



**THE STATES assembled on Friday  
25th September 2009, at 09.30 a.m. under  
the Presidency of  
Mr. Michael Nelson de la Haye,  
Greffier of the States.**

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

Senator Frederick Ellyer Cohen – en défaut  
Senator Alan John Henry Maclean – en défaut (défaut raised at 9.48 a.m.)  
Connétable Kenneth Priaulx Vibert of St. Ouen – en défaut  
Connétable Daniel Joseph Murphy of Grouville – en défaut  
Connétable Juliette Gallichan of St. Mary – ill  
Deputy Judith Ann Martin of St. Helier – excused attendance  
Deputy John Alexander Nicholas Le Fondré of St. Lawrence – en défaut (défaut raised at 10.42 a.m.)  
Deputy Daniel John Arabin Wimberley of St. Mary – en défaut (défaut raised at 9.48 a.m.)

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Prayers

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### **Withdrawal of lodged propositions**

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the proposer of the following proposition lodged “au Greffe” had informed the Greffier of the States that it had been withdrawn –

Child abuse compensation claims: freedom of expression for survivors. P.49/2009.  
Lodged: 6th April 2009.  
*Senator S. Syvret.*

Child abuse compensation claims: freedom of expression for survivors (P.49/2009) – P.49/2009.  
comments. Com.  
Presented: 11th May 2009.  
*Council of Ministers.*

Child abuse compensation claims: freedom of expression for survivors (P.49/2009) – P.49/2009.  
amendment. Amd.  
Lodged: 29th April 2009.  
*Council of Ministers.*

### **Draft Annual Business Plan 2010 P.117/2009**

THE STATES, having resumed consideration of the Draft Annual Business Plan 2010, adopted an amendment of Deputy Geoffrey Peter Southern of St. Helier that in paragraph (d) after the words “withdrawn from the consolidated fund”, there should be inserted the words –

“except that the following item shall be added to Table D under the heading ‘Major Equipment, Building and Civil Engineering Works’ –

T&TS	Town Park, Gas Place	Proposed allocation £10,000,000
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with an increase in the amount to be withdrawn from the consolidated fund from £34,587,000 to £44,587,000”.

Members present voted as follows –

**POUR: 23**

Senator S. Syvret  
 Senator B.E. Shenton  
 Senator J.L. Perchard  
 Senator A. Breckon  
 Senator A.J.D. Maclean  
 Senator B.I. Le Marquand  
 Connétable of St. Helier  
 Connétable of St. John  
 Connétable of St. Lawrence  
 Deputy of St. Martin  
 Deputy R.G. Le Hérisssier (S)  
 Deputy G.P. Southern (H)  
 Deputy of Grouville  
 Deputy J.A. Hilton (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 A.K.F. Green (H)  
 Deputy D. De Sousa (H)  
 Deputy J.M. Maçon (S)

**CONTRE: 22**

Senator T.A. Le Sueur  
 Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator T.J. Le Main  
 Senator S.C. Ferguson  
 Connétable of Trinity  
 Connétable of St. Brelade  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Deputy R.C. Duhamel (S)  
 Deputy J.B. Fox (H)  
 Deputy of St. Ouen  
 Deputy of St. Peter  
 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 A.E. Jeune (B)  
 Deputy A.T. Dupré (C)  
 Deputy E.J. Noel (L)  
 Deputy T.A. Vallois (S)

**ABSTAIN: 0**

In accordance with Standing Order 106(1)(b) the Connétable of St. Saviour and the Deputy of St. John declared an interest and withdrew from the Chamber for the duration of the debate.

