

THE STATES assembled on Tuesday 18th January 2011, at 10.15 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 John Le Main – excused attendance (arrived in the Chamber at 2.15 p.m.) Deputy Geoffrey Peter Southern of St. Helier – en défaut (défaut raised at 10.44 a.m.)

Prayers

### Tribute to the late Mr. Michael Edward Vibert, former member of the States

The Bailiff paid tribute to the late Mr. Michael Edward Vibert, former Senator.

The States observed one minute's silence as a mark of respect.

### **Service of Dedication – thanks**

The Bailiff, on behalf of all members, thanked the Dean of Jersey and all those involved in the organisation of the Service of Dedication which had been held at the St. Helier Parish Church prior to the meeting.

## **Photographer in the Gallery**

THE STATES agreed to allow a photographer access to the Chamber that day for the purpose of updating the Government House picture library.

#### Subordinate enactments tabled

The following enactments were tabled, namely -

Transport and Technical Services (Driver and Vehicle Standards – 2011 Fees) R&O.121/2010. (Jersey) Order 2010. *Minister for Transport and Technical Services*.

Royal Court (Amendment No. 11) Rules 2010.	R&O.129/2010.
Superior Number of the Royal Court.	

Sex Offenders Law (Magistrate's Court Appeals) Rules 2010. Superior Number of the Royal Court.	R&O.130/2010.
Marriage and Civil Status (Forms, Registration and Fees) (Amendment No. 4) (Jersey) Order 2010. Minister for Home Affairs.	R&O.131/2010.
Income Tax (Superannuation Funds) (Amendment No. 4) (Jersey) Order 2010. Minister for Treasury and Resources.	R&O.132/2010.
Income Tax (Eligible Investment Schemes) (Application Fees) (Jersey) Order 2010. Minister for Treasury and Resources.	R&O.133/2010.
Fire Precautions (Fees) (Jersey) Order 2010. Minister for Home Affairs.	R&O.134/2010.
Health and Social Services (2011 Fees) (Jersey) Order 2010. Minister for Health and Social Services.	R&O.135/2010.
Fire Precautions (Prescribed Forms) (Jersey) Order 2011. Minister for Home Affairs.	R&O.1/2011.
Road Traffic (Public Parking Places) (Amendment No. 6) (Jersey) Order 2011. Minister for Transport and Technical Services.	R&O.2/2011.
Housing (Fees) (Amendment No. 2) (Jersey) Order 2011. Minister for Housing.	R&O.3/2011.
Documents presented or laid	
Samarès Nursery site, St. Clement: removal from draft Island Plan – petition (P.131/2010) – comments. Presented: 22nd December 2010. <i>Minister for Planning and Environment</i> .	P.131/2010. Com.
Draft Amendment (No. 14) of the Standing Orders of the States of Jersey (P.169/2010): amendment (P.169/2010 Amd.) – comments. Presented: 12th January 2011. <i>Privileges and Procedures Committee</i> .	P.169/2010. Amd.Com.
Draft Amendment (No. 14) of the Standing Orders of the States of Jersey (P.169/2010): amendment (P.169/2010 Amd.) – comments. Presented: 14th January 2011. <i>Council of Ministers</i> .	P.169/2010. Amd.Com.(2)
Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010): comments. Presented: 14th January 2011. <i>Council of Ministers</i> .	P.176/2010. Com.

Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010): second amendment (P.176/2010 Amd.(2)) – comments. Presented: 12th January 2011. <i>Privileges and Procedures Committee</i> .	P.176/2010. Amd.(2). Com.
Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010): third amendment (P.176/2010 Amd.(3)) – comments. Presented: 12th January 2011. <i>Privileges and Procedures Committee</i> .	P.176/2010. Amd.(3). Com.
Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010): fourth amendment (P.176/2010 Amd.(4)) – comments. Presented: 12th January 2011. <i>Privileges and Procedures Committee</i> .	P.176/2010. Amd.(4). Com.
Jersey Police Authority: establishment (P.192/2010) – comments. Presented: 7th January 2011. <i>Public Accounts Committee</i> .	P.192/2010. Com.
Composition of the States: reduction in number of Senators – referendum (P.198/2010) – comments. Presented: 12th January 2011. <i>Privileges and Procedures Committee</i> .	P.198/2010. Com.
Composition of the States: reduction in number of Senators – referendum (P.198/2010) – comments. Presented: 18th January 2011. <i>Minister for Treasury and Resources</i> .	P.198/2010. Com.(2)
Composition of the States: reduction in number of Senators – referendum (P.198/2010) – amendment (P.198/2010 Amd.) – comments. Presented: 12th January 2011. <i>Privileges and Procedures Committee</i> .	P.198/2010. Amd.Com.
Composition of the States: reduction in number of Senators – referendum (P.198/2010) – second amendment (P.198/2010 Amd.(2)) – comments. Presented: 12th January 2011. <i>Privileges and Procedures Committee</i> .	P.198/2010. Amd.(2) Com.
Composition of the States: reduction in number of Deputies (P.2/2011) – comments. Presented: 12th January 2011. <i>Privileges and Procedures Committee</i> .	P.2/2011. Com.
Composition of the States: reduction in number of Deputies (P.2/2011) – amendment (P.2/2011 Amd.) – comments. Presented: 12th January 2011. <i>Privileges and Procedures Committee</i> .	P.2/2011. Amd.Com.
Composition of the States: reduction in number of Deputies (P.2/2011) – second amendment (P.2/2011 Amd.(2)) – comments. Presented: 12th January 2011. <i>Privileges and Procedures Committee</i> .	P.2/2011. Amd.(2) Com.

