



**THE STATES assembled on Monday  
21st September 2009 at 2.30 p.m. under  
the Presidency of the Bailiff,  
Michael Cameron St. John Birt Esquire.**

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

Senator Terence John Le Main – en défaut (défaut raised at 2.39 p.m.)  
Senator Frederick Ellyer Cohen – en défaut  
Senator James Leslie Perchard – excused attendance  
Connétable Kenneth Priaulx Vibert of St. Ouen – en défaut  
Connétable Alan Simon Crowcroft of St. Helier – excused attendance  
Connétable Graeme Frank Butcher of St. John – excused attendance  
Deputy Judith Ann Martin of St. Helier – excused attendance  
Deputy Geoffrey Peter Southern – en défaut (défaut raised at 2.47 p.m.)  
Deputy Angela Elizabeth Jeune of St. Brelade – en défaut  
Deputy Trevor Mark Pitman of St. Helier – en défaut (défaut raised at 2.44 p.m.)  
Deputy Anne Teresa Dupré of St. Clement – en défaut (défaut raised at 2.57 p.m.)  
Deputy Michael Roderick Higgins of St. Helier – excused attendance (arrived in the Chamber at 3.46 p.m.)  
Deputy Andrew Kenneth Francis Green of St. Helier – excused attendance

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Prayers read by the Deputy Greffier of the States

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**Subordinate enactments tabled**

The following enactments were tabled, namely –

Road Traffic (Speed Limits) (Amendment No. 4) (Jersey) Order 2009. <i>Minister for Transport and Technical Services.</i>	R&O.90/2009.
Road Traffic (Prohibition of Waiting) (Clearways) (Amendment No. 9) (Jersey) Order 2009. <i>Minister for Transport and Technical Services.</i>	R&O.91/2009.
Community Provisions (Restrictive Measures – Burma/Myanmar) (Amendment No. 2) (Jersey) Order 2009. <i>Chief Minister.</i>	R&O.92/2009.
Employment (Awards) (Jersey) Order 2009. <i>Minister for Social Security.</i>	R&O.93/2009.
Water Resources (Charges) (Jersey) Order 2009. <i>Minister for Planning and Environment.</i>	R&O.94/2009.
Building Bye-laws (Amendment) (Jersey) 2009. <i>Minister for Planning and Environment.</i>	R&O.95/2009.
Planning and Building (Island Plan) (Jersey) Order 2009. <i>Minister for Planning and Environment.</i>	R&O.96/2009.

**Documents presented or laid**

Draft Annual Business Plan 2010 (P.117/2009): amendment (P.117/2009 Amd.) – comments. Presented: 21st September 2009. <i>Council of Ministers.</i>	P.117/2009. Amd.Com.
Draft Annual Business Plan 2010 (P.117/2009): amendment (P.117/2009 Amd.) – amendment (P.117/2009 Amd.Amd.) – comments. Presented: 21st September 2009. <i>Council of Ministers.</i>	P.117/2009. Amd.Amd. Com.
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 (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): fourth amendment (P.117/2009 Amd.(4)) – comments. Presented: 21st September 2009. <i>Council of Ministers.</i>	P.117/2009. Amd.(4)Com.
Draft Annual Business Plan 2010 (P.117/2009): fifth amendment (P.117/2009 Amd.(5)) – comments. Presented: 21st September 2009. <i>Council of Ministers.</i>	P.117/2009. Amd.(5)Com.
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): seventh amendment (P.117/2009 Amd.(7)) – comments. Presented: 21st September 2009. <i>Council of Ministers.</i>	P.117/2009. Amd.(7)Com.
Draft Annual Business Plan 2010 (P.117/2009): ninth amendment (P.117/2009 Amd.(9)) – comments. Presented: 21st September 2009. <i>Council of Ministers.</i>	P.117/2009. Amd.(9)Com.
Draft Annual Business Plan 2010 (P.117/2009): tenth amendment (P.117/2009 Amd.(10)) – comments. Presented: 21st September 2009. <i>Council of Ministers.</i>	P.117/2009. Amd.(10) Com.

