



**THE STATES assembled on Tuesday
12th June 2012, at 09.30 a.m. under
the Presidency of the Deputy Bailiff,
William James Bailhache, Esquire.**

**His Excellency the Lieutenant Governor,
General Sir John McColl, K.C.B., C.B.E., D.S.O.
was present.**

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

Senator Paul Francis Routier – absent on States business
Senator Alan Breckon – en défaut
Connétable Alan Simon Crowcroft of St. Helier – absent on States business
Deputy Judith Ann Martin of St. Helier – en défaut (défaut raised at 10.17 a.m.)
Deputy John Alexander Nicholas Le Fondré of St. Lawrence – absent on States business
Deputy Sean Seamus Patrick Augustine Power of St. Brelade – en défaut
Deputy Shona Pitman of St. Helier – ill
Deputy Andrew Kenneth Francis Green of St. Helier – en défaut (défaut raised at 9.38 a.m.)
Deputy Susan Jane Pinel of St. Clement – absent on States business
Deputy Roderick Gordon Bryans of St. Helier – absent on States business

Prayers read by the Acting Greffier of the States

Communications by the Presiding Officer

Report of the Investigatory Powers Commissioner for Regulation of Investigatory Powers (Jersey) Law 2005 and Police Procedures and Criminal Evidence (Jersey) Law 2003: 1st January to 31st December 2011. R.72/2012.
Presented: 12th June 2012.

Diamond Jubilee celebrations – thanks

The Deputy Bailiff, on behalf of all members, thanked everyone involved in the organisation of the numerous events to commemorate and celebrate Her Majesty The Queen's recent Diamond Jubilee.

Subordinate enactments tabled

The following enactments were tabled, namely –

Community Provisions (Restrictive Measures – Guinea-Bissau) (Jersey) Order 2012. R&O.72/2012.
Chief Minister.

Community Provisions (Restrictive Measures – Guinea-Bissau) (Amendment) (Jersey) Order 2012. R&O.73/2012.
Chief Minister.

Documents presented or laid

Population Office: Consultation on Fees – Fees that may be levied under the new Control of Housing and Work (Jersey) Law 201-. R.70/2012.
Presented: 7th June 2012.
Chief Minister.

Land transactions under Standing Order 168(3) – Sion Methodist Church, La Grande Route de St. Jean, St. John – acquisition of land. R.71/2012
Presented: 8th June 2012.
Minister for Treasury and Resources.

Criminal Injuries Compensation Board: Report and Accounts for 2011. R.73/2012.
Presented: 12th June 2012.
Minister for Home Affairs.

States of Jersey Financial Report and Accounts 2011. R.74/2012.
Presented: 12th June 2012.
Minister for Treasury and Resources.

Population and Migration Review – Part 1 (S.R.1/2012) – response of the Chief Minister. S.R.1/2012.
Presented: 11th June 2012. Res.
Chief Minister.

Respite Care for Children and Young Adults Review (S.R.2/2012) – response of the Minister for Health and Social Services. S.R.2/2012.
Presented: 11th June 2012. Res.
Minister for Health and Social Services.

Notification of lodged propositions

Economic Growth and Diversification Strategy. P.55/2012.
Lodged: 1st June 2012.
Council of Ministers.

Draft Income Support (Amendment No. 8) (Jersey) Regulations 201-. P.56/2012.
Lodged: 1st June 2012.
Minister for Social Security.

Draft Waste Management (Amendment) (Jersey) Regulations 201-. P.57/2012.
Lodged: 1st June 2012.
Minister for Planning and Environment.

Public Employees Contributory Retirement Scheme: Committee of Management – appointment of Member. P.58/2012.
Lodged: 6th June 2012.
Chief Minister.

States of Jersey Development Company Limited: appointment of Non-Executive Director. P.59/2012.
Lodged: 7th June 2012.
Minister for Treasury and Resources.

Transfer of Undertakings Protection of Employment (TUPE) legislation. P.60/2012.
Lodged: 8th June 2012.
Deputy G.P. Southern of St. Helier.