Composition of the States: reduction in number of Deputies (P.2/2011) – third amendment (P.2/2011 Amd.(3)) – comments. Presented: 12th January 2011. <i>Privileges and Procedures Committee</i> .	P.2/2011. Amd.(3). Com.
Budget management for the 6 month period to 30th June 2010. Presented: 14th December 2010. <i>Minister for Treasury and Resources</i> .	R.145/2010.
Building a Safer Society: Annual Report 2009. Presented: 17th December 2010. <i>Minister for Home Affairs</i> .	R.146/2010.
Children and Young People: a strategic framework for Jersey 2011 – consultation document. Presented: 17th December 2010. <i>Minister for Health and Social Services</i> .	R.147/2010.
Annual Company Fees: Green Paper – Consultation August 2010 – Summary of Responses. Presented: 17th December 2010. <i>Minister for Economic Development.</i>	R.148/2010.
Land Transactions under Standing Order 168(3) – (a) 9 Chevalier Road, St. Helier – lease; (b) Flat 2 Claremont, Bagatelle Road, St. Saviour – lease. Presented: 20th December 2010. <i>Minister for Treasury and Resources</i> .	R.149/2010.
States of Jersey Law 2005: delegation of functions – Planning and Environment Department – December 2010 revised delegations. Presented: 24th December 2010. <i>Minister for Planning and Environment</i> .	R.150/2010.
States of Jersey Law 2005: delegation of functions – Economic Development. Presented: 24th December 2010. <i>Minister for Economic Development</i> .	R.151/2010.
Land Transactions under Standing Order 168(3) – land at Rouge Bouillon – transfer to third party. Presented: 24th December 2010. <i>Minister for Treasury and Resources.</i>	R.152/2010.
Health and Social Services Organisational and Management Improvement Plan. Presented: 24th December 2010. <i>Minister for Health and Social Services</i> .	R.153/2010.
Draft Island Plan: Inspectors' Report. Presented: 31st December 2010. <i>Minister for Planning and Environment</i> .	R.154/2010.

Land Transactions under Standing Order 168(3) – A11 La Vallée de St. Pierre, St. Lawrence – acquisition of land. Presented: 31st December 2010. <i>Minister for Treasury and Resources.</i>	R.155/2010.
Fort Regent Political Steering Group: Interim Report. Presented: 12th January 2011. Minister for Education, Sport and Culture.	R.1/2011.
<ul> <li>Land Transactions under Standing Order 168(3) –</li> <li>(a) Albert Pier (Store) A03, Elizabeth Terminal (Office and Check-In) E29B and E29C, Gorey Pier (Office) G07 – lease;</li> <li>(b) Ulvik, Mont Félard, St. Lawrence – lease.</li> <li>Presented: 14th January 2011.</li> <li><i>Minister for Treasury and Resources.</i></li> </ul>	R.2/2011.
States of Jersey Law 2005: delegation of functions – Treasury and Resources January 2011. Presented: 18th January 2011. <i>Minister for Treasury and Resources</i> .	R.3/2011.
Rural Economy Strategy 2011–2015. Presented: 18th January 2011. <i>Minister for Economic Development</i> .	R.4/2011.
Dental Health Services Review (S.R.12/2010) – response of the Minister for Health and Social Services. Presented: 24th December 2010. <i>Minister for Health and Social Services.</i>	S.R.12/2010. Res.
Report on the accounts of the States of Jersey for the year ended December 2009. Presented: 15th December 2010. <i>Public Accounts Committee</i> .	P.A.C.4/2010.
Notification of lodged propositions	
Speed Limits: revised policy (P.167/2010) – amendment. Lodged: 29th December 2010. <i>Minister for Economic Development</i> .	P.167/2010. Amd.
Speed Limits: revised policy (P.167/2010) – second amendment. Lodged: 5th January 2011. <i>Connétable of St. Helier.</i>	P.167/2010. Amd.(2)
Speed Limits: revised policy (P.167/2010) – third amendment. Lodged: 13th January 2011. Deputy M.R. Higgins of St. Helier.	P.167/2010. Amd.(3)
Draft Amendment (No. 14) of the Standing Orders of the States of Jersey (P.169/2010): amendment. Lodged: 11th January 2011. Deputy of St. John.	P.169/2010. Amd.

