



**THE STATES assembled on Tuesday
5th April 2011, at 09.30 a.m. under
the Presidency of the 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 Terence Augustine Le Sueur – absent on States business
Senator Frederick Ellyer Cohen – en défaut (défaut raised at 10.39 a.m.)
Deputy Judith Ann Martin – en défaut (défaut raised at 2.25 p.m.)
Deputy Daniel John Arabin Wimberley of St. Mary – en défaut (défaut raised at 9.50 a.m.)
Deputy Deborah Jane De Sousa of St. Helier – ill

Prayers read by the Dean Substitute

Royal Wedding Jersey Charity Appeal

The Bailiff advised the Assembly that to commemorate the forthcoming event, a Royal Wedding Jersey Charity Appeal was to be launched to benefit 3 local charities (Holidays for Heroes Jersey, Brighter Futures and the Jersey Association of Carers) and would be established with a £6,000 donation from the States of Jersey. A miniature silver bachein was to be presented to H.R.H. Prince William and Miss Catherine Middleton as a wedding gift from the Island.

30th Anniversary of the Jersey flag

The Bailiff advised the Assembly that 7th April 2011 would be the 30th anniversary of the adoption of the Jersey flag and Members were invited to attend a short ceremony on that date when the flag would be hoisted by the Bailiff at Fort Regent at 1 p.m.

Subordinate enactments tabled

The following enactments were tabled, namely –

Community Provisions (Restricted Measures – Libya) (Amendment No. 4) R&O.38/2011.
(Jersey) Order 2011.
Chief Minister.

Documents presented or laid

Speed Limits: revised policy (P.167/2010) – amendment (P.167/2010 Amd.) – comments. P.167/2010.
Presented: 4th April 2011. Amd.Com.
Minister for Transport and Technical Services.

Speed Limits: revised policy (P.167/2010) – second amendment (P.167/2010 Amd.(2)) – comments. Presented: 4th April 2011. <i>Minister for Transport and Technical Services.</i>	P.167/2010. Amd.(2) Com.
Speed Limits: revised policy (P.167/2010) – third amendment (P.167/2010 Amd.(3)) – comments. Presented: 4th April 2011. <i>Minister for Transport and Technical Services.</i>	P.167/2010. Amd.(3) Com.
Income Tax: introduction of higher rate (P.23/2011) – comments. Presented: 4th April 2011. <i>Council of Ministers.</i>	P.23/2011. Com.
Draft Licensing (No. 17) (Jersey) Regulations 201- (P.28/2011): comments. Presented: 5th April 2011. <i>Minister for Home Affairs.</i>	P.28/2011. Com.
Committee of Inquiry: States owned or controlled utilities (P.31/2011) – comments. Presented: 4th April 2011. <i>Council of Ministers.</i>	P.31/2011. Com.
Committee of Inquiry: Reg's Skips Ltd. – Planning Applications – Second Report. Presented: 1st April 2011. <i>Committee of Inquiry: Reg's Skips Ltd. – Planning Applications.</i>	R.38/2011.
States of Jersey Law 2005: delegation of functions – Housing – March 2011 revised delegations. Presented: 1st April 2011. <i>Minister for Housing.</i>	R.39/2011.
Reciprocal Health Agreement between the UK Department of Health and Jersey. Presented: 4th April 2011. <i>Minister for Health and Social Services.</i>	R.40/2011.
States Employment Board: Annual Report 2010. Presented: 5th April 2011. <i>States Employment Board.</i>	R.41/2011.
Land Transactions under Standing Order 168(3) – (a) Southlands, 18 Green Road, St. Clement – sale; (b) Units 3 & 3A OTC Building, La Route de St. Aubin, St. Helier – lease; (c) Field 391, Le Mont de Ste Marie, St. Mary – acquisition of strip of land. Presented: 5th April 2011. <i>Minister for Treasury and Resources.</i>	R.42/2011.
Review of Speed Limits: Revised Policy. Presented: 31st March 2011. <i>Environment Scrutiny Panel.</i>	S.R.4/2011.