Draft Annual Business Plan 2010 (P.117/2009): eleventh amendment (P.117/2009 Amd.(11)) – comments. Presented: 21st September 2009. <i>Council of Ministers.</i>	P.117/2009. Amd.(11) Com.
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 (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): sixteenth amendment (P.117/2009 Amd.(16)) – comments. Presented: 21st September 2009. <i>Council of Ministers.</i>	P.117/2009. Amd.(16) Com.
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 (P.117/2009 Amd.(18)) – comments. Presented: 21st September 2009. <i>Council of Ministers.</i>	P.117/2009. Amd.(18) Com.
Annual Performance Report 2008. Presented: 16th September 2009. <i>Chief Minister.</i>	R.103/2009.
Public Land Adjoining 162 Clos des Sables, St. Brelade; proposed sale. Presented: 21st September 2009. <i>Minister for Treasury and Resources.</i>	R.104/2009.
Draft Annual Business Plan 2010 (P.117/2009): review. Presented: 16th September 2009. <i>Corporate Services Scrutiny Panel.</i>	S.R.8/2009.

### **Notification of lodged propositions**

Draft Annual Business Plan 2010 (P.117/2009): fourth amendment (P.117/2009 Amd.(4)) – amendment. Lodged: 21st September 2009. <i>Chief Minister.</i>	P.117/2009. Amd.(4)Amd.
Draft Annual Business Plan 2010 (P.117/2009): nineteenth amendment. Lodged: 21st September 2009. <i>Chief Minister.</i>	P.117/2009. Amd.(19)

Draft Data Protection (Amendment No. 2) (Jersey) Law 200- Lodged: 16th September 2009. <i>Minister for Treasury and Resources.</i>	P.147/2009.
Young Offenders: naming by the media. Lodged: 17th September 2009. <i>Deputy T.M. Pitman of St. Helier.</i>	P.148/2009.
Statistics User Group: re-appointment of Chairman. Lodged: 18th September 2009. <i>Chief Minister.</i>	P.149/2009.
Jersey Police Complaints Authority: appointment of Chairman and members. Lodged: 18th September 2009. <i>Minister for Home Affairs.</i>	P.150/2009.
Draft Public Holidays and Bank Holidays (Jersey) Act 200- Lodged: 21st September 2009. <i>Chief Minister.</i>	P.151/2009.

### **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 –

Code of Practice for Scrutiny Panels and the Public Accounts Committee: amendments. Lodged: 6th July 2009. <i>Chairmen’s Committee.</i>	P.112/2009.
Jersey Police Complaints Authority: appointment of Chairman and members. Lodged: 18th August 2009. <i>Minister for Home Affairs.</i>	P.129/2009.

### **Public Accounts Committee – membership**

THE STATES noted the resignation of Deputy Tracey Anne Vallois of St. Saviour from the Public Accounts Committee.

In accordance with the provisions of Standing Order 123(1), Senator Ben Edward Shenton, Chairman of the Public Accounts Committee nominated Senator James Leslie Perchard as a member of the Public Accounts Committee.

There being no other nominations, the Bailiff declared that Senator James Leslie Perchard had been duly appointed as an elected member of the Public Accounts Committee.

### **Environment Scrutiny Panel – appointment of member**

In accordance with Standing Order 125(7) the Chairman of the Environment Scrutiny Panel nominated Deputy Paul Vincent Francis Le Claire of St. Helier as a member of the Environment Scrutiny Panel.

There being no other nominations, the Bailiff declared that Deputy Paul Vincent Francis Le Claire of St. Helier had been duly appointed as a member of the Environment Scrutiny Panel.

### **Written Questions**

*(see Official Report/Hansard)*

The Chief Minister tabled an answer to a question asked by Senator B.E. Shenton regarding standby arrangements for public employees.

The Minister for Treasury and Resources tabled an answer to a question asked by the Deputy of St. John regarding the supply of bottled water to States Departments.

The Minister for Education, Sport and Culture tabled an answer to a question asked by the Deputy of St. John regarding the cost of floodlighting Victoria College.

The Minister for Education, Sport and Culture tabled an answer to a question asked by the Deputy of St. John regarding Cognitive Abilities Test results.

The Minister for Home Affairs tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the historic abuse investigation.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy A.K.F. Green of St. Helier regarding the removal of contaminants from the Castle Quays site.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy A.K.F. Green of St. Helier regarding flooding at a property at L'Etacq.

The Minister for Economic Development tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the annual cost of regulation to Jersey Post.