Standing Orders: additional signatories on propositions (P.174/2010) – third amendment. Lodged: 7th January 2010. Deputy G.P. Southern of St. Helier.	P.174/2010. Amd.(3)
<ul> <li>Standing Orders: additional signatories on propositions (P.174/2010) – fourth amendment.</li> <li>Lodged: 12th January 2010.</li> <li>Deputy T.M. Pitman of St. Helier.</li> </ul>	P.174/2010. Amd.(4)
Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010): amendment. Lodged: 4th January 2011. Deputy E.J. Noel of St. Lawrence.	P.176/2010. Amd.
Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010): amendment (P.176/2010 Amd.) – amendment. Lodged: 10th January 2011. Deputy A.E. Jeune of St. Brelade.	P.176/2010. Amd.Amd.
Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010): amendment (P.176/2010 Amd.) – second amendment. Lodged: 11th January 2011. Deputy M. Tadier of St. Brelade.	P.176/2010. Amd. Amd.(2)
Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010): amendment (P.176/2010 Amd.) – third amendment. Lodged: 11th January 2011. Deputy T.M. Pitman of St. Helier.	P.176/2010. Amd. Amd.(3)
Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010): second amendment. Lodged: 4th January 2011. Senator F. du H. Le Gresley.	P.176/2010. Amd.(2)
Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010): second amendment (P.176/2010 Amd.(2)) – amendment. Lodged: 11th January 2011. Senator S.C. Ferguson.	P.176/2010. Amd.(2) Amd.
Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010): third amendment. Lodged: 4th January 2011. Senator S.C. Ferguson.	P.176/2010. Amd.(3)
Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010): third amendment (P.176/2010 Amd.(3)) – amendment. Lodged: 11th January 2011. Senator S.C. Ferguson.	P.176/2010. Amd.(3) Amd.
Draft States of Jersey (Miscellaneous Provisions) Law 201- (P.176/2010): fourth amendment. Lodged: 4th January 2011. Senator P.F.C. Ozouf.	P.176/2010. Amd.(4)

Jersey Consumer Council: future mandate. Lodged: 17th December 2010. <i>Minister for Economic Development</i> .	P.182/2010.
Jersey Overseas Aid Commission: appointment of non-States Commissioner. Lodged: 20th December 2010. Deputy I.J. Gorst of St. Clement.	P.183/2010.
Draft Public Holidays and Bank Holidays (Amendment) (Jersey) Act 201 Lodged: 20th December 2010. <i>Chief Minister</i> .	P.184/2010.
Draft Public Employees (Contributory Retirement Scheme) (Amendment No. 18) (Jersey) Regulations 201 Lodged: 20th December 2010. <i>Chief Minister</i> .	P.185/2010.
Draft Public Employees (Contributory Retirement Scheme) (Existing Members) (Amendment No. 11) (Jersey) Regulations 201 Lodged: 20th December 2010. <i>Chief Minister</i> .	P.186/2010.
Draft Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 14) (Jersey) Regulations 201 Lodged: 20th December 2010. <i>Chief Minister</i> .	P.187/2010.
Draft Public Employees (Contributory Retirement Scheme) (Former Hospital Scheme) (Amendment No. 5) (Jersey) Regulations 201 Lodged: 20th December 2010. <i>Chief Minister</i> .	P.188/2010.
Housing issues in Jersey. Lodged: 21st December 2010. Deputy P.V.F. Le Claire of St. Helier.	P.189/2010.
North of Town Masterplan (Revised). Lodged: 21st December 2010. <i>Minister for Planning and Environment</i> .	P.190/2010.
North of Town Masterplan (Revised) (P.190/2010): amendment. Lodged: 22nd December 2010. Deputy P.V.F. Le Claire of St. Helier.	P.190/2010. Amd.
North of Town Masterplan (Revised) (P.190/2010): second amendment. Lodged: 10th January 2010. Deputy A.K.F. Green of St. Helier.	P.190/2010. Amd.(2)
Draft Terrorist Asset-Freezing (Jersey) Law 201 Lodged: 21st December 2010. <i>Chief Minister</i> .	P.191/2010.

