



**THE STATES assembled on Tuesday  
15th February 2011, at 09.30 a.m. under  
the Presidency of the Bailiff,  
Michael Cameron St. John Birt Esquire.**

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**His Excellency the Lieutenant Governor,  
Lieutenant-General Andrew Peter Ridgway, C.B., C.B.E.,  
was present.**

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

Connétable Michael Keith Jackson of St. Brelade – en défaut  
Deputy John Alexander Nicholas Le Fondré of St. Lawrence – en défaut  
Deputy Daniel John Arabin Wimberley of St. Mary – en défaut (défaut raised at 9.50 a.m.)

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Prayers read by the Dean Substitute

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#### **Subordinate enactments tabled**

The following enactments were tabled, namely –

Road Racing (Karts) (Jersey) Order 2011. <i>Minister for Transport and Technical Services.</i>	R&O.16/2011.
Road Traffic (Trinity) (Amendment No. 6) (Jersey) Order 2011. <i>Minister for Transport and Technical Services.</i>	R&O.17/2011.
Employment (Minimum Wage) (Amendment No. 4) (Jersey) Order 2011. <i>Minister for Social Security.</i>	R&O.18/2011.
Community Provisions (Restrictive Measures – Zimbabwe) (No. 6) (Amendment No. 3) (Jersey) Order 2011. <i>Chief Minister.</i>	R&O.19/2011.

#### **Documents presented or laid**

Composition of the States: implementation of remaining Clothier reforms – referendum (P.3/2011) – comments. Presented: 14th February 2011. <i>Council of Ministers.</i>	P.3/2011. Com.
Cold weather payments: amendment to income support (P.4/2011) – comments. Presented: 14th February 2011. <i>Council of Ministers.</i>	P.4/2011. Com.

Cold weather payments: amendment to income support (P.4/2011) – comments. P.4/2011.  
Presented: 15th February 2011. Com.(2)  
*Minister for Planning and Environment.*

Cold weather payments: amendment to income support (P.4/2011) – comments. P.4/2011.  
Presented: 15th February 2011. Com.(3)  
*Minister for Social Security.*

Minister for Treasury and Resources: request to Chief Minister to lodge proposition for P.16/2011.  
dismissal – petition (P.16/2011) – comments. Com.  
Presented: 14th February 2011.  
*Chief Minister.*

Minister for Treasury and Resources: request to Chief Minister to lodge proposition for P.16/2011.  
dismissal – petition (P.16/2011) – comments. Com.(2)  
Presented: 14th February 2011.  
*Council of Ministers.*

Historical Child Abuse: request to Council of Ministers (P.19/2011) – comments. P.19/2011.  
Presented: 14th February 2011. Com.  
*Education and Home Affairs Scrutiny Panel.*

States of Jersey Law 2005: delegation of functions – Treasury and Resources February R.10/2011.  
2011.  
Presented: 7th February 2011.  
*Minister for Treasury and Resources.*

Making Jersey Safer: States of Jersey Police – Policing Plan 2011. R.11/2011.  
Presented: 8th February 2011.  
*Minister for Home Affairs.*

States of Jersey Law 2005: delegation of functions – Economic Development February R.12/2011.  
2011.  
Presented: 9th February 2011.  
*Minister for Economic Development.*

Jersey Police Complaints Authority: report for 2010. R.13/2011.  
Presented: 11th February 2011.  
*Minister for Home Affairs.*

### **Notification of lodged propositions**

North of Town Masterplan (Revised) (P.190/2010): fourth amendment. P.190/2010.  
Lodged: 15th February 2011. Amd.(4)  
*Deputy of St. Mary.*

Cold weather payments: amendment to income support (P.4/2011) – amendment. P.4/2011.  
Lodged: 8th February 2011. Amd.  
*Senator B.E. Shenton.*

Historical Child Abuse: request to Council of Ministers (P.19/2011) – amendment. Lodged: 15th February 2011. <i>Deputy of St. Martin.</i>	P.19/2011. Amd.
Green waste from commercial operators: introduction of charge. Lodged: 4th February 2011. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.20/2011. (re-issue)
Importation of Fireworks in 2007 for a Charity Event: investigation. Lodged: 8th February 2011. <i>Deputy of St. John.</i>	P.21/2011.
Elected members’ access to information: media releases. Lodged: 14th February 2011. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.22/2011.
Income Tax: introduction of higher rate. Lodged: 14th February 2011. <i>Deputy G.P. Southern of St. Helier.</i>	P.23/2011.
Esplanade Quarter: deferment of works. Lodged: 15th February 2011. <i>Deputy of St. John.</i>	P.24/2011.