THE STATES, adopting an amendment of the Deputy of Grouville, agreed that in paragraph (d) of the Draft Annual Business Plan 2010, after the words “withdrawn from the consolidated fund”, there should be inserted the words –

“except that the following new item shall be added to Summary Table D under the heading ‘Major Equipment, Building and Civil Engineering Works’ –

T&TS	Eastern Cycle Track	Proposed allocation £500,000”
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THE STATES, adopting an amendment of Deputy John Benjamin Fox of St. Helier, agreed that in paragraph (d) of the Draft Annual Business Plan 2010, after the words “withdrawn from the consolidated fund”, there should be inserted the words –

“except that the following item shall be added to Table D under the heading ‘Major Equipment, Building and Civil Engineering Works’ –

T&TS	Bellozanne Sewage Treatment Works – odour control	Proposed allocation £1,000,000
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with an increase in the amount to be withdrawn from the consolidated fund from £34,587,000 to £35,587,000”.

Members present voted as follows –

**POUR: 31**

Senator S. Syvret  
 Senator P.F. Routier  
 Senator T.J. Le Main  
 Senator J.L. Perchard  
 Senator A. Breckon  
 Connétable of St. Helier  
 Connétable of Trinity  
 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 Grouville  
 Deputy J.A. Hilton (H)  
 Deputy P.V.F. Le Claire (H)  
 Deputy S.S.P.A. Power (B)  
 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 A.T. Dupré (C)  
 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: 9**

Senator T.A. Le Sueur  
 Senator P.F.C. Ozouf  
 Senator S.C. Ferguson  
 Senator B.I. Le Marquand  
 Deputy of St. Ouen  
 Deputy of Trinity  
 Deputy I.J. Gorst (C)  
 Deputy A.E. Jeune (B)  
 Deputy E.J. Noel (L)

**ABSTAIN: 1**

Connétable of St. Brelade

THE STATES commenced consideration of an amendment of the Education and Home Affairs Scrutiny Panel that in paragraph (d) of the draft Annual Business Plan 2010, after the words “the consolidated fund”, there should be inserted the words –

“except that in Summary Table D, page 97, there be inserted the following item –

T&R (with ESC)	Demolition of Fort Regent Swimming Pool	Proposed allocation £500,000
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with an increase in the amount to be withdrawn from the consolidated fund from £34,587,000 to £35,087,000”.

THE STATES, following discussion, granted leave to the Education and Home Affairs Scrutiny Panel to withdraw the aforementioned amendment.

THE STATES, adopting paragraph (d) of the Draft Annual Business Plan 2010, as amended, agreed to approve each of the capital projects in the recommended programme of capital projects for each States funded body for 2010, as set out in Part Three of the report Summary Table D, page 97, that required £34,587,000 to be withdrawn from the consolidated fund, except that the following items should be added to Table D under the heading ‘Major Equipment, Building and Civil Engineering Works’ –

T&TS	Town Park, Gas Place	Proposed allocation £10,000,000
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with an increase in the amount to be withdrawn from the consolidated fund from £34,587,000 to £44,587,000”.

T&TS	Eastern Cycle Track	Proposed allocation £500,000
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T&TS	Bellozanne Sewage Treatment Works – odour control	Proposed allocation £1,000,000
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with an increase in the amount to be withdrawn from the consolidated fund from £34,587,000 to £35,587,000”.

Members present voted as follows –

**POUR: 41**

**CONTRE: 0**

**ABSTAIN: 0**

Senator S. Syvret  
 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 A.J.D. Maclean  
 Senator B.I. Le Marquand  
 Connétable of Trinity  
 Connétable of St. Brelade  
 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 Hérissier (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 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 paragraph (e) of the Draft Annual Business Plan 2010, agreed to approve each of the capital projects in the recommended programme of capital for each States trading operation, as set out in Part Three of the report Summary Table E, page 98, that required funds to be drawn from the trading funds in 2010.

Members present voted as follows –

**POUR: 38**

Senator S. Syvret  
 Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator T.J. Le Main  
 Senator B.E. Shenton  
 Senator A. Breckon  
 Senator A.J.D. Maclean  
 Senator B.I. Le Marquand  
 Connétable of St. Helier  
 Connétable of Trinity  
 Connétable of St. Brelade  
 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 Hérissier (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 of Trinity  
 Deputy S.S.P.A. Power (B)

**CONTRE: 2**

Deputy A.K.F. Green (H)  
 Deputy J.M. Maçon (S)

**ABSTAIN: 1**

Deputy M.R. Higgins (H)

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 D. De Sousa (H)

### **Adjournment**

THE STATES adjourned, having agreed to reconvene on Monday 5th October 2009 to continue consideration of the Draft Annual Business Plan 2010 (P.177/2009).