Draft Terrorist Asset-Freezing (Jersey) Law 201- (P.191/2010): amendment. Lodged: 18th January 2011. <i>Chief Minister</i> .	P.191/2010. Amd.
Jersey Police Authority: establishment. Lodged: 21st December 2010. <i>Minister for Home Affairs</i> .	P.192/2010.
Draft Employment (Minimum Wage) (Amendment No. 7) (Jersey) Regulations 201 Lodged: 22nd December 2010. <i>Minister for Social Security</i> .	P.193/2010.
Standing Orders: minimum lodging periods – revision. Lodged: 23rd December 2010. Senator P.F. Routier.	P.194/2010.
Standing Orders: minimum lodging periods – revision (P.194/2010) – amendment. Lodged: 12th January 2011. Deputy of St. Martin.	P.194/2010. Amd.
Ratification of the Agreement for the exchange of information relating to tax matters between the Government of Jersey and the Government of the Republic of Turkey. Lodged: 23rd December 2010. <i>Chief Minister.</i>	P.195/2010.
Ratification of the Agreement for the exchange of information relating to tax matters between the Government of Jersey and the Government of the Republic of the United Mexican States. Lodged: 23rd December 2010. <i>Chief Minister</i> .	P.196/2010.
Draft Companies (Amendment No. 5) (Jersey) Regulations 201 Lodged: 29th December 2010. <i>Minister for Economic Development</i> .	P.197/2010.
Composition of the States: reduction in number of Senators – referendum. Lodged: 31st December 2010. <i>Senator F.E. Cohen.</i>	P.198/2010.
Composition of the States: reduction in number of Senators – referendum (P.198/2010) – amendment. Lodged: 11th January 2011. <i>Senator A. Breckon.</i>	P.198/2010. Amd.
Composition of the States: reduction in number of Senators – referendum (P.198/2010) – second amendment. Lodged: 11th January 2011. Deputy T.M. Pitman of St. Helier.	P.198/2010. Amd.(2)
Draft Gambling (Remote Gambling Disaster Recovery) (Amendment) (Jersey) Regulations 201 Lodged: 31st December 2010. <i>Minister for Economic Development</i> .	P.199/2010.

Standing Orders: time limits on speeches during debates. Lodged: 4th January 2011. Senator P.F. Routier.	P.1/2011.
Composition of the States: reduction in number of Deputies. Lodged: 4th January 2011. Deputy E.J. Noel of St. Lawrence.	P.2/2011.
Composition of the States: reduction in number of Deputies (P.2/2011) – amendment. Lodged: 10th January 2011. Deputy A.E. Jeune of St. Brelade.	P.2/2011. Amd.
Composition of the States: reduction in number of Deputies (P.2/2011) – second amendment. Lodged: 11th January 2011. Deputy M. Tadier of St. Brelade.	P.2/2011. Amd.(2)
Composition of the States: reduction in number of Deputies (P.2/2011) – third amendment. Lodged: 11th January 2011. Deputy T.M. Pitman of St. Helier.	P.2/2011. Amd.(3)
Composition of the States: implementation of remaining Clothier reforms – referendum. Lodged: 18th January 2011. Deputy S. Pitman of St. Helier.	P.3/2011.
Withdrawal of lodged propositions	
THE STATES noted that, in accordance with Standing Order 34(1), the proposers of the fo	ollowing

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 –

Draft Freedom of Information (Jersey) Law 201	P.101/2010.
Lodged: 19th July 2010.	
Privileges and Procedures Committee.	

North of Town Masterplan (Revised). Lodged: 19th July 2010. *Minister for Planning and Environment.* 

### P.103/2010.

# Public Accounts Committee, Environment Scrutiny Panel and Waterfront Enterprise Board: Connétable of St. Peter

THE STATES noted that, in accordance with Standing Order 133(7)(b), the Connétable of St. Peter had ceased to be a member of the Public Accounts Committee, following his appointment as an Assistant Minister.

THE STATES noted that, in accordance with Standing Order 137(6)(b), the Connétable of St. Peter had ceased to be a member of the Environment Scrutiny Panel, following his appointment as an Assistant Minister.

#### STATES MINUTES

THE STATES noted the resignation of the Connétable of St. Peter as a States nominated Director of the Waterfront Enterprise Board.

#### **Public Accounts Committee: appointment of elected member**

In accordance with the provisions of Standing Order 123(1), Senator Ben Edward Shenton, Chairman of the Public Accounts Committee, nominated Deputy John Alexander Nicholas Le Fondré of St. Lawrence as a member of the Public Accounts Committee.

There being no other nominations, the Bailiff declared that Deputy John Alexander Nicholas Le Fondré of St. Lawrence had been duly appointed as an elected member of the Public Accounts Committee.

