputy of St. Martin that Standing Order 63(1) be suspended in order to remove the 90 minute time limit normally allowed during a meeting for questions of which notice had been given, to be asked and answered.

Members present voted as follows –

POUR: 22

Senator B.E. Shenton
Senator A. Breckon
Senator S.C. Ferguson
Connétable of St. Lawrence
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy of St. Ouen
Deputy of Grouville
Deputy P.V.F. Le Claire (H)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy M. Tadier (B)
Deputy of St. Mary

Deputy T.M. Pitman (H)
Deputy T.A. Vallois (S)
Deputy M.R. Higgins (H)
Deputy A.K.F. Green (H)
Deputy D. De Sousa (H)
Deputy J.M. Maçon (S)

CONTRE: 23

Senator T.A. Le Sueur
Senator P.F. Routier
Senator T.J. Le Main
Senator F.E. Cohen
Senator J.L. Perchard
Senator A.J.D. Maclean
Senator B.I. Le Marquand
Connétable of St. Ouen
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Connétable of St. Clement
Connétable of St. Peter
Deputy R.G. Le Hérissier (S)
Deputy J.B. Fox (H)
Deputy of St. Peter
Deputy S.S.P.A. Power (B)
Deputy I.J. Gorst (C)
Deputy A.E. Jeune (B)
Deputy A.T. Dupré (C)
Deputy E.J. Noel (L)

ABSTAIN: 0

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.

Personal statements

(see Official Report/Hansard)

Senator James Leslie Perchard, in accordance with Standing Order 16(3), made a personal statement regarding comments he made in the Assembly on 10th March 2009.

Deputy Michael Roderick Higgins of St. Helier, in accordance with Standing Order 16(3), made a personal statement regarding comments he made in the Assembly on 3rd February 2009.

Ratification of the Agreements for the Exchange of Information Relating to Tax Matters between the States of Jersey and the Nordic countries (Denmark, the Faroes, Finland, Greenland, Iceland, Norway and Sweden) P.20/2009

THE STATES, adopting a proposition of the Chief Minister, agreed to ratify the agreements for the exchange of information relating to tax matters between the States of Jersey and the Nordic countries of Denmark, the Faroes, Finland, Greenland, Iceland, Norway and Sweden as set out in the Appendix to the Report of the Chief Minister dated 1st December 2008.

Members present voted as follows –

POUR: 38

Senator T.A. Le Sueur
Senator P.F. Routier
Senator T.J. Le Main
Senator B.E. Shenton
Senator J.L. Perchard
Senator S.C. Ferguson
Senator A.J.D. Maclean
Senator B.I. Le Marquand
Connétable of St. Ouen
Connétable of Trinity
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
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy of St. Ouen

CONTRE: 7

Senator A. Breckon
Deputy G.P. Southern (H)
Deputy of St. John
Deputy T.M. Pitman (H)
Deputy A.K.F. Green (H)
Deputy D. De Sousa (H)
Deputy J.M. Maçon (S)

ABSTAIN: 1

Deputy M.R. Higgins (H)

Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (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 M. Tadier (B)
Deputy A.E. Jeune (B)
Deputy of St. Mary
Deputy A.T. Dupré (C)
Deputy E.J. Noel (L)
Deputy T.A. Vallois (S)

Draft Taxation (Exchange of Information with Third Countries) (Amendment No. 2) (Jersey) Regulations 200 P.21/2009

THE STATES commenced consideration of the Draft Taxation (Exchange of Information with Third Countries) (Amendment No. 2) (Jersey) Regulations 200 and adopted the principles.

Members present voted as follows –

POUR: 42

Senator T.A. Le Sueur
Senator T.J. Le Main
Senator B.E. Shenton
Senator J.L. Perchard
Senator A. Breckon
Senator S.C. Ferguson
Senator A.J.D. Maclean
Senator B.I. Le Marquand
Connétable of St. Ouen
Connétable of Trinity
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
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy G.P. Southern (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 of Trinity
Deputy S.S.P.A. Power (B)

CONTRE: 1

Deputy of St. John

ABSTAIN: 1

Deputy A.K.F. Green (H)

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 D. 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.