Vote of Censure: Minister for Treasury and Resources. P.61/2012.
Lodged: 12th June 2012.
Senator S.C. Ferguson.

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 –

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

Written Questions

(see Official Report/Hansard)

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding a long-term tax policy.

The Chief Minister tabled an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding a review of the States Human Resources Department.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy T.A. Vallois of St. Saviour regarding the sustainability of the personal taxation system in Jersey.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact of changes to private and public sector rental subsidies.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding her recent Health and Social Services White Paper.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the funding of Health and Social Services’ capital projects.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding possible health hazards associated with the use of wireless Internet connections.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy R.G. Le Hérisser of St. Saviour regarding IT links between General Practitioners and the General Hospital.

The Minister for Home Affairs tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the funding of voluntary organisations.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding plans for further economic stimulus other than within the construction industry.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the waiting list for elective surgery.

Oral Questions

(see Official Report/Hansard)

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Planning and Environment regarding the outcome of the genetically modified Jersey Royal potato experiment.

Deputy M. Tadier of St. Brelade asked a question of the Chief Minister regarding delays in introducing 'Vulture Fund' legislation.

The Connétable of St. John asked a question of the Chief Minister regarding the retirement of the consultant gynaecologist.

Deputy T.M. Pitman of St. Helier asked a question of the Chief Minister regarding the terms of reference for the historic abuse enquiry as proposed by Verita.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Economic Development regarding the 11 new companies in the oil, gas and mining sector in the Island and the residential status of their beneficial owners.

Deputy M.R. Higgins of St. Helier asked a question of the Minister for Economic Development regarding the powers of the Financial Services Commission to protect the consumers of financial services and products and the reputation of the Island.

Deputy R.J. Rondel of St. Helier asked a question of the Minister for Economic Development regarding the introduction of revised licensing legislation.

Deputy J.H. Young of St. Brelade asked a question of the Minister for Transport and Technical Services regarding threatened strike action by bus drivers.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Economic Development regarding the breakdown of new job opportunities in terms of high-value (professional and managerial) posts and those of lower value (clerical/manual).

Deputy M. Tadier of St. Brelade asked a question of the Minister for Social Security regarding the frequency of Long-Term Incapacity Allowance benefit payments.

Deputy M.R. Higgins of St. Helier asked a question of the Minister for Home Affairs regarding the oversight of the States of Jersey Police.

The Connétable of St. John asked a question of the Minister for Transport and Technical Services regarding tenders for the scrapyard contract.

Deputy T.M. Pitman of St. Helier asked a question of the Minister for Housing regarding the provision of adequate safe play areas for children in States Housing developments.

Oral Questions without notice*(see Official Report/Hansard)*

The Minister for Social Security answered questions without notice from members.

The Chief Minister answered questions without notice from members.

Standing Orders: Answers to Questions P.30/2012

THE STATES rejected part (a) of a proposition of Deputy Geoffrey Peter Southern of St. Helier that appropriate amendments should be made to Standing Orders to make new provisions in relation to the answering of oral questions to provide that where lists of data were required in order to answer a particular oral question, these could be circulated to members in printed form at the time the answer was given; and that answers given should address the content of the question being asked and be confined to the subject matter of the question; if the presiding officer was of the opinion that the answer given failed to do so, he should draw the member's attention to these requirements in Standing Orders and ask the member to attempt to address the content of the question more directly.

Members present voted as follows –

POUR: 5

Deputy G.P. Southern (H)
Deputy M. Tadier (B)
Deputy T.M. Pitman (H)
Deputy T.A. Vallois (S)
Deputy M.R. Higgins (H)

CONTRE: 36

Senator P.F.C. Ozouf
Senator A.J.H. Maclean
Senator B.I. Le Marquand
Senator F. du H. Le Gresley
Senator I.J. Gorst
Senator L.J. Farnham
Senator P.M. Bailhache
Connétable of Trinity
Connétable of Grouville
Connétable of St. Clement
Connétable of St. Peter
Connétable of St. Lawrence
Connétable of St. Mary
Connétable of St. Ouen
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy R.G. Le Hérisssier (S)
Deputy J.A. Martin (H)
Deputy of St. Ouen
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy of Trinity
Deputy K.C. Lewis (S)
Deputy E.J. Noel (L)
Deputy A.K.F. Green (H)
Deputy J.M. Maçon (S)
Deputy G.C.L. Baudains (C)
Deputy of St. John
Deputy J.P.G. Baker (H)