#### **Corporate Services Scrutiny Panel: appointment of member**

In accordance with the provisions of Standing Order 125, Senator Sarah Craig Ferguson, Chairman of the Corporate Services Scrutiny Panel, nominated Deputy John Alexander Nicholas Le Fondré of St. Lawrence as a member of the Corporate Services Scrutiny Panel

There being no other nominations, the Bailiff declared that Deputy John Alexander Nicholas Le Fondré of St. Lawrence had been duly elected as a member of the Corporate Services Scrutiny Panel.

#### Written Questions

(see Official Report/Hansard)

The Minister for Treasury and Resources tabled an answer to a question asked by the Deputy of St. John regarding funding for the Island Games in 2015.

The Minister for Education, Sport and Culture tabled an answer to a question asked by the Deputy of St. John regarding funding for the Island Games 2015.

The Minister for Health and Social Services tabled an answer to a question asked by the Deputy of St. John regarding the reciprocal Health Agreement with the United Kingdom.

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

The Chief Minister tabled an answer to a question asked by Senator B.E. Shenton regarding personal injury claims in the Royal Court.

The Minister for Treasury and Resources tabled an answer to a question asked by Senator F. du H. Le Gresley regarding the timetable for changes to Social Security contribution levels.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding zero/ten and communications with the United Kingdom.

The Minister for Planning and Environment tabled an answer to a question asked by the Deputy of St. John regarding a site for skip sorting.

The Minister for Economic Development tabled an answer to a question asked by the Deputy of St. John regarding the States Tug.

#### STATES MINUTES

The Chief Minister tabled an answer to a question asked by the Deputy of St. Martin regarding changes to the Terms of Reference for the Napier report.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the replacement of States vehicles.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the implementation of recommendations made after the recent review of his Department.

The Chief Minister tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding calls for Jersey to become an independent jurisdiction.

The Chief Minister tabled an answer to a question asked by the Deputy of St. Mary regarding Tax Information Exchange Agreements in force for last 6 years.

The Minister for Treasury and Resources tabled an answer to a question asked by the Deputy of St. Mary regarding the Public Accounts Committee's 'Report on the Accounts of the States of Jersey for the year ended December 2009' (P.A.C.4/2010).

The Chairman of Public Accounts Committee tabled an answer to a question asked by the Deputy of St. Mary regarding the Committee's 'Report on the Accounts of States of Jersey for the year ended December 2009' (P.A.C.4/2010).

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

The Chief Minister tabled an answer to a question asked by Deputy M.R. Higgins of St Helier regarding discussions with the Isle of Man and Guernsey regarding zero/ten.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the total revenue received from deemed distribution provisions.

### **Oral Questions**

(see Official Report/Hansard)

The Deputy of St. Martin asked a question of the Minister for Economic Development regarding the establishment of a social responsibility fund.

Deputy T.M. Pitman of St. Helier asked a question of the Chairman of Privileges and Procedures Committee regarding the implementation of reforms agreed in October 2010.

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the Island's compliance issues with the EU Code on Business Taxation.

Deputy P.V.F. Le Claire of St. Helier asked a question of the Minister for Planning and Environment regarding Island Plan consultation.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Minister for Treasury and Resources regarding the application of the Code of Remuneration for Board Members by Jersey Post International Limited.

The Deputy of St. John asked a question of the Minister for Economic Development regarding the provision of passenger information airside of Jersey Airport.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Education, Sport and Culture regarding allegations against members of staff at the Education, Sport and Culture Department relating to historic abuse cases.

Senator F. du H. Le Gresley asked a question of the Chief Minister regarding the Jersey Law Commission's review of the Bankruptcy (Désastre) (Jersey) Law 1990 (Social Désastre.

The Deputy of St. Mary asked a question of the Minister for Transport and Technical Services regarding the analysis of road traffic accidents.

Deputy A.K.F. Green of St. Helier asked a question of the Assistant Minister for Economic Development regarding the provision of free short-term parking areas at the Airport.

Deputy T.M. Pitman of St. Helier asked a question of the Chairman of Privileges and Procedures Committee regarding the filming of Scrutiny meetings by 'citizen media'.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding the recouping of corporate tax lost through zero/ten from foreign-owned non-finance companies.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Social Security regarding eligibility for the Food Costs (or 'GST') Bonus.

The Deputy of St. Martin asked a question of the Minister for Health and Social Services regarding the impact of restrictions on the duties of certain doctors.

The Deputy of St. Mary asked a question of the Minister for Transport and Technical Services regarding air, sea and surface run-off emissions from the Energy from Waste Plant.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Minister for Health and Social Services regarding revised waiting list targets.

