



**THE STATES assembled on Tuesday
25th September 2012, at 09.30 a.m. under
the Presidency of the Bailiff,
Sir Michael Birt.**

**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 Sir Philip Bailhache – absent on States business

Prayers

H.R.H. The Princess Royal – visit

The Bailiff advised the Assembly that Her Royal Highness The Princess Royal would be visiting the Island on 21st and 22nd November 2012, and her engagements would include a visit to the Durrell Wildlife Preservation Trust and the opening of a new JSPCA veterinary centre.

Bailiff of Guernsey – welcome

The Bailiff, on behalf of all members, welcomed Mr. Richard Collas, Bailiff of Guernsey, who was present in the public gallery.

Subordinate enactments tabled

The following enactments were tabled, namely –

Misuse of Drugs (Miscellaneous Amendments) (No. 2) (Jersey) Order 2012. R&O.106/2012.
Minister for Health and Social Services.

Road Racing (Motor Vehicle Rally) (No. 2) (Jersey) Order 2012. R&O.107/2012.
Minister for Transport and Technical Services.

Documents presented or laid

Land Transactions under Standing Order 168(3) – R.112/2012.
(a) Café des Sports at Les Quennevais Sports Facility, St. Brelade – lease;
(b) Rainbow Tots Nursery, Les Quennevais, St. Brelade – lease.
Presented: 19th September 2012.
Minister for Treasury and Resources.

Radon Survey 2012: Jersey. R.113/2012.
Presented: 24th September 2012.
Minister for Health and Social Services.

States Employment Board: applications under P.59/2011 – activity report for the R.114/2012.
periods January to March 2012 and April to June 2012.
Presented: 24th September 2012.
States Employment Board.

Land Transactions under Standing Order 168(3) – 4 Hollydale Estate, Le Mont Felard, R.115/2012.
St. Lawrence – Assisted House Purchase property.
Presented: 25th September 2012.
Minister for Treasury and Resources.

Aircraft Registry. S.R.6/2012.
Presented: 14th September 2012.
Economic Affairs Scrutiny Panel.

Notification of lodged propositions

Ratification of the Agreement for the exchange of information relating to Tax Matters R.85/2012.
between the Government of Jersey and the Government of the Republic of Austria.
Lodged: 17th September 2012.
Chief Minister.

Draft Taxation (Exchange of Information with Third Countries) (Amendment No. 5) P.86/2012.
(Jersey) Regulations 201-.
Lodged: 24th September 2012.
Chief Minister.

Public Employees Contributory Retirement Scheme: Committee of Management – P.87/2012.
appointment of members.
Lodged: 24th September 2012.
Chief Minister.

Draft Health Insurance Fund (Miscellaneous Provisions) (Amendment) (Jersey) Law P.88/2012.
201-.
Lodged: 25th September 2012.
Minister for Social Security.

Draft Social Security (Amendment of Law No. 3) (Jersey) Regulations 201-. P.89/2012.
Lodged: 25th September 2012.
Minister for Social Security.

Public Accounts Committee: resignation of elected member

THE STATES noted the resignation of Deputy Shona Pitman of St. Helier as a member of the Public Accounts Committee.

Written Questions

(see Official Report/Hansard)

The Minister for Economic Development tabled an answer to a question asked by the Connétable of St. John regarding benefits associated with the grant to the Jersey Rugby Club.

The Chief Minister tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the clarification of certain issues by the former Comptroller and Auditor General and former Interim Treasurer.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the movement and removal of seaweed from the Island's beaches.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding background checks on off-Island companies awarded contracts for capital projects.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding policy changes in response to child abuse allegations.

H.M. Attorney General tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the way in which custodial sentences arising from child abuse cases were determined.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the teaching of modern foreign languages in Jersey schools.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding economic growth forecasts.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the effect of economic growth on population levels.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the economic basis for the increase in personal tax yields and the reasons for certain departmental underspends for 2012.

H.M. Attorney General tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the election of Jurats.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the impact, in terms of negative equity, of the loss of the finance industry in Jersey.

Oral Questions

(see Official Report/Hansard)

Deputy M. Tadier of St. Brelade asked a question of the Minister for Social Security regarding access to Income Support for mature students.

Deputy M.R. Higgins of St. Helier asked a question of the Minister for Treasury and Resources regarding the managed print service tender process.