ABSTAIN: 1

Senator S.C. Ferguson

Deputy J.H. Young (B)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy of St. Peter
 Deputy R.J. Rondel (H)

Following the rejection of paragraph (a) the Deputy Bailiff informed the Assembly that paragraph (b) of the proposition was deemed to have been withdrawn.

States Members' Remuneration Review Body: revised Terms of Reference P.44/2012

THE STATES, adopting a proposition of the Privileges and Procedures Committee, approved the revised Terms of Reference of the States Members Remuneration Review Body as set out in the Appendix; and agreed that, notwithstanding the proposed new 5 year term of office for the members as set out in paragraph 5 of the Terms of Reference, 2 members appointed in 2012 should be appointed for a term of 2 years only to ensure that the membership was thereafter renewed on a rolling basis.

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) –

26th June 2012

Vote of Censure: Minister for Treasury and Resources. P.61/2012.
 Lodged: 12th June 2012.
Senator S.C. Ferguson.

Draft Health Insurance (Medical Benefit) (Amendment No. 5) (Jersey) Regulations 201-. P.47/2012.
 Lodged: 15th May 2012.
Minister for Social Security.

Statement made 'in camera' on 8th December 2008: release of transcript. P.48/2012.
 Lodged: 23rd May 2012.
Deputy M.R. Higgins of St. Helier.

Income Support Medical Appeal Tribunal: appointment of members. P.49/2012.
 Lodged: 25th May 2012.
Minister for Social Security.

Disciplinary Panel of the Law Society of Jersey: re-appointment of lay members. P.50/2012.
 Lodged: 29th May 2012.
Chief Minister.

10th July 2012

Tourism Development Fund: assistance to the private sector. P.26/2012.
 Lodged: 13th March 2012.
Minister for Treasury and Resources.
(debate commenced 1st May 2012)

Draft Income Tax (Amendment No. 41) (Jersey) Law 201-. P.38/2012.
Lodged: 4th April 2012.
Minister for Treasury and Resources.

Draft Employment Tribunal (Amendment No. 3) (Jersey) Regulations 201-. P.51/2012.
Lodged: 29th May 2012.
Minister for Social Security.

Draft Petroleum (Amendment No. 3) (Jersey) Law 201-. P.52/2012.
Lodged: 29th May 2012.
Minister for Home Affairs.

Draft Petroleum Substances (Jersey) Regulations 201-. P.53/2012.
Lodged: 29th May 2012.
Minister for Home Affairs.

Draft Fire Precautions (Amendment No. 2) (Jersey) Law 201-. P.54/2012.
Lodged: 29th May 2012.
Minister for Home Affairs.

Public Employees Contributory Retirement Scheme: Committee of Management – P.58/2012.
appointment of Member.
Lodged: 6th June 2012.
Chief Minister.

States of Jersey Development Company Limited: appointment of Non-Executive P.59/2012.
Director.
Lodged: 7th June 2012.
Minister for Treasury and Resources.

Transfer of Undertakings Protection of Employment legislation. P.60/2012.
Lodged: 8th June 2012.
Deputy G.P. Southern of St. Helier.

17th July 2012

Economic Growth and Diversification Strategy. P.55/2012.
Lodged: 1st June 2012.
Council of Ministers.

Draft Income Support (Amendment No. 8) (Jersey) Regulations 201-. P.56/2012.
Lodged: 1st June 2012.
Minister for Social Security.

Draft Waste Management (Amendment) (Jersey) Regulations 201-. P.57/2012.
Lodged: 1st June 2012.
Minister for Planning and Environment.

THE STATES rose at 1.13 p.m.

L-M. HART

Acting Greffier of the States