### **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 Housing answered questions without notice from members.

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

#### **Personal statements**

(see Official Report/Hansard)

Deputy John Alexander Nicholas Le Fondré of St. Lawrence made a personal statement regarding his removal as an Assistant Minister.

## Statements on a matter of official responsibility

(see Official Report/Hansard)

The Chief Minister made a statement regarding the Order of Justice put forward by Mr. S. Syvret.

### Arrangement of public business for the present meeting

THE STATES, adopting a proposition of Senator Frederick Ellyer Cohen, agreed that, in accordance with Standing Order 87(1), the following matter would be considered during the present meeting.

Composition of the States: reduction in number of Senators – referendum. Lodged: 31st December 2010. Senator F.E. Cohen.

P.198/2010.

Members present voted as follows -

#### **POUR: 40**

Senator T.A. Le Sueur Senator P.F.C. Ozouf 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.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. 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 Hérissier (S) Deputy J.B. Fox (H) Deputy of St. Ouen 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 K.C. Lewis (S) Deputy I.J. Gorst (C)

## CONTRE: 8

Connétable of St. Mary Deputy J.A. Martin (H) Deputy G.P. Southern (H) Deputy S. Pitman (H) Deputy T.M. Pitman (H) Deputy M.R. Higgins (H) Deputy A.K.F. Green (H) Deputy J.M. Maçon (S)

### ABSTAIN: 1

Deputy D.J. De Sousa (H)

THE STATES adopting a proposition of Deputy Edward James Noel of St. Lawrence, agreed that, in accordance with Standing Order 87(1), the following matter would be considered during the present meeting.

Composition of the States: reduction in number of Deputies. Lodged: 4th January 2011. Deputy E.J. Noel of St. Lawrence.

Members present voted as follows -

#### **POUR: 37**

#### CONTRE: 12

Senator T.A. Le Sueur Senator P.F.C. Ozouf 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.H. Maclean Senator B.I. Le Marquand Connétable of St. Ouen Connétable of St. Helier Connétable of Grouville 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 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 K.C. Lewis (S) Deputy I.J. Gorst (C) Deputy of St. John Deputy M. Tadier (B)

Senator F. du H. Le Gresley Connétable of Trinity Connétable of St. John Connétable of St. Mary Deputy J.A. Martin (H) Deputy G.P. Southern (H) Deputy S. Pitman (H) Deputy T.M. Pitman (H) Deputy M.R. Higgins (H) Deputy A.K.F. Green (H) Deputy D.J. De Sousa (H) Deputy J.M. Macon (S) P.2/2011.

**ABSTAIN: 0** 

Deputy A.E. Jeune (B) Deputy of St. Mary Deputy A.T. Dupré (C) Deputy E.J. Noel (L) Deputy T.A. Vallois (S)

THE STATES, adopting a proposition of Deputy Edward James Noel of St. Lawrence, agreed that, in accordance with Standing Order 87(2), the following matter would be considered immediately before the proposition of the Privileges and Procedures Committee entitled 'Draft States of Jersey (Miscellaneous Provisions) Law 201-' (P.176/2010).

Composition of the States: reduction in number of Deputies. Lodged: 4th January 2011. Deputy E.J. Noel of St. Lawrence.

Members present voted as follows -

#### **POUR: 36**

Senator T.A. Le Sueur Senator P.F.C. Ozouf 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.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. Saviour Connétable of St. Clement Connétable of St. Peter Deputy R.C. Duhamel (S) Deputy of St. Martin Deputy R.G. Le Hérissier (S) Deputy of St. Ouen 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 of St. John Deputy M. Tadier (B) Deputy A.E. Jeune (B) Deputy of St. Mary Deputy A.T. Dupré (C)

# CONTRE: 9

Connétable of St. John 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 T.M. Pitman (H) Deputy M.R. Higgins (H) Deputy J.M. Maçon (S) P.2/2011.

### **ABSTAIN: 0**

Deputy E.J. Noel (L) Deputy T.A. Vallois (S) Deputy A.K.F. Green (H)

THE STATES, adopting a proposition of Senator F.E. Cohen, agreed that, in accordance with Standing Order 87(2), the following matter would be considered before the proposition of Deputy Edward James Noel of St. Lawrence entitled 'Composition of the States: reduction in number of Deputies' (P.2/2011).

Composition of the States: reduction in number of Senators – referendum. Lodged: 31st December 2010. Senator F.E. Cohen. P.198/2010.