The Minister for Economic Development tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding camping facilities at Jersey Live in 2010.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding school league tables.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding IT projects.

The Minister for Economic Development tabled an answer to a question asked by Deputy S.S.P.A. Power of St. Brelade regarding whelk fishing.

The Minister for Social Security tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding eligibility for incapacity pension.

H.M. Attorney General tabled an answer to a question asked by the Deputy of St. Mary regarding actions for damages against States Departments.

The President of the Chairmen's Committee tabled an answer to a question asked by the Deputy of St. Mary regarding complaints made against the accredited media.

The Minister for Home Affairs tabled an answer to a question asked by the Deputy of St. Mary regarding the Police Complaints Authority.

The Minister for Treasury and Resources tabled an answer to a question asked by the Deputy of St. Mary regarding the future use of the former JCG site.

The Minister for Transport and Technical Services tabled an answer to a question asked by the Deputy of St. Mary regarding accidents in the area of La Rue des Buttes.

The Minister for Economic Development tabled an answer to a question asked by the Deputy of St. John regarding the re-fit of the fisheries vessel the Norman Le Brocq.  
*(deferred from 8th September 2009)*

### **Oral Questions**

*(see Official Report/Hansard)*

The Deputy of St. Martin asked a question of the Chief Minister regarding the appointment of a body to investigate the matters raised in P.131/2009 (the suspension of a Consultant Obstetrician and Gynaecologist).

Deputy D.J. de Sousa of St. Helier asked a question of the Minister for Treasury and Resources regarding the revenue raised annually from GST on domestic fuel.

Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Home Affairs regarding penalties to owners who refuse to keep their dogs under proper control.

The Deputy of St. Mary asked a question of the Minister for Economic Development regarding the latest consumer price figures and the 'Think Twice Buy Local' campaign.

Deputy T.M. Pitman of St. Helier asked a question of H.M. Attorney General regarding the actions of H.M. Attorney General in relation to the prosecution and conviction of Mr. Claude Wateridge.

Deputy R.G. Le Hérisier of St. Saviour asked a question of the Minister for Home Affairs regarding comments made by the retiring Senior Investigating Officer upon his departure from Jersey in relation to the historic abuse investigation.

Deputy S. Pitman of St. Helier asked a question of the Minister for Social Security regarding assistance with the costs of school clothes, shoes and equipment.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Transport and Technical Services regarding the opening times of Liberation Station.

The Deputy of St. John asked a question of the Chief Minister regarding the appointment of a candidate to chair the Committee of Inquiry into Reg's Skips Limited.

Deputy T.M. Pitman of St. Helier asked a question of the Minister for Treasury and Resources regarding the taxing of windfall profits which arise when land is rezoned for housing.

Deputy S. Pitman of St. Helier asked a question of the Minister for Health and Social Services regarding discussions with the pay groups representing Health and Social Services staff regarding the public sector pay freeze.

The Deputy of St. Mary asked a question of the Minister for Economic Development regarding the purpose of the Draft Plant Varieties Law.

The Deputy of St. Martin asked a question of the Minister for Economic Development regarding the proposed Gambling Commission's budget.

Deputy M.R. Higgins of St. Helier asked a question of the Minister for Economic Development regarding the responsibility for taking forward the commitment for a genuinely diverse economy.

The Deputy of St. John asked a question of the Minister for Treasury and Resources regarding funding of mains drain and water extensions in the countryside.

Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Economic Development regarding The rental value of the warehouse currently occupied by the Maritime Museum.

Deputy R.G. Le Hérisssier of St. Saviour asked a question of the Minister for Home Affairs regarding suspension and discipline procedures in the States of Jersey Police.

Senator B.E. Shenton asked a question of the Minister for Education, Sport and Culture regarding the publication of performance statistics for Island schools.

**Oral Questions without notice**

*(see Official Report/Hansard)*

The Minister for Home Affairs answered questions without notice from members.

The Chief Minister answered questions without notice from members.

**Statements on a matter of official responsibility**

*(see Official Report/Hansard)*

The Minister for Treasury and Resources made a statement regarding H1N1 Influenza Pandemic funding.

**Adjournment**

THE STATES adjourned, having agreed to reconvene on Tuesday 22nd September 2009 to consider public business.

THE STATES rose at 5.36 p.m.

**A.H. HARRIS**

*Deputy Greffier of the States*