### **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) –

#### **5th October 2009**

Draft Annual Business Plan 2010. Lodged: 21st July 2009. <i>Chief Minister.</i>	P.117/2009.
Draft Annual Business Plan 2010 (P.117/2009): second amendment. Lodged: 7th September 2009. <i>Senator A. Breckon.</i>	P.117/2009. Amd.(2)
Draft Annual Business Plan 2010 (P.117/2009): second amendment (P.117/2009 Amd.(2)) – comments. Presented: 21st September 2009. <i>Council of Ministers.</i>	P.117/2009. Amd.(2)Com.
Draft Annual Business Plan 2010 (P.117/2009): third amendment. Lodged: 7th September 2009. <i>Senator B.E. Shenton.</i>	P.117/2009. Amd.(3)
Draft Annual Business Plan 2010 (P.117/2009): third amendment (P.117/2009 Amd.(3)) – comments. Presented: 21st September 2009. <i>Council of Ministers.</i>	P.117/2009. Amd.(3)Com.
Draft Annual Business Plan 2010 (P.117/2009): sixth amendment. Lodged: 8th September 2009. <i>Senator A. Breckon.</i>	P.117/2009. Amd.(6)

Draft Annual Business Plan 2010 (P.117/2009): sixth amendment (P.117/2009 Amd.(6)) – comments. Presented: 21st September 2009. <i>Council of Ministers.</i>	P.117/2009. Amd.(6)Com.
Draft Annual Business Plan 2010 (P.117/2009): twelfth amendment. Lodged: 8th September 2009. <i>Minister for Education, Sport and Culture.</i>	P.117/2009. Amd.(12)
Draft Annual Business Plan 2010 (P.117/2009): twelfth amendment (P.117/2009 Amd.(12)) – comments. Presented: 21st September 2009. <i>Council of Ministers.</i>	P.117/2009. Amd.(12) Com.
Draft Annual Business Plan 2010 (P.117/2009): thirteenth amendment. Lodged: 8th September 2009. <i>Deputy M. Tadier of St. Brelade.</i>	P.117/2009. Amd.(13)
Draft Annual Business Plan 2010 (P.117/2009): thirteenth amendment (P.117/2009 Amd.(13)) – comments. Presented: 21st September 2009. <i>Council of Ministers.</i>	P.117/2009. Amd.(13) Com.
Draft Annual Business Plan 2010 (P.117/2009): seventeenth amendment. Lodged: 8th September 2009. <i>Deputy of St. Mary.</i>	P.117/2009. Amd.(17)
Draft Annual Business Plan 2010 (P.117/2009): seventeenth amendment (P.117/2009 Amd.(17)) – comments. Presented: 21st September 2009. <i>Council of Ministers.</i>	P.117/2009. Amd.(17) Com.
Draft Annual Business Plan 2010 (P.117/2009): eighteenth amendment. Lodged: 8th September 2009. <i>Deputy M. Tadier of St. Brelade.</i>	P.117/2009. Amd.(18)
Draft Annual Business Plan 2010 (P.117/2009): eighteenth amendment (P.117/2009 Amd.(18)) – comments. Presented: 21st September 2009. <i>Council of Ministers.</i>	P.117/2009. Amd.(18) Com.
Draft Annual Business Plan 2010 (P.117/2009): nineteenth amendment. Lodged: 21st September 2009. <i>Chief Minister.</i>	P.117/2009. Amd.(19)
Millennium Town Park: funding from the Stabilisation Fund. Lodged: 24th August 2009. <i>Deputy G.P. Southern of St. Helier.</i>	P.135/2009.