Members present voted as follows -

## **POUR: 41**

Senator T.A. Le Sueur Senator P.F.C. Ozouf 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.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. John 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 Hérissier (S) Deputy of St. Ouen 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 K.C. Lewis (S) Deputy I.J. Gorst (C) Deputy of St. John Deputy M. Tadier (B) Deputy A.E. Jeune (B)

# CONTRE: 6

Deputy J.A. Martin (H) Deputy G.P. Southern (H) Deputy T.M. Pitman (H) Deputy M.R. Higgins (H) Deputy D.J. De Sousa (H) Deputy J.M. Macon (S)

## **ABSTAIN: 0**

Deputy of St. Mary Deputy A.T. Dupré (C) Deputy E.J. Noel (L) Deputy T.A. Vallois (S) Deputy A.K.F. Green (H)

## **Changes in Presidency**

The Deputy Bailiff retired from the Chamber during consideration of the Canons of the Church of England in Jersey (P.179/2010) and the meeting continued under the presidency of the Bailiff.

## Canons of the Church of England in Jersey P.179/2010

THE STATES, adopting a proposition of the Chief Minister, endorsed the amended Canons of the Church of England in Jersey as set out in the Appendix to the report of the Chief Minister dated 6th December 2010 and as approved by the Right Reverend the Bishop of Winchester, the Dean of Jersey, the Ecclesiastical Court, and the Deanery Synod of the Island so that the draft Canons could be submitted to Her Majesty with a request that an Order in Council be issued bringing them into force in Jersey.

Members present voted as follows -

### **POUR: 42**

## CONTRE: 0

Senator T.A. Le Sueur Senator P.F.C. Ozouf 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.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. John Connétable of St. Saviour Connétable of St. Clement Connétable of St. Lawrence Connétable of St. Mary Deputy R.C. Duhamel (S) Deputy R.G. Le Hérissier (S) Deputy J.B. Fox (H) Deputy J.A. Martin (H) Deputy of St. Ouen Deputy J.A. Hilton (H)

## ABSTAIN: 5

Deputy G.P. Southern (H) Deputy P.V.F. Le Claire (H) Deputy S. Pitman (H) Deputy M. Tadier (B) Deputy T.M. Pitman (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.E. Jeune (B) Deputy of St. Mary 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.J. De Sousa (H) Deputy J.M. Maçon (S)

### Draft Employment (Amendment No. 6) (Jersey) Law 201- second reading P.143/2010

THE STATES resumed consideration of the Draft Employment (Amendment No. 6) (Jersey) Law 201-, the principles of which had been adopted on 1st December 2010.

THE STATES adopted Articles 1 to 7.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Employment (Amendment No. 6) (Jersey) Law 201-.

Members present voted as follows -

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

### Draft Restriction on Smoking (Warning Notices) (Jersey) Regulations 201- P.156/2010

THE STATES commenced consideration of the Draft Restriction on Smoking (Warning Notices) (Jersey) Regulations 201- and adopted the principles.

Members present voted as follows -

## **POUR: 40**

## **CONTRE: 0**

**ABSTAIN: 0** 

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. Helier Connétable of Trinity Connétable of St. Brelade Connétable of St. Saviour Connétable of St. Lawrence Connétable of St. Mary 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 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.J. 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 to 5.

THE STATES adopted Regulation 6.

Members present voted as follows -

POUR: 40	CONTRE: 1	ABSTAIN: 0
<ul> <li>Senator T.J. Le Main</li> <li>Senator B.E. Shenton</li> <li>Senator J.L. Perchard</li> <li>Senator A. Breckon</li> <li>Senator S.C. Ferguson</li> <li>Senator B.I. Le Marquand</li> <li>Senator B.I. Le Marquand</li> <li>Senator F. du H. Le Gresley</li> <li>Connétable of St. Helier</li> <li>Connétable of St. Helier</li> <li>Connétable of St. Brelade</li> <li>Connétable of St. Brelade</li> <li>Connétable of St. Lawrence</li> <li>Connétable of St. Mary</li> <li>Deputy R.C. Duhamel (S)</li> <li>Deputy of St. Martin</li> <li>Deputy J.B. Fox (H)</li> <li>Deputy J.B. Fox (H)</li> <li>Deputy G.P. Southern (H)</li> <li>Deputy of St. Ouen</li> <li>Deputy J.A. Hilton (H)</li> <li>Deputy J.A. N. Le Fondré (L)</li> <li>Deputy of Trinity</li> <li>Deputy S.S.P.A. Power (B)</li> <li>Deputy S. Pitman (H)</li> <li>Deputy K.C. Lewis (S)</li> <li>Deputy I.J. Gorst (C)</li> <li>Deputy A.E. Jeune (B)</li> </ul>	CONTRE: 1 Deputy M. Tadier (B)	ABSTAIN: 0

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

THE STATES adopted Regulations 7 to 10 and the Schedule.