Members present voted as follows –

POUR: 39

Senator T.A. Le Sueur
Senator P.F. Routier
Senator T.J. Le Main
Senator B.E. Shenton
Senator J.L. Perchard
Senator A. Breckon
Senator S.C. Ferguson
Senator A.J.D. Maclean
Senator B.I. Le Marquand
Connétable of St. Ouen
Connétable of Trinity
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
Deputy R.C. Duhamel (S)
Deputy of St. Martin
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 of Trinity
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

CONTRE: 1

Deputy of St. John

ABSTAIN: 1

Deputy A.K.F. Green (H)

Deputy A.T. Dupré (C)
Deputy E.J. Noel (L)
Deputy T.A. Vallois (S)
Deputy M.R. Higgins (H)
Deputy J.M. Maçon (S)

THE STATES, in pursuance of Article 2(1) of the Taxation (Implementation) (Jersey) Law 2004 and paragraph 1.8.5 of the Strategic Plan 2006-2011 approved by the States on 28th June 2006 and following the decision of the States, taken on the day these Regulations were made, to adopt Projet 20 of 2009, made Regulations entitled the Taxation (Exchange of Information with Third Countries) (Amendment No. 2) (Jersey) Regulations 2009.

Members present voted as follows –

POUR: 42

Senator T.A. Le Sueur
Senator P.F. Routier
Senator T.J. Le Main
Senator B.E. Shenton
Senator J.L. Perchard
Senator A. Breckon
Senator S.C. Ferguson
Senator A.J.D. Maclean
Senator B.I. Le Marquand
Connétable of St. Ouen
Connétable of Trinity
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
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy R.G. Le Hérisier (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 of Trinity
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)

CONTRE: 1

Deputy of St. John

ABSTAIN: 1

Deputy A.K.F. Green (H)

Deputy M.R. Higgins (H)
Deputy D. De Sousa (H)
Deputy J.M. Maçon (S)

Waterfront Enterprise Board: appointment of States Directors P.32/2009

THE STATES commenced consideration of a proposition of the Chief Minister concerning the appointment of the States Directors of the Waterfront Enterprise Board and adopted an amendment of Deputy Geoffrey Peter Southern of St. Helier that after the words “to appoint” there should be inserted the words “, by ballot, 3 of the following 4 members– Deputy Trevor Mark Pitman of St. Helier ”.

Members present voted as follows –

POUR: 47

CONTRE: 0

ABSTAIN: 2

Senator S. Syvret

Senator T.A.
Le Sueur
Senator P.F. Routier
Senator T.J. Le Main
Senator B.E. Shenton
Senator J.L. Perchard
Senator A. Breckon
Senator S.C.
Ferguson
Senator A.J.D.
Maclean
Senator B.I.
Le Marquand
Connétable of
St. Ouen
Connétable of
St. Helier
Connétable of
St. Brelade
Connétable of
St. Martin
Connétable of
St. John
Connétable of
St. Saviour
Connétable of
St. Clement
Connétable of
St. Lawrence
Deputy R.C.
Duhamel (S)
Deputy of St. Martin
Deputy R.G.
Le Hérisssier (S)

Connétable of
Grouville
Connétable of
St. Peter

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 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 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. De Sousa
 (H)

Deputy J.M. Maçon
 (S)

THE STATES, adopting the proposition of the Chief Minister, as amended, agreed to appoint by ballot, 3 of the following 4 members– Deputy Trevor Mark Pitman of St. Helier, the Connétable of Grouville, the Connétable of St. Peter and Deputy Edward James Noel of St. Lawrence as States Directors of the Waterfront Enterprise Board Limited for a period of 3 years expiring on 31st March 2012; and to request the Greffier of the States to notify the company of the States’ decision.

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

The Connétable of Grouville	30
The Connétable of St. Peter	30

Deputy Edward James Noel of St. Lawrence 30
Deputy Trevor Mark Pitman of St. Helier 23

The Deputy Bailiff accordingly declared that the Connétable of Grouville, the Connétable of St. Peter and Deputy Edward James Noel of St. Lawrence had been duly appointed as States Directors of the Waterfront Enterprise Board Limited.

Declaration of interest

Senator Frederick Ellyer Cohen, in accordance with the provisions of Standing Order 106(b), declared an interest in this matter in view of his responsibility as Minister for Planning and Environment, and took no part in the ballot.

Health and Safety Appeal Tribunal: appointment of member P.33/2009

THE STATES, adopting a proposition of the Minister for Social Security, agreed to appoint Mr. Timothy Paul Darwin as a member of the Health and Safety Appeal Tribunal, in pursuance of Article 17 of the Health and Safety at Work (Jersey) Law 1989, and Regulation 2 of the Health and Safety at Work (Appeal Tribunal) (Jersey) Regulations 1989, for a period of 3 years commencing 1st April 2009.