Deputy R.J. Rondel of St. Helier asked a question of the Minister for Social Security regarding alternative payments to bring pension increases for 2012 and 2013 closer in line with the cost of living.

Deputy T.M. Pitman of St. Helier asked a question of the Chief Minister regarding the matters under discussion at the Liberal Democrat Conference by the Assistant Chief Minister.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Transport and Technical Services regarding the transfer of current employees of Connex to the new bus service provider CT Plus.

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Home Affairs regarding further investigations into the fatal crash on St. Clement's Coast Road.

Deputy S. Pitman of St. Helier asked a question of the Minister for Economic Development regarding staff conditions on the Condor Ferries route from Portsmouth.

Connétable of St. Peter asked a question of the Minister for Planning and Environment regarding the proposed listing of private gardens.

Deputy R.J. Rondel of St. Helier asked a question of the Assistant Minister for Treasury and Resources regarding the loan agreed for the Parish of Trinity to provide 'affordable' homes.

Deputy T.M. Pitman of St. Helier asked a question of the President of the Chairmen's Committee regarding an investigation by Scrutiny into the establishment of a media ombudsman.

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the safeguarding of employment rights during the transfer of Connex employees to the new bus service provider CT Plus.

Deputy M.R. Higgins of St. Helier asked a question of the Chief Minister regarding an extension of the time limit for the submission of applications under the Child Abuse Redress Scheme.

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Transport and Technical Services regarding the proposed new charging system for Sand Street car park.

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Housing answered questions without notice from members.

The Minister for Planning and Environment answered questions without notice from members.

Draft Taxation (Miscellaneous Provisions) (Jersey) Regulations 201- P.74/2012

THE STATES commenced consideration of the Draft Taxation (Miscellaneous Provisions) (Jersey) Regulations 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 Regulations 1 to 6 and Schedules 1 to 5.

Members present voted as follows –

POUR: 36

CONTRE: 0

ABSTAIN: 0

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 I.J. Gorst
 Senator L.J. Farnham
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 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 of St. John
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)

THE STATES, in pursuance of Taxation (Implementation) (Jersey) Law 2004, and having regard to Projet 94 of 2009, adopted by the States on 16th July 2009, Projet 160 of 2009, adopted by the States on 18th November 2009, Projet 108 of 2010, adopted by the States on 29th September 2010, Projet 178 of 2010, adopted by the States on 20th January 2011, Projet 195 of 2010 and Projet 196 of 2010, both adopted by the States on 16th February 2011, Projet 7 of 2011, adopted by the States on 15th March 2011, Projet 8 of 2011, adopted by the States on 16th March 2011, Projet 101 of 2011, adopted by the States on 20th July 2011, Projet 137 of 2011, adopted by the States on 16th September 2011, Projet 138 of 2011 and Projet 139 of 2011, both adopted by the States on 2nd November 2011, Projet 13 of 2012, Projet 14 of 2012 and Projet 15 of 2012, all adopted by the States on 17th April 2012, and Projet 33 of 2012, Projet 34 of 2012 and Projet 35 of 2012, all adopted by the States on 16th May 2012, made Regulations entitled the Taxation (Miscellaneous Provisions) (Jersey) Regulations 2012.

Changes in Presidency

The Bailiff retired from the Chamber prior to the consideration of the Draft Taxation (Miscellaneous Provisions) (Jersey) Regulations 201- (P.74/2012) and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States, until the Bailiff's return during the consideration of the principles of the Draft Banking Business (Depositors Compensation) (Amendment and Miscellaneous Provision) (Jersey) Regulations 201- (P.78/2012).

Draft Banking Business (Depositors Compensation) (Amendment and Miscellaneous Provision) (Jersey) Regulations 201- P.78/2012

THE STATES commenced consideration of the Draft Banking Business (Depositors Compensation) (Amendment and Miscellaneous Provision) (Jersey) Regulations 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 Regulations 1 to 24.

