



**THE STATES assembled on Wednesday
2nd May 2012, 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 –

Connétable Daniel Joseph Murphy of Grouville – en défaut
Connétable Deirdre Wendy Mezbourian of St. Lawrence – en défaut
Connétable Sadie Anthea Rennard of St. Saviour – ill
Deputy Anne Enid Pryke of Trinity – ill
Deputy Shona Pitman of St. Helier – excused attendance
Deputy Susan Jane Pinel of St. Clement – en défaut

Prayers

Tourism Development Fund: assistance to the private sector P.26/2012

THE STATES resumed consideration of a proposition of the Minister for Treasury and Resources to refer to their Act dated 18th December 2001 in which they established the Tourism Development Fund, and in accordance with Article 3(3)(b) of the Public Finances (Jersey) Law 2005, to vary the purposes of the Tourism Development Fund to allow the Minister for Economic Development to grant financial assistance to private sector entities to support the development of the tourism sector in Jersey.

THE STATES, adopting a proposition of Senator Sarah Craig Ferguson, agreed that, in accordance with Standing Order 79(2) the Corporate Services Scrutiny Panel should be requested to consider having the proposition referred to it.

Members present voted as follows –

POUR: 31

Senator P.F. Routier
Senator P.F.C. Ozouf
Senator A. Breckon
Senator S.C. Ferguson
Senator A.J.H. Maclean
Senator B.I. Le Marquand
Senator F. du H. Le Gresley
Senator I.J. Gorst
Senator P.M. Bailhache
Connétable of Trinity
Connétable of St. Peter
Connétable of St. Mary
Connétable of St. John
Connétable of St. Ouen

CONTRE: 12

Connétable of St. Helier
Connétable of St. Clement
Connétable of St. Brelade
Deputy J.A. Martin (H)
Deputy of Grouville
Deputy K.C. Lewis (S)
Deputy T.M. Pitman (H)
Deputy J.P.G. Baker (H)
Deputy J.H. Young (B)
Deputy of St. Mary
Deputy of St. Martin
Deputy R.G. Bryans (H)

ABSTAIN: 0

Connétable of St. Martin
Deputy R.C. Duhamel (S)
Deputy R.G. Le Hérisssier (S)
Deputy of St. Ouen
Deputy J.A. Hilton (H)
Deputy J.A.N. Le Fondré (L)
Deputy S.S.P.A. Power (B)
Deputy M. Tadier (B)
Deputy E.J. Noel (L)
Deputy T.A. Vallois (S)
Deputy M.R. Higgins (H)
Deputy A.K.F. Green (H)
Deputy J.M. Maçon (S)
Deputy G.C.L. Baudains (C)
Deputy of St. John
Deputy of St. Peter
Deputy R.J. Rondel (H)

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

Criminal Injuries Compensation Scheme: revised Scheme P.27/2012

THE STATES, adopting a proposition of the Minister for Home Affairs, agreed to refer to their Act dated 10th September 2009 in which they approved a revised Criminal Injuries Compensation Scheme, and agreed the following amendments to that Scheme –

- (i) in paragraph 10(a) for the words “application by a spouse or dependent” there should be substituted the words “application by a spouse, civil partner or dependent”;
- (ii) in paragraph 10(a)(ii) for the words “section 686 or 687 of the Merchant Shipping Act 1894 or such enactments as from time to time replace them” there should be substituted the words “section 281 of the Merchant Shipping Act 1995 of the United Kingdom, as extended to Jersey by Article 2 of the Merchant Shipping (Oil Pollution) (Jersey) Order 1997 or such enactments as from time to time replace it, or by virtue of Articles 173 and 174 of the Shipping (Jersey) Law 2002”;
- (iii) in paragraph 10(b) for the words “For the purposes of this paragraph a man and woman living together as husband and wife shall be treated as members of the same family” there should be substituted the words “For the purposes of this paragraph a man and woman living together as husband and wife but who are not married to each other, or two people of the same sex living together as civil partners but who have not formed a civil partnership with each other, shall be treated as members of the same family”;
- (iv) for paragraph 10(d) there should be substituted “For the purposes of this Scheme “Jersey ship” has the same meaning as in Article 2 of the Shipping (Jersey) Law 2002”;
- (v) in paragraph 17 for the words “widow, widower, relatives and dependants” there should be substituted the words “widow, widower, civil partner, surviving civil partner, relatives and dependants”;

- (vi) in paragraph 25 for the words “spouse and dependants” there should be substituted the words “spouse or civil partner and dependants”;
- (vii) in paragraph 25 for the words “to a person to whom the deceased was alleged to be married by habit or repute” there should be substituted the words “to a person either to whom the deceased was alleged to be married by habit or repute, or with whom the deceased was alleged to be living as that person’s civil partner (whether or not they had formed a civil partnership with each other)”;
- (viii) in paragraph 30 for the words “the value of such benefits will not be reduced to take account of prospects of remarriage” there should be substituted the words “in respect of a person who was married or in a civil partnership, the value of such benefits will not be reduced to take account of prospects of the person who whom the award is made re-marrying or forming a new civil partnership”.

