



**THE STATES assembled on Wednesday
4th November 2009, at 09.30 a.m. under
the Presidency of the Deputy Bailiff,
William James Bailhache, Esquire.**

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

Senator Stuart Syvret – en défaut
Senator Philip Francis Cyril Ozouf – en défaut (défaut raised at 2.15 p.m.)
Senator Sarah Craig Ferguson – en défaut (défaut raised at 9.50 a.m.)
Senator Alan John Henry Maclean – en défaut (défaut raised at 10.17 a.m.)
Connétable Kenneth Priaulx Vibert of St. Ouen – en défaut (défaut raised at 9.35 a.m.)
Connétable Michael Keith Jackson of St. Brelade – en défaut (défaut raised at 9.50 a.m.)
Deputy Geoffrey Peter Southern of St. Helier – en défaut (défaut raised at 10.00 a.m.)
Deputy Paul Vincent Francis Le Claire of St. Helier – en défaut (défaut raised at 9.35 a.m.)
Deputy Daniel John Arabin Wimberley of St. Mary – en défaut (défaut raised at 9.35 a.m.)
Deputy Trevor Mark Pitman of St. Helier – en défaut (défaut raised at 9.53 a.m.)
Deputy Anne Teresa Dupré of St. Clement – ill

Prayers

Documents presented or laid

Committee of Inquiry into the management of the Health and Social Services Department (P.145/2009): comments. P.145/2009.
Presented: 4th November 2009. Com.(2)
Minister for Treasury and Resources

Budget Management Report for the 6 month period to 30th June 2009. R.121/2009.
Presented: 4th November 2009.
Minister for Treasury and Resources.

Deputy Bailiff – welcome

The Chairman of the Privileges and Procedures Committee, on behalf of all Members, formally welcomed Mr. William James Bailhache, Deputy Bailiff, who was Presiding for the first time.

Senator Stuart Syvret – attendance

THE STATES rejected a proposition by Deputy Montfort Tadier of St. Brelade, made in accordance with Standing Order 53(3), that the reason for the absence of Senator Stuart Syvret was such that he should be excused attendance.

Members present voted as follows –

POUR: 0**CONTRE: 43****ABSTAIN: 0**

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator A. Breckon
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Martin
 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 Hérisier (S)
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy 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 E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy D. De Sousa (H)
 Deputy J.M. Maçon (S)

Draft Shops (Regulation of Opening and Deliveries) (Jersey) Law 200- P.111/2009

THE STATES resumed consideration of the Draft Shops (Regulation of Opening and Deliveries) (Jersey) Law 200- and, adopting paragraph (a) of an amendment of Deputy Ian Joseph Gorst of St. Clement, agreed that in paragraph (1) of Article 4 there should be omitted the words “, Christmas Day”.

Members present voted as follows –

POUR: 30

Senator T.A. Le Sueur
 Senator F.E. Cohen
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy of St. Martin
 Deputy J.B. Fox (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy 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 M. Tadier (B)
 Deputy A.E. Jeune (B)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy D. De Sousa (H)
 Deputy J.M. Maçon (S)

CONTRE: 17

Senator P.F. Routier
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator J.L. Perchard
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Peter
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)

ABSTAIN: 0

THE STATES, adopting paragraph (b) of an amendment of Deputy Ian Joseph Gorst of St. Clement to the Draft Shops (Regulation of Opening and Deliveries) (Jersey) Law 200-, agreed that after paragraph (2) in Article 4, there should be inserted the following paragraph and the remaining paragraphs renumbered accordingly –

“(3) Regulations made under paragraph (1) may not include provision empowering the Minister, by Order, to designate Good Friday or Liberation Day as a special occasion for the purposes of this Law.”.

