



**THE STATES assembled on Wednesday
16th March 2011, 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 Philip Francis Cyril Ozouf – absent on States business
Senator Frederick Ellyer Cohen – absent on States business
Connétable Silvanus Arthur Yates of St. Martin – ill
Deputy Geoffrey Peter Southern of St. Helier – en défaut (défaut raised at 9.55 a.m.)
Deputy Shona Pitman of St. Helier – ill
Deputy Daniel John Arabin Wimberley of St. Mary – en défaut (défaut raised at 9.34 a.m.)
Deputy Edward James Noel of St. Lawrence – ill
Deputy Deborah Jane De Sousa of St. Helier – ill

Prayers read by the Dean Substitute

Documents presented or laid

Report on the accounts of the States of Jersey for the year ended December 2009 (P.A.C.4/2010) – addendum. P.A.C.4/2010.
Presented: 16th March 2011. Add.
Public Accounts Committee.

Notification of lodged propositions

Freedom of Information: Implementation Plan. P.41/2011.
Lodged: 16th March 2011.
Deputy R.G. Le Hérisssier of St. Saviour.

Green waste from commercial operators: introduction of charge P.20/2011

THE STATES, adopting a proposition of Deputy Paul Vincent Francis Le Claire of St. Helier, agreed to request the Minister for Transport and Technical Services to introduce a charge for the reception of green waste from commercial operators.

Members present voted as follows –

POUR: 44

CONTRE: 1

ABSTAIN: 0

Senator T.A. Le Sueur
Senator P.F. Routier
Senator T.J. Le Main
Senator B.E. Shenton
Senator A. Breckon
Senator S.C. Ferguson

Connétable of St. Peter

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 of St. Martin
Deputy R.G. Le Hérisssier (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 T.M. Pitman (H)
Deputy A.T. Dupré (C)
Deputy T.A. Vallois (S)
Deputy M.R. Higgins (H)
Deputy A.K.F. Green (H)
Deputy J.M. Maçon (S)

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(a), Senator James Leslie Perchard declared an interest and withdrew from the Chamber for the duration of the debate.

Message to Japan

The Deputy Bailiff, on behalf of all members, expressed sympathy for the loss of lives resulting from the recent earthquake in Japan.

Ratification of the Agreement for the Exchange of Information relating to Tax Matters between the Government of Jersey and the Government of Canada P.8/2011

THE STATES ratified the Agreement for the exchange of information relating to tax matters between the Government of Jersey and the Government of Canada as set out in the Appendix to the Report of the Chief Minister dated 12th January 2011.

Geneva Conventions: Additional Protocol III – extension to Jersey P.9/2011

THE STATES agreed, pursuant to Article 31(1)(b)(i) of the States of Jersey Law 2005, that a request be made to Her Majesty in Council for the making of an Order in Council that would extend to Jersey, with appropriate modifications and adaptations, Section 1 of, and the Schedule to, the Geneva Conventions and UN Personnel (Protocols) Act 2009, as summarised in the report of the Chief Minister dated 24th January 2011.

Members present voted as follows –

POUR: 45

CONTRE: 0

ABSTAIN: 1

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator J.L. Perchard
 Senator A. Breckon
 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 J.B. Fox (H)
 Deputy G.P. Southern (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)

Senator S.C. Ferguson

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 T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

Draft Banking Business (Amendment No. 7) (Jersey) Law 201- P.10/2011

THE STATES commenced consideration of the Draft Banking Business (Amendment No. 7) (Jersey) Law 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 Articles 1 to 4.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Banking Business (Amendment No. 7) (Jersey) Law 201-.

Draft Public Elections (Amendment No. 4) (Jersey) Law 201- P.14/2011

THE STATES commenced consideration of the Draft Public Elections (Amendment No. 4) (Jersey) Law 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 Articles 1 and 2.

THE STATES rejected an amendment of Deputy Geoffrey Peter Southern of St. Helier that after Article 2 there should be inserted the following Article and the remaining Articles renumbered accordingly –

“3 Article 5 amended

In Article 5(1)(c) of the principal Law –

- (a) in clause (i) for the words ‘2 years’ there shall be substituted the words ‘12 months’;
- (b) in clause (ii) for the words ‘5 years’ there shall be substituted the words ‘3 years’.