**6th October 2009**

Vote of No Confidence: States Employment Board. Lodged: 8th September 2009. <i>Deputy G.P. Southern of St. Helier.</i>	P.142/2009.
Draft Honorary Police (Repeals) (Jersey) Law 200-. Lodged: 13th July 2009. <i>Comité des Connétables.</i>	P.114/2009.
Draft Honorary Police (Amendment) (Jersey) Regulations 200-. Lodged: 13th July 2009. <i>Comité des Connétables.</i>	P.115/2009.
Wheel clamping: introduction of legislation. Lodged: 28th July 2009. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.119/2009.
Wheel clamping: introduction of legislation (P.119/2009) – amendment. Lodged: 22nd September 2009. <i>Minister for Transport and Technical Services.</i>	P.119/2009. Amd.
Wheel clamping: introduction of legislation (P.119/2009) – second amendment. Lodged: 22nd September 2009. <i>Deputy M. Tadier of St. Brelade.</i>	P.119/2009. Amd.(2)
Draft Marriage and Civil Status (Amendment No. 3) (Jersey) Law 200-. Lodged: 5th August 2009. <i>Minister for Home Affairs.</i>	P.123/2009.
Draft Public Employees (Contributory Retirement Scheme) (General) (Amendment No. 10) (Jersey) Regulations 200-. Lodged: 11th August 2009. <i>Chief Minister.</i>	P.126/2009.
Draft Road Traffic (No. 59) (Jersey) Regulations 200-. Lodged: 18th August 2009. <i>Minister for Home Affairs.</i>	P.128/2009.
Rental Deposit Scheme to protect tenants' deposits. Lodged: 18th August 2009. <i>Deputy G.P. Southern of St. Helier.</i>	P.130/2009.
Draft Sex Offenders (Jersey) Law 200-. Lodged: 19th August 2009. <i>Minister for Home Affairs.</i>	P.132/2009.
Draft Amendment (No. 12) of the Standing Orders of the States of Jersey. Lodged: 19th August 2009. <i>Privileges and Procedures Committee.</i>	P.133/2009.



Draft Protection of Children (Cigarette Lighter Refill) (Jersey) Regulations 200-. P.134/2009.  
Lodged: 24th August 2009.  
*Minister for Economic Development.*

Composition and election of the States: abolition of 6 Senatorial positions in 2011. P.138/2009.  
Lodged: 7th September 2009.  
*Deputy A.E. Jeune of St. Brelade.*

Statistics User Group: re-appointment of Chairman. P.149/2009.  
Lodged: 18th September 2009.  
*Chief Minister.*

Jersey Police Complaints Authority: appointment of Chairman and members. P.150/2009.  
Lodged: 18th September 2009.  
*Minister for Home Affairs.*

Draft Public Holidays and Bank Holidays (Jersey) Act 200-. P.151/2009.  
Lodged: 21st September 2009.  
*Chief Minister.*

### **20th October 2009**

Property and Infrastructure Regeneration: the States of Jersey Development Company P.79/2009.  
Limited.  
Lodged: 2nd June 2009.  
*Council of Ministers.*

Property and Infrastructure Regeneration: the States of Jersey Development Company P.79/2009.  
Limited (P.79/2009) – amendment. Amd.  
Lodged: 8th June 2009.  
*Connétable of St. Helier.*

Draft Banking Business (Depositors Compensation) (Jersey) Regulations 200- second P.86/2009.  
reading.  
Lodged: 2nd June 2009.  
*Minister for Economic Development.*  
*(principles approved 15th July 2009)*

Draft Banking (Depositors Compensation) (Jersey) Regulations 200-. P.87/2009.  
Lodged: 2nd June 2009.  
*Minister for Economic Development.*

Strategic Reserve Fund: use for Bank Depositors' Compensation Scheme. P.84/2009.  
Lodged: 2nd June 2009.  
*Minister for Treasury and Resources.*