Members present voted as follows –

POUR: 40

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator J.L. Perchard

CONTRE: 8

Senator T.J. Le Main
 Senator S.C. Ferguson
 Connétable of Grouville
 Connétable of St. Peter
 Deputy R.C. Duhamel (S)

ABSTAIN: 0

Senator A. Breckon	Deputy R.G. Le Hérisssier (S)
Senator A.J.D. Maclean	Deputy J.A. Martin (H)
Senator B.I. Le Marquand	Deputy G.P. Southern (H)
Connétable of St. Ouen	
Connétable of St. Helier	
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. Lawrence	
Connétable of St. Mary	
Deputy of St. Martin	
Deputy J.B. Fox (H)	
Deputy of St. Ouen	
Deputy of Grouville	
Deputy of St. Peter	
Deputy J.A. Hilton (H)	
Deputy 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)	
Deputy of St. Mary	
Deputy T.M. Pitman (H)	
Deputy E.J. Noel (L)	
Deputy T.A. Vallois (S)	
Deputy A.K.F. Green (H)	
Deputy D. De Sousa (H)	
Deputy J.M. Maçon (S)	

THE STATES adopted Article 4, as amended.

Members present voted as follows –

POUR: 40

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator T.J. Le Main
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator A. Breckon
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of St. Helier
 Connétable of Trinity

CONTRE: 2

Deputy of St. John
 Deputy J.M. Maçon (S)

ABSTAIN: 0

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 Hérisier (S)
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy M. Tadier (B)
 Deputy A.E. Jeune (B)
 Deputy T.M. Pitman (H)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy D. De Sousa (H)

THE STATES adopted Articles 5 to 12 and the Schedule.

Members present voted as follows –

POUR: 42

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

CONTRE: 3

Deputy of St. Ouen
 Deputy of St. John
 Deputy J.M. Maçon (S)

ABSTAIN: 0

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 J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy M. Tadier (B)
 Deputy A.E. Jeune (B)
 Deputy T.M. Pitman (H)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy D. De Sousa (H)

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Shops (Regulation of Opening and Deliveries) (Jersey) Law 200-.

Members present voted as follows –

POUR: 40

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary

CONTRE: 3

Deputy of St. Ouen
 Deputy of St. John
 Deputy J.M. Maçon (S)

ABSTAIN: 0

Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérisssier (S)
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy of Grouville
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy M. Tadier (B)
 Deputy A.E. Jeune (B)
 Deputy T.M. Pitman (H)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy D. De Sousa (H)

**Committee of Inquiry into the management of the Health and Social Services Department
 P.145/2009**

THE STATES commenced consideration of a proposition of the Health, Social Security and Housing Scrutiny Panel concerning the establishment of a Committee of Inquiry into the management of the Health and Social Services Department.

THE STATES rejected a proposition of Deputy Paul Vincent Francis Le Claire of St. Helier that the meeting should be adjourned.

Members present voted as follows –

POUR: 22

Senator F.E. Cohen
 Connétable of St. Ouen
 Connétable of Grouville
 Connétable of St. Mary
 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 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 K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy M. Tadier (B)

CONTRE: 23

Senator T.A. Le Sueur
 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.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

ABSTAIN: 0

Deputy A.E. Jeune (B)	Deputy J.A. Martin (H)
Deputy of St. Mary	Deputy of St. Ouen
Deputy T.M. Pitman (H)	Deputy J.A. Hilton (H)
Deputy M.R. Higgins (H)	Deputy of Trinity
Deputy D. De Sousa (H)	Deputy E.J. Noel (L)
Deputy J.M. Maçon (S)	Deputy T.A. Vallois (S)
	Deputy A.K.F. Green (H)

THE STATES, following further consideration of the proposition entitled ‘Committee of Inquiry into the management of the Health and Social Services Department’ (P.145/2009), adopted a proposition of the Chairman of the Privileges and Procedures Committee, that the meeting should be adjourned.

Members present voted as follows –

POUR: 36**CONTRE: 11****ABSTAIN: 0**

Senator T.A. Le Sueur
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of St. Brelade
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérisier (S)
 Deputy J.B. Fox (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 M. Tadier (B)
 Deputy A.E. Jeune (B)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy D. De Sousa (H)
 Deputy J.M. Maçon (S)

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Connétable of Grouville
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Deputy J.A. Martin (H)
 Deputy of St. Ouen
 Deputy E.J. Noel (L)
 Deputy A.K.F. Green (H)

Adjournment

THE STATES adjourned, having agreed to reconvene on Thursday 5th November 2009 to continue consideration of the Committee of Inquiry into the management of the Health and Social Services Department (P.145/2009) and the outstanding items of public business.

THE STATES rose at 5.40 p.m.

M.N. DE LA HAYE

Greffier of the States