Members present voted as follows -

## **POUR: 41**

# **CONTRE: 0**

**ABSTAIN: 0** 

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. Helier Connétable of Trinity Connétable of St. Brelade Connétable of St. Saviour Connétable of St. Lawrence Connétable of St. Mary 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 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.J. De Sousa (H) Deputy J.M. Maçon (S)

THE STATES, in pursuance of Articles 1, 1G and 2 of the Restriction on Smoking (Jersey) Law 1973, made Regulations entitled the Restriction on Smoking (Warning Notices) (Jersey) Regulations 2011.

Members present voted as follows -

POUR: 43	CONTRE: 0	ABSTAIN: 0
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.H. Maclean		
Senator B.I. Le Marquand		
Senator F. du H. Le Gresley		
Connétable of St. Helier		
Connétable of Trinity		
Connétable of Grouville		
Connétable of St. Brelade		
Connétable of St. Saviour		
Connétable of St. Lawrence		
Connétable of St. Mary		
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 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.J. De Sousa (H) Deputy J.M. Maçon (S)

#### Official Report ('Hansard'): retrospective removal of names P.168/2010

THE STATES, adopting a proposition of the Privileges and Procedures Committee, agreed to refer to their Act dated 10th March 2009 in which they approved amendments to Standing Orders to provide that where a name was spoken in the Assembly by a member in breach of Standing Orders the presiding officer could, having made a determination that the use of the name was in breach of Standing Orders, direct that the name be omitted from the transcript of the meeting, with a note inserted in the transcript to indicate that the name had been omitted in accordance with this provision; and agreed that the Bailiff should be empowered to direct that any names found in the transcript of States proceedings from the establishment of the Official Report in 2005, until the coming into force of the amendment to Standing Orders approved on 10th March 2009, should be removed from the transcript, providing that the presiding officer had, at the time the name was used, ruled that the use of the name had been in breach of Standing Orders; and further agreed that when any name was removed retrospectively from the transcript in accordance with the use of this power a note should be inserted in the revised transcript stating "name omitted in accordance with States decision of 18th January 2011".

Members present voted as follows -

#### **POUR: 37**

# CONTRE: 10

ABSTAIN: 0

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.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. John Connétable of St. Saviour Connétable of St. Clement Connétable of St. Peter Connétable of St. Lawrence Connétable of St. Mary Deputy of St. Martin Deputy R.G. Le Hérissier (S) Deputy J.B. Fox (H) Deputy J.A. Martin (H) Deputy of St. Ouen Deputy J.A. Hilton (H) Deputy J.A.N. Le Fondré (L)

Deputy R.C. Duhamel (S) Deputy G.P. Southern (H) Deputy P.V.F. Le Claire (H) Deputy S. Pitman (H) Deputy of St. John Deputy of St. Mary Deputy T.M. Pitman (H) Deputy M.R. Higgins (H) Deputy D.J. De Sousa (H) Deputy J.M. Maçon (S) Deputy of Trinity Deputy S.S.P.A. Power (B) Deputy K.C. Lewis (S) Deputy I.J. Gorst (C) Deputy M. Tadier (B) 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)

## Draft Amendment (No. 14) of the Standing Orders of the States of Jersey P.169/2010

THE STATES commenced consideration of a proposition of the Privileges and Procedures Committee regarding an amendment to the Standing Orders of the States of Jersey (P.169/2010) and adopted amendments 1 to 4.

Members present voted as follows -

<b>POUR: 47</b>	CONTRE: 1	ABSTAIN: 0
POUR: 47 Senator T.A. Le Sueur Senator B.E. Shenton Senator B.E. Shenton Senator J.L. Perchard Senator A. Breckon Senator A. Breckon Senator A.J.H. Maclean 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. Ouen Connétable of St. Helier Connétable of St. Helier Connétable of St. Brelade Connétable of St. Brelade Connétable of St. John Connétable of St. Saviour Connétable of St. Clement Connétable of St. Clement Connétable of St. Clement Connétable of St. Lawrence Connétable of St. Lawrence Connétable of St. Lawrence Connétable of St. Mary Deputy R.C. Duhamel (S) Deputy R.G. Le Hérissier (S) Deputy J.B. Fox (H) Deputy J.A. Martin (H) Deputy of St. Ouen Deputy J.A. Hilton (H) Deputy J.A. Hilton (H) Deputy J.A.N. Le Fondré (L) Deputy of Trinity	CONTRE: I Deputy of St. Martin	ABSTAIN: 0

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

THE STATES adopted amendment 5.

### Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 19th January 2011, to continue consideration of the Draft Amendment (No. 14) of the Standing Orders of the States of Jersey (P.169/2010) and the outstanding items of public business.

THE STATES rose at 5.32 p.m.

## M.N. DE LA HAYE

Greffier of the States