Payment of Statutory Notice payments: establishment of precedent P.34/2009

THE STATES commenced consideration of a proposition of Deputy Geoffrey Peter Southern of St. Helier entitled 'Payment of Statutory Notice payments: establishment of precedent' (P.34/2009) and, adopting a proposition of the Minister for Social Security, agreed in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of his amendment to P.34/2009.

Members present voted as follows –

POUR: 46

CONTRE: 0

ABSTAIN: 0

Senator T.A.
Le Sueur
Senator P.F. Routier
Senator T.J. Le Main
Senator B.E. Shenton
Senator J.L. Perchard
Senator A. Breckon
Senator S.C.
Ferguson
Senator A.J.D.
Maclean
Senator B.I.
Le Marquand
Connétable of
St. Ouen
Connétable of Trinity
Connétable of
Grouville
Connétable of
St. Brelade
Connétable of

St. Martin
Connétable of
St. John
Connétable of
St. Saviour
Connétable of
St. Clement
Connétable of
St. Peter
Connétable of
St. Lawrence
Deputy R.C.
Duhamel (S)
Deputy of St. Martin
Deputy R.G.
Le Hérisier (S)
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 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 M. Tadier (B)
Deputy A.E. Jeune
(B)
Deputy T.M. Pitman
(H)
Deputy A.T. Dupré
(C)
Deputy E.J. Noel (L)
Deputy T.A. Vallois
(S)
Deputy A.K.F. Green
(H)

Deputy D. De Sousa
(H)
Deputy J.M. Maçon
(S)

THE STATES, adopting an amendment of the Minister for Social Security, agreed that in paragraph (b) of the proposition –

- (a) for the date “1st December 2008” there should be substituted the date “4th February 2009”;

Members present voted as follows –

POUR: 36

Senator T.A. Le Sueur
Senator P.F. Routier
Senator T.J. Le Main
Senator B.E. Shenton
Senator J.L. Perchard
Senator S.C. Ferguson
Senator A.J.D. Maclean
Senator B.I. Le Marquand
Connétable of St. Ouen
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Connétable of St. Clement
Connétable of St. Lawrence
Deputy R.C. Duhamel (S)
Deputy R.G. Le Hérisier (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 of Trinity
Deputy S.S.P.A. Power (B)
Deputy K.C. Lewis (S)
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 T.A. Vallois (S)
Deputy A.K.F. Green (H)
Deputy J.M. Maçon (S)

CONTRE: 14

Senator F.E. Cohen
Senator A. Breckon
Connétable of St. Helier
Connétable of St. Peter
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 M. Tadier (B)
Deputy of St. Mary
Deputy T.M. Pitman (H)
Deputy M.R. Higgins (H)
Deputy D. De Sousa (H)

ABSTAIN: 0

THE STATES, adopting an amendment of the Minister for Social Security, agreed that in paragraph (b) of the proposition –

- (b) for the words “the Employment (Amendment No. 5) (Jersey) Law 200- relating to redundancy comes into force” there should be substituted the words “an Insolvency Scheme is in place”.

Members present voted as follows –

POUR: 49

CONTRE: 1

ABSTAIN: 0

Senator T.A.
Le Sueur
Senator P.F. Routier
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Senator A. Breckon
Senator S.C.
Ferguson
Senator A.J.D.
Maclean
Senator B.I.
Le Marquand
Connétable of
St. Ouen
Connétable of
St. Helier
Connétable of Trinity
Connétable of
Grouville
Connétable of
St. Brelade
Connétable of
St. Martin
Connétable of
St. John
Connétable of
St. Saviour
Connétable of
St. Clement
Connétable of
St. Lawrence
Deputy R.C.
Duhamel (S)
Deputy of St. Martin
Deputy R.G.
Le Hérissier (S)
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 of Trinity
Deputy S.S.P.A.

Connétable of
St. Peter

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 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. De Sousa
(H)

Deputy J.M. Maçon
(S)

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 25th March 2009 to continue consideration of the proposition of Deputy Geoffrey Peter Southern of St. Helier entitled 'Payment of Statutory Notice payments: establishment of precedent' (P.34/2009), as amended, and the outstanding items of public business.

A.H. HARRIS

Deputy Greffier of the States