Members present voted as follows –

POUR: 44**CONTRE: 1****ABSTAIN: 0**

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 L.J. Farnham
 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. John
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.G. Le Hérissier (S)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy T.M. Pitman (H)
 Deputy E.J. Noel (L)

Deputy S. Pitman (H)

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 J.H. Young (B)
Deputy S.J. Pinel (C)
Deputy of St. Mary
Deputy of St. Martin
Deputy R.G. Bryans (H)
Deputy of St. Peter
Deputy R.J. Rondel (H)

THE STATES, in pursuance of Article 37 of the Banking Business (Jersey) Law 1991 and Article 23 of the Public Finances (Jersey) Law 2005, made Regulations entitled the Banking Business (Depositors Compensation) (Amendment and Miscellaneous Provision) (Jersey) Regulations 2012.

Draft Banking (Depositors Compensation Supplementary Provisions) (Jersey) Regulations 201-P.77/2012

THE STATES commenced consideration of the Draft Banking (Depositors Compensation Supplementary Provisions) (Jersey) Regulations 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 Regulations 1 to 5.

THE STATES, in pursuance of the Order in Council of 14th April 1884, made Regulations entitled the Banking (Depositors Compensation Supplementary Provisions) (Jersey) Regulations 2012.

Draft Banking Business (Amendment No. 8) (Jersey) Law 201- P.76/2012

THE STATES commenced consideration of the Draft Banking Business (Amendment No. 8) (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, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Banking Business (Amendment No. 8) (Jersey) Law 201-.

Draft Bankruptcy (Désastre) (Amendment No. 6) (Jersey) Law 201- P.79/2012

THE STATES commenced consideration of the Draft Bankruptcy (Désastre) (Amendment No. 6) (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, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Bankruptcy (Désastre) (Amendment No. 6) (Jersey) Law 201-.

Members present voted as follows –

POUR: 48

CONTRE: 0

ABSTAIN: 0

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 L.J. Farnham
 Connétable of St. Helier
 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. John
 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 Hérisier (S)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (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 M. Tadier (B)
 Deputy T.M. Pitman (H)
 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 J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)

Public Accounts Committee: appointment of elected member

In accordance with the provisions of Standing Order 123(1), Deputy Tracey Ann Vallois of St. Saviour, Chairman of the Public Accounts Committee, nominated Deputy Gerard Clifford Lemmens Baudains of St. Clement as a member of the Public Accounts Committee.

There being no other nominations, the Bailiff declared that Deputy Gerard Clifford Lemmens Baudains of St. Clement had been duly appointed as an elected member of the Public Accounts Committee.

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) –

9th October 2012

Incorporation of Ports of Jersey. P.70/2012.
Lodged: 27th July 2012.
Minister for Economic Development.

Historic Abuse Redress Scheme: approval by the States Assembly. P.80/2012.
Lodged: 3rd September 2012.
Deputy M.R. Higgins of St. Helier.

Draft Social Security (Amendment No. 20) (Jersey) Law 2012 (Appointed Day) Act P.81/2012.
201-.
Lodged: 10th September 2012.
Minister for Social Security.

Jersey Police Complaints Authority: appointment of Chairman and members. P.83/2012.
Lodged: 11th September 2012.
Minister for Home Affairs.

23rd October 2012

Health and Social Services: A New Way Forward. P.82/2012.
Lodged: 11th September 2012.
Council of Ministers.

Draft Health Care Registration (No. 4) (Jersey) Regulations 201-. P.84/2012.
Lodged: 11th September 2012.
Minister for Health and Social Services.

Public Employees Contributory Retirement Scheme: Committee of Management – P.87/2012.
appointment of members.
Lodged: 24th September 2012.
Chief Minister.

6th November 2012

Medium Term Financial Plan 2013 – 2015. P.69/2012.
Lodged: 23rd July 2012.
Council of Ministers.

Ratification of the Agreement for the exchange of information relating to Tax Matters P.85/2012.
between the Government of Jersey and the Government of the Republic of Austria.
Lodged: 17th September 2012.
Chief Minister.

Draft Taxation (Exchange of Information with Third Countries) (Amendment No. 5) P.86/2012.
(Jersey) Regulations 201-.
Lodged: 24th September 2012.
Chief Minister.

Draft Health Insurance Fund (Miscellaneous Provisions) (Amendment) (Jersey) Law P.88/2012.
201-.
Lodged: 25th September 2012.
Minister for Social Security.

Draft Social Security (Amendment of Law No. 3) (Jersey) Regulations 201-. P.89/2012.
Lodged: 25th September 2012.
Minister for Social Security.

THE STATES rose at 1.02 p.m.

M.N. DE LA HAYE

Greffier of the States