### **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 –

Esplanade Quarter: deferment of works. Lodged: 7th December 2010. <i>Deputy of St. John.</i>	P.181/2010.
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### **Minister for Housing**

Deputy Andrew Kenneth Francis Green of St. Helier was nominated by the Chief Minister.  
Deputy Geoffrey Peter Southern of St. Helier was nominated by Deputy Judith Ann Martin of St. Helier.

In accordance with Standing Order 117, 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 –

Deputy Andrew Kenneth Francis Green of St. Helier	36
Deputy Geoffrey Peter Southern of St. Helier	15

The Bailiff accordingly declared that Deputy Andrew Kenneth Francis Green of St. Helier had been duly elected as the Minister for Housing.

**Corporate Services scrutiny panel: appointment of member**

In accordance with the provisions of Standing Order 125(1), the Deputy of St. John, Chairman of the Environment Scrutiny Panel, nominated Deputy Sean Seamus Patrick Augustine Power of St. Brelade as a member of the Environment Scrutiny Panel.

There being no other nominations, the Bailiff declared that Deputy Sean Seamus Patrick Augustine Power of St. Brelade had been duly appointed as an elected member of the Environment Scrutiny Panel.

**Arrangement of business for the current meeting**

THE STATES, adopting a proposition of the Chief Minister, agreed that he be given leave by the Assembly to make a statement on a matter of official responsibility before the start of question time.

Members present voted as follows –

**POUR: 31**

Senator T.A. Le Sueur  
 Senator P.F. Routier  
 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 Trinity  
 Connétable of Grouville  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Deputy R.C. Duhamel (S)  
 Deputy of St. Martin  
 Deputy R.G. Le Hérisier (S)  
 Deputy J.B. Fox (H)  
 Deputy of St. Ouen  
 Deputy of Grouville  
 Deputy of St. Peter  
 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 A.K.F. Green (H)  
 Deputy J.M. Maçon (S)

**CONTRE: 12**

Connétable of St. Lawrence  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy P.V.F. Le Claire (H)  
 Deputy S.S.P.A. Power (B)  
 Deputy S. Pitman (H)  
 Deputy of St. John  
 Deputy of St. Mary  
 Deputy T.M. Pitman (H)  
 Deputy T.A. Vallois (S)  
 Deputy M.R. Higgins (H)  
 Deputy D.J. De Sousa (H)

**ABSTAIN: 3**

Connétable of St. John  
 Connétable of St. Mary  
 Deputy M. Tadier (B)

**Statements on a matter of official responsibility**

*(see Official Report/Hansard)*

The Chief Minister made a statement regarding zero-ten.

**Written Questions**

*(see Official Report/Hansard)*

The Chief Minister tabled an answer to a question asked by the Deputy of St. John regarding the use of self-employed or agency staff.

The Minister for Social Security tabled an answer to a question asked by Senator F. du H. Le Gresley regarding claims for the GST Food Costs Bonus in 2010.

The Chief Minister tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding the roles and responsibilities of Assistant Ministers.

The Minister for Treasury and Resources tabled an answer to a question asked by the Connétable of Grouville regarding the future of the former Jersey College for Girls site.

The Chief Minister tabled an answer to a question asked by Senator B.E. Shenton regarding the work involved in preparing answers for States meetings.

The Chief Minister tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding the new Migration legislation.

The Chairman of the Comité des Connétables tabled an answer to a question asked by Senator J.L. Perchard regarding parish recycling schemes.