Notification of lodged propositions

Draft Public Elections (Expenditure and Donations) (Jersey) Regulations 201-. P.51/2011.
Lodged: 4th April 2011.
Privileges and Procedures Committee.

Constitution for Jersey. P.52/2011.
Lodged: 5th April 2011.
Deputy P.V.F. Le Claire of St. Helier.

Draft Incorporated Limited Partnerships (Jersey) Law 2011 (Appointed Day) Act 201-. P.53/2011.
Lodged: 5th April 2011.
Minister for Economic Development.

Draft Incorporated Limited Partnerships (Jersey) Regulations 201-. P.54/2011.
Lodged: 5th April 2011.
Minister for Economic Development.

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 –

Jersey Financial Services Commission: imposition of fines. P.150/2010.
Lodged: 19th October 2010.
Senator A. Breckon.

Appointment of President of the Chairmen’s Committee

In accordance with the provisions of Standing Order 121(1), the following nominations were made –

Senator Sarah Craig Ferguson was nominated by Deputy Roy George Le Hérissier of St. Saviour.

Deputy Geoffrey Peter Southern of St. Helier was nominated by Deputy Michael Roderick Higgins of St. Helier.

In accordance with Standing Order 121(3), each candidate made a speech and was questioned prior to a ballot being held.

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

Senator Sarah Craig Ferguson	27
Deputy Geoffrey Peter Southern of St. Helier	20

There was one spoilt paper.

The Bailiff declared that Senator Sarah Craig Ferguson had been duly appointed as the President of the Chairmen’s Committee.

Corporate Services Scrutiny Panel – appointment of member

In accordance with Standing Order 125(7) the Chairman of the Corporate Services Scrutiny Panel nominated Senator James Leslie Perchard as a member of the Corporate Services Scrutiny Panel.

There being no other nominations, the Bailiff declared that Senator James Leslie Perchard had been duly appointed as a member of the Corporate Services Scrutiny Panel.

Written Questions

(see Official Report/Hansard)

The Minister for Health and Social Services tabled an answer to a question asked by the Deputy of St. Mary regarding hospital waiting lists.

The Minister for Health and Social Services tabled an answer to a question asked by the Deputy of St. Mary regarding treatment for obesity.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the cost of a G.P. consultation.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the overlap between Income Support and income tax thresholds.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding social rental housing.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding company tax revenues.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding pay and conditions offered to nurses.

Oral Questions

(see Official Report/Hansard)

Deputy P.V.F. Le Claire of St. Helier asked a question of the Minister for Treasury and Resources regarding the introduction of a first-time buyers' loan scheme for those earning under £60,000 per annum.

Deputy J.M. Maçon of St. Saviour asked a question of the Deputy Chief Minister regarding recommendations within the report of the Review of the roles of the Crown Officers (R.28/2011).

Senator F. du H. Le Gresley asked a question of the Minister for Home Affairs regarding the maximum award available to the Criminal Injuries Compensation Board.

Deputy G.P. Southern of St. Helier asked a question of the Assistant Minister for Economic Development regarding the conditions attached to the Regulation of Undertakings and Development licence issued to the company responsible for the construction of the Portelet development.

Deputy S.S.P.A. Power of St. Brelade asked a question of the Assistant Minister for Economic Development regarding action taken by the Harbours Department against the Jersey Sailing Trust.

The Deputy of St. John, having made a declaration of interest in accordance with Standing Order 106(2), asked a question of the Minister for Economic Development regarding waiting lists across all harbours and marinas.

Deputy A.E. Jeune of St. Brelade asked a question of the Minister for Health and Social Services regarding clinical staff employed on an interim, locum, agency and contract basis during the past 12 months.