Members present voted as follows –

POUR: 17

CONTRE: 25

ABSTAIN: 0

Senator A. Breckon
 Senator F. du H. Le Gresley
 Connétable of St. Ouen
 Connétable of St. Saviour

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator T.J. Le Main
 Senator J.L. Perchard

Connétable of St. Lawrence	Senator S.C. Ferguson
Deputy R.C. Duhamel (S)	Senator B.I. Le Marquand
Deputy of St. Martin	Connétable of Trinity
Deputy R.G. Le Hérissier (S)	Connétable of Grouville
Deputy J.A. Martin (H)	Connétable of St. Brelade
Deputy G.P. Southern (H)	Connétable of St. John
Deputy of St. Peter	Connétable of St. Clement
Deputy M. Tadier (B)	Connétable of St. Mary
Deputy of St. Mary	Deputy J.B. Fox (H)
Deputy T.M. Pitman (H)	Deputy of St. Ouen
Deputy T.A. Vallois (S)	Deputy of Grouville
Deputy M.R. Higgins (H)	Deputy J.A. Hilton (H)
Deputy A.K.F. Green (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 of St. John
	Deputy A.E. Jeune (B)
	Deputy A.T. Dupré (C)
	Deputy J.M. Maçon (S)

THE STATES adopted Articles 3 and 4.

THE STATES adopted Article 5.

Members present voted as follows –

POUR: 41

Senator P.F. Routier
 Senator T.J. Le Main
 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 of St. Martin
 Deputy R.G. Le Hérissier (S)

CONTRE: 3

Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy T.M. Pitman (H)

ABSTAIN: 0

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 A.T. Dupré (C)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

THE STATES rejected Article 6(1).

Members present voted as follows –

POUR: 14

Senator T.A. Le Sueur
 Senator J.L. Perchard
 Connétable of St. Ouen
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. Saviour
 Connétable of St. Mary
 Deputy J.B. Fox (H)
 Deputy of St. Ouen
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy A.E. Jeune (B)
 Deputy A.T. Dupré (C)

CONTRE: 31

Senator P.F. Routier
 Senator T.J. Le Main
 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. John
 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 Hérisssier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy S.S.P.A. Power (B)
 Deputy of St. John
 Deputy M. Tadier (B)
 Deputy of St. Mary

ABSTAIN: 0

Deputy J.A.N. Le Fondré (L)

Deputy T.M. Pitman (H)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

THE STATES adopted Article 6(2).

Members present voted as follows –

POUR: 40

CONTRE: 3

ABSTAIN: 0

Senator T.J. Le Main
 Senator J.L. Perchard
 Senator A. Breckon
 Senator A.J.H. 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. 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 G.P. Southern (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 A.T. Dupré (C)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

Senator S.C. Ferguson
 Senator F. du H. Le Gresley
 Deputy of St. John

THE STATES rejected Article 7.

Members present voted as follows –

POUR: 15

Senator J.L. Perchard
 Senator B.I. Le Marquand
 Connétable of Trinity
 Connétable of St. Brelade
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Mary
 Deputy J.B. Fox (H)
 Deputy of St. Ouen
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy I.J. Gorst (C)
 Deputy A.E. Jeune (B)
 Deputy A.T. Dupré (C)

CONTRE: 29

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator T.J. Le Main
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator F. du H. Le Gresley
 Connétable of St. Ouen
 Connétable of St. Helier
 Connétable of Grouville
 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.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy S.S.P.A. Power (B)
 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 A.K.F. Green (H)
 Deputy J.M. Maçon (S)

ABSTAIN: 0

THE STATES adopted Articles 8 to 10.

THE STATES commenced consideration of Article 11.

Arrangement of business for the current meeting

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: 18

Senator T.J. Le Main
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator F. du H. Le Gresley
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. Peter
 Deputy R.C. Duhamel (S)
 Deputy of St. Peter
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy S.S.P.A. Power (B)
 Deputy M. Tadier (B)
 Deputy A.E. Jeune (B)
 Deputy of St. Mary
 Deputy A.T. Dupré (C)
 Deputy M.R. Higgins (H)

CONTRE: 25

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator J.L. Perchard
 Senator A. Breckon
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Lawrence
 Deputy of St. Martin
 Deputy R.G. Le Hérisssier (S)
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy of St. John
 Deputy T.M. Pitman (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

ABSTAIN: 1

Connétable of St. Mary

Draft Public Elections (Amendment No. 4) (Jersey) Law 201- P.14/2011

THE STATES resumed consideration of the Draft Public Elections (Amendment No. 4) (Jersey) Law 201- and adopted Article 11.

Members present voted as follows –

POUR: 43

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator T.J. Le Main
 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

CONTRE: 3

Deputy G.P. Southern (H)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)

ABSTAIN: 0

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 Hérisssier (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 A.T. Dupré (C)
Deputy T.A. Vallois (S)
Deputy M.R. Higgins (H)
Deputy A.K.F. Green (H)
Deputy J.M. Maçon (S)

Adjournment

THE STATES adjourned, having agreed to reconvene on Thursday 17th March 2011 to continue consideration of the Draft Public Elections (Amendment No. 4) (Jersey) Law 201- (P.14/2011) and the outstanding items of public business.

THE STATES rose at 5.43 p.m.

M.N. DE LA HAYE

Greffier of the States