The Minister for Planning and Environment tabled an answer to a question asked by the Deputy of St. Martin regarding access to properties under the Water (Jersey) Law 1972.

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

The Minister for Treasury and Resources tabled an answer to a question asked by Senator F. du H. Le Gresley regarding the funding of a Committee of Inquiry.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the future of zero/ten.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding weekly benefits payments.

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

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding foreign owned non-finance companies subject to 0% tax.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the Odeon Cinema site.

The Chief Minister tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the cost of advice on EU issues over the past 5 years.

The Minister for Transport and Technical Services tabled an answer to a question asked by the Deputy of St. Mary regarding the Liquid Waste Strategy.

The Minister for Health and Social Services tabled an answer to a question asked by the Deputy of St. Mary regarding trends in activity within certain sections of the Hospital.

The Chairman of the Privileges and Procedures Committee tabled an answer to a question asked by the Deputy of St. Mary regarding facilities for States members.

The Minister for Health and Social Services tabled an answer to a question asked by the Deputy of St. Mary regarding health screening for residents in the vicinity of the Energy from Waste Plant.

The Minister for Economic Development tabled an answer to a question asked by the Deputy of St. Mary regarding funding for repairs at Gorey Pier.

### **Oral Questions**

*(see Official Report/Hansard)*

Deputy T.M. Pitman of St. Helier asked a question of the Minister for Economic Development regarding the rates paid to the Harbours and Airport Shadow Board.

The Deputy of St. John asked a question of the Minister for Education, Sport and Culture regarding charges for early years education.

The Deputy of St. Mary asked a question of the Assistant Minister for Transport and Technical Services regarding the criteria for the purchase of new buses.

Deputy P.V.F. Le Claire of St. Helier asked a question of the Minister for Treasury and Resources regarding zero/ten.

Senator S.C. Ferguson asked a question of the Minister for Health and Social Services regarding middle grade doctors' posts at the Hospital.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding the total income tax paid in 2009 by the finance sector at 10% and utilities at 20%.

Deputy M.R. Higgins of St. Helier asked a question of the Minister for Economic Development regarding increased lending for businesses.

The Deputy of St. Martin asked a question of the Chief Minister regarding the Terms of Reference of the Napier report.

The Deputy of St. Martin asked a question of the Minister for Home Affairs regarding the cost of the Metropolitan Police Review of the Haut de la Garenne investigation and of redacting the Wiltshire Report.

Senator S.C. Ferguson asked a question of the Minister for Health and Social Services regarding the reorganisation of middle-grade doctors and surgeons.

The Deputy of St. Mary asked a question of the Minister for Planning and Environment regarding a pollution incident which occurred in early 2009 at La Collette during construction of the Energy from Waste Plant.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding an alternative to the use of deemed distribution under zero/ten.

Deputy T.M. Pitman of St. Helier asked a question of the Minister for Treasury and Resources regarding fair and equitable taxation practices.

Deputy M.R. Higgins of St. Helier asked a question of the Minister for Health and Social Services regarding doctors currently working under restrictions.

### **Oral Questions without notice**

*(see Official Report/Hansard)*

The Minister for Education, Sport and Culture answered questions without notice from members.

The Minister for Health and Social Services 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 regulation of Channel Island ferry services.

### **Minister for Treasury and Resources: request to Chief Minister to lodge proposition for dismissal – petition P.16/2011**

THE STATES commenced consideration of a proposition of Deputy Geoffrey Peter Southern of St. Helier concerning a request to the Chief Minister to bring a proposition asking the States to dismiss the Minister for Treasury and Resources.

### **Adjournment**

THE STATES adjourned, having agreed to reconvene on Wednesday 16th February 2011, to continue consideration of the proposition of Deputy Geoffrey Peter Southern of St. Helier entitled “Minister for Treasury and Resources: request to Chief Minister to lodge proposition for dismissal – petition” (P.16/2011) and the outstanding items of public business.

THE STATES rose at 5.32 p.m.

**M.N. DE LA HAYE**

*Greffier of the States*