Draft Public Finances (Depositors Compensation) (Jersey) Regulations 200-. P.85/2009.  
Lodged: 2nd June 2009.  
*Minister for Treasury and Resources.*

Draft Income Tax (Amendment No. 32) (Jersey) Law 200-. P.81/2009.  
Lodged: 2nd June 2009.  
*Minister for Treasury and Resources.*

Committee of Inquiry: confidential files held by States of Jersey Police on States Members and others. Lodged: 23rd June 2009. <i>Deputy M.R. Higgins of St. Helier.</i>	P.104/2009.
Ann Court housing site, St. Helier: temporary use. Lodged: 30th June 2009. <i>Connétable of St. Helier.</i>	P.108/2009.
Ann Court housing site, St. Helier: temporary use (P.108/2009) – comments. Presented: 8th July 2009. <i>Minister for Housing.</i>	P.108/2009. Com.
Draft Shops (Regulation of Opening and Deliveries) (Jersey) Law 200-. Lodged: 1st July 2009. <i>Minister for Economic Development.</i>	P.111/2009.
Civil Partnerships. Lodged: 4th September 2009. <i>Chief Minister.</i>	P.136/2009.
Draft Companies (Amendment No. 4) (Jersey) Regulations 200-. Lodged: 4th September 2009. <i>Minister for Economic Development.</i>	P.137/2009.
Draft Gambling Commission (Jersey) Law 200-. Lodged: 8th September 2009. <i>Minister for Economic Development.</i>	P.139/2009.
Draft Gambling (Gaming and Lotteries) (Amendment No. 15) (Jersey) Regulations 200-. Lodged: 8th September 2009. <i>Minister for Economic Development.</i>	P.140/2009.
Draft Gambling (2010 Fees) (Jersey) Regulations 200-. Lodged: 8th September 2009. <i>Minister for Economic Development.</i>	P.141/2009.
Annual Business Plan 2009: variation in respect of pay freeze – rescindment. Lodged: 9th September 2009. <i>Deputy S. Pitman of St. Helier.</i>	P.143/2009.
Public Lotteries Board: appointment of member. Lodged: 24th September 2009. <i>Minister for Economic Development.</i>	P.154/2009.
<b><u>3rd November 2009</u></b>	
Pension Schemes: dealing with the past service liability. Lodged: 1st July 2009. <i>Senator B.E. Shenton.</i>	P.110/2009.

Plémont Holiday Village: acquisition by the Public. P.144/2009.  
Lodged: 9th September 2009.  
*Connétable of St. Ouen.*

Committee of Inquiry into the management of the Health and Social Services Department. P.145/2009.  
Lodged: 9th September 2009.  
*Health, Social Security and Housing Scrutiny Panel.*

Referendum: position of the Connétables in the States. P.146/2009.  
Lodged: 10th September 2009.  
*Deputy M. Tadier of St. Brelade.*

Referendum: position of the Connétables in the States (P.146/2009) – amendment. P.146/2009.  
Lodged: 23rd September 2009. Amd.  
*Deputy of St. Martin.*

Draft Data Protection (Amendment No. 2) (Jersey) Law 200-. P.147/2009.  
Lodged: 16th September 2009.  
*Minister for Treasury and Resources.*

Young Offenders: naming by the media. P.148/2009.  
Lodged: 17th September 2009.  
*Deputy T.M. Pitman of St. Helier.*

Draft Currency Notes (Variation of Maximum Amount of Issue) (Jersey) Regulations P.152/2009.  
200-.  
Lodged: 22nd September 2009.  
*Minister for Treasury and Resources.*

### **17th November 2009**

Social Security Fund: research into alternative funding mechanisms. P.153/2009.  
Lodged; 23rd September 2009. (re-issued)  
*Deputy G.P. Southern of St. Helier.*

Channel Islands Lottery: allocation of profits for 2009–2010. P.155/2009.  
Lodged: 24th September 2009.  
*Minister for Economic Development.*

THE STATES rose at 5.44 p.m.

**A.H. HARRIS**

*Deputy Greffier of the States*