Health and Safety Appeal Tribunal: appointment of members P.32/2012

THE STATES, adopting a proposition of the Minister for Social Security, appointed Advocate Caroline Dorey as Deputy Chairman, and Mr. Nigel Collier-Webb and Mr. John McCourt as members of the Health and Safety Appeal Tribunal, in pursuance of Article 17 of the Health and Safety at Work (Jersey) Law 1989, and the Health and Safety at Work (Appeal Tribunal) (Jersey) Regulations 1989, with immediate effect for a period of 3 years.

Matter of privilege

Deputy Michael Roderick Higgins of St. Helier, in accordance with the provisions of Standing Order 60, raised a matter which he believed to affect the privileges of the States. The Deputy Bailiff ruled that the matter was still under consideration and was not a matter of privilege.

Arrangement of public business for future meetings

THE STATES agreed the following arrangement of public business for future meetings proposed, as amended, by the Chairman of the Privileges and Procedures Committee in accordance with the provisions of Standing Order 88(3) –

15th May 2012

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| Draft States of Jersey Police Force Law 201-
Lodged: 16th November 2011.
<i>Minister for Home Affairs.</i> | P.182/2011. |
| Draft States of Jersey Police Force Law 201- (P.182/2011): amendment.
Lodged: 20th April 2012.
<i>Minister for Home Affairs.</i> | P.182/2011.
Amd. |
| Draft Connétables (Miscellaneous Provisions) (Jersey) Law 201-
Lodged: 3rd April 2012.
<i>Comité des Connétables.</i> | P.36/2012. |
| Draft Harbours (Inshore Safety) (Jersey) Regulations 201-
Lodged: 9th March 2012.
<i>Minister for Economic Development.</i> | P.24/2012. |

Draft Harbours (Inshore Safety) (Jersey) Regulations 201- (P.24/2012): amendment. Lodged: 4th April 2012. <i>Minister for Economic Development.</i>	P.24/2012. Amd.
Jersey Heritage Trust: amendments to Constitution. Lodged: 27th March 2012. <i>Minister for Education, Sport and Culture.</i>	P.31/2012.
Ratification of the Agreement for the Exchange of Information relating to Tax Matters between the Government of Jersey and the Government of the Hong Kong Special Administrative Region of the People's Republic of China. Lodged: 30th March 2012. <i>Chief Minister.</i>	P.33/2012.
Ratification of the Agreement for the Exchange of Information relating to Tax Matters between the Government of Jersey and the Government of the Italian Republic. Lodged: 30th March 2012. <i>Chief Minister.</i>	P.34/2012.
Ratification of the Agreement for the Exchange of Information relating to Tax Matters between the Government of Jersey and the Government of the State of Qatar. Lodged: 30th March 2012. <i>Chief Minister.</i>	P.35/2012.
Electoral Commission: appointment of members. Lodged: 12th April 2012. <i>Privileges and Procedures Committee.</i>	P.39/2012.
<u>29th May 2012</u>	
Open ballot for Ministers and Chairmen. Lodged: 5th December 2011. <i>Deputy T.M. Pitman of St. Helier.</i>	P.188/2011.
Open ballot for Ministers and Chairmen (P.188/2011): comments. Presented: 6th January 2012. <i>Privileges and Procedures Committee.</i>	P.188/2011. Com.
Draft Income Tax (Amendment No. 41) (Jersey) Law 201-. Lodged: 4th April 2012. <i>Minister for Treasury and Resources.</i>	P.38/2012.
Social Housing Schemes: funding. Lodged: 17th April 2012. <i>Minister for Treasury and Resources.</i>	P.40/2012.
Draft Money Laundering and Weapons Development (Directions) (Amendment) (Jersey) Law 201-. Lodged: 17th April 2012. <i>Chief Minister.</i>	P.41/2012.
Draft Collective Investment Funds (Amendment and Validation) (Jersey) Law 201-. Lodged: 17th April 2012. <i>Minister for Economic Development.</i>	P.42/2012.

Draft Amendment (No. 19) of the Standing Orders of the States of Jersey. P.43/2012.
Lodged: 19th April 2012.
Minister for Treasury and Resources.

Jersey Employment Tribunal: appointment of Chairman and Deputy Chairman. P.45/2012.
Lodged: 1st May 2012.
Minister for Social Security.

Ex gratia payment: Mr. D. Turner. P.46/2012.
Lodged: 1st May 2012.
Deputy M.R. Higgins of St. Helier.

12th June 2012

Standing Orders: Answers to Questions. P.30/2012.
Lodged: 26th March 2012.
Deputy G.P. Southern of St. Helier.

Standing Orders: Answers to Questions (P.30/2012) – comments. P.30/2012.
Presented: 27th April 2012. Com.
Privileges and Procedures Committee.

States Members' Remuneration Review Body: revised Terms of Reference. P.44/2012.
Lodged: 27th April 2012.
Privileges and Procedures Committee.

THE STATES rose at 10.18 a.m.

M.N.DE LA HAYE

Greffier of the States