The Deputy of St. Martin asked a question of the Minister for Education, Sport and Culture regarding the construction of a new school on Field 327A in St. Martin.

Deputy T.M. Pitman of St. Helier asked a question of the Deputy Chief Minister regarding the Terms of Reference in the Napier report.

Deputy A.E. Jeune of St. Brelade asked a question of the Assistant Minister for Health and Social Services regarding the £600,000 'savings' achieved by the Hospital Director.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Health and Social Services regarding the treatment and prevention of blood-borne diseases such as HIV and Hepatitis C.

Deputy S.S.A. Power of St. Brelade asked a question of the Minister for Economic Development regarding the tourism benefit of outlying harbours and piers.

Deputy T.M. Pitman of St. Helier asked a question of the Assistant Minister for Treasury and Resources regarding the benefit to other Islanders from 1(1)(k) residents.

Deputy P.V.F. Le Claire of St. Helier asked a question of the Minister for Transport and Technical Services regarding the replacement of the current sewage treatment equipment by the end of 2013.

The Deputy of St. Martin asked a question of the Minister for Health and Social Services regarding the rate paid to Allied Health Professionals.

Changes in Presidency

THE STATES re-assembled after the lunch adjournment under the Presidency of the Deputy Bailiff.

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Social Security answered questions without notice from members.

The Minister for Economic Development answered questions without notice from members.

Statements on a matter of official responsibility

(see Official Report/Hansard)

The Minister for Economic Development made a statement regarding the Jersey Financial Services Commission.

Arrangement of public business for the present meeting

THE STATES, adopting a proposition of the Deputy of St. John, agreed that, in accordance with Standing Order 87(2)(b), the proposition of the Minister for Transport and Technical Services entitled 'Speed Limits: revised policy' (P.167/2010) should be deferred until a later meeting.

Members present voted as follows –

POUR: 26

Senator T.J. Le Main
 Senator B.E. Shenton
 Senator J.L. Perchard
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator F. du H. Le Gresley
 Connétable of Grouville
 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.A. Martin (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 S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 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 J.M. Maçon (S)

CONTRE: 21

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Connétable of St. Ouen
 Connétable of Trinity
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Mary
 Deputy J.B. Fox (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy A.E. Jeune (B)
 Deputy E.J. Noel (L)
 Deputy A.K.F. Green (H)

ABSTAIN: 3

Senator F.E. Cohen
 Senator B.I. Le Marquand
 Connétable of St. Helier

THE STATES noted that, in accordance with Standing Order 34(2), as the proposition had not been debated within 6 months of the day on which it was lodged, it was deemed to have been withdrawn.

Draft States of Jersey (Transfer of Functions No. 4) (Treasury and Resources to Chief Minister) (Jersey) Regulations 201- P.25/2011

THE STATES commenced consideration of the Draft States of Jersey (Transfer of Functions No. 4) (Treasury and Resources to Chief Minister) (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 and 5.

Members present voted as follows –

POUR: 40

CONTRE: 0

ABSTAIN: 0

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 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. 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 of St. Martin
Deputy R.G. Le Hérissier (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 of Trinity
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy A.E. Jeune (B)
Deputy T.M. Pitman (H)
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)

THE STATES, in pursuance of Article 29 of the States of Jersey Law 2005, made Regulations entitled the States of Jersey (Transfer of Functions No. 4) (Treasury and Resources to Chief Minister) (Jersey) Regulations 2011.

Income Tax: introduction of higher rate P.23/2011

THE STATES commenced consideration of a proposition of Deputy Geoffrey Peter Southern of St. Helier concerning the introduction of a higher rate of income tax.

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 6th April 2011 to continue consideration of the proposition of Deputy Geoffrey Peter Southern of St. Helier entitled 'Income Tax: introduction of higher rate' (P.23/2011) and the outstanding items of public business.

THE STATES rose at 5.24 p.m.

A.H. HARRIS

Deputy Greffier of the States