



**THE STATES assembled on Tuesday  
9th October 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 Paul Francis Routier – absent on States business  
Senator Philip Francis Cyril Ozouf – absent on States business  
Senator Bryan Ian Le Marquand – en défaut (défaut raised at 9.37 a.m.)  
Senator Lyndon John Farnham – excused attendance (arrived in the Chamber at 11.47 a.m.)  
Connétable John Le Sueur Gallichan of Trinity – excused attendance  
Connétable Michael John Paddock of St. Ouen – excused attendance (arrived in the Chamber at 11.54 a.m.)  
Deputy James Gordon Reed of St. Ouen – excused attendance (arrived in the Chamber at 2.15 p.m.)

---

Prayers read by the Greffier of the States

---

### **Subordinate enactments tabled**

The following enactments were tabled, namely –

Economic Development (2013 Fees) (Jersey) Order 2012. <i>Minister for Economic Development.</i>	R&O.111/2012.
Shipping (Miscellaneous Provisions No. 2) (Jersey) Order 2012. <i>Minister for Economic Development.</i>	R&O.112/2012.
Income Support (General Provisions) (Amendment No. 9) (Jersey) Order 2012. <i>Minister for Social Security.</i>	R&O.113/2012.
Shops (Regulation of Opening) (Special Occasions) (Jersey) Order 2012. <i>Minister for Economic Development.</i>	R&O.114/2012.
Community Provisions (Restrictive Measures – Syria) (Amendment No. 7) (Jersey) Order 2012. <i>Deputy Chief Minister for and on behalf of Chief Minister.</i>	R&O.115/2012.

**Documents presented or laid**

Incorporation of Ports of Jersey (P.70/2012): comments. Presented: 9th October 2012. <i>Economic Affairs Scrutiny Panel.</i>	P.70/2012. Com.
Historic Abuse Redress Scheme: approval by the States Assembly (P.80/2012) – comments. Presented: 8th October 2012. <i>Council of Ministers.</i>	P.80/2012. Com.
States of Jersey Law 2005: delegation of functions – Planning and Environment – September 2012 revised delegations. Presented: 27th September 2012. <i>Minister for Planning and Environment.</i>	R.116/2012.
States Investment Strategies. Presented: 1st October 2012. <i>Minister for Treasury and Resources.</i>	R.117/2012.
Jersey Overseas Aid Commission: Annual Report for 2011. Presented: 1st October 2012. <i>Jersey Overseas Aid Commission.</i>	R.118/2012.
International Labour Organisation Reports by the States of Jersey, July 2012. Presented: 1st October 2012. <i>Chief Minister.</i>	R.119/2012.
States of Jersey Law 2005: delegation of functions – Economic Development – sea fisheries legislation. Presented: 9th October 2012. <i>Minister for Economic Development.</i>	R.120/2012.
Land Transactions under Standing Order 168(3) – (a) Lease extension to Les Amis Incorporated; (b) Flat 2, Hazelgrove, 73 Rouge Bouillon, St. Helier – lease. Presented: 9th October 2012. <i>Minister for Treasury and Resources.</i>	R.121/2012.
<b>Notification of lodged propositions</b>	
Health and Social Services: A New Way Forward (P.82/2012) – amendment. Lodged: 9th October 2012. <i>Health, Social Security and Housing Scrutiny Panel.</i>	P.82/2012. Amd.
Plémont Holiday Village – acquisition by the public and sale to the National Trust for Jersey. Lodged: 27th September 2012. <i>Chief Minister.</i>	P.90/2012.
Draft Debt Relief (Developing Countries) Jersey Law 201- Lodged: 1st October 2012. <i>Chief Minister.</i>	P.91/2012.

Police Station Relocation: review of decision. Lodged: 2nd October 2012. <i>Deputy J.A. Martin of St. Helier.</i>	P.92/2012.
Draft Royal Court (Amendment No. 13) (Jersey) Law 201-. Lodged: 3rd October 2012. <i>Chief Minister.</i>	P.93/2012.
Draft Incorporated Limited Partnerships (Annual Additional Charge) (Jersey) Regulations 201-. Lodged: 8th October 2012. <i>Minister for Economic Development.</i>	P.94/2012.
Draft Separate Limited Partnerships (Annual Additional Charge) (Jersey) Regulations 201-. Lodged: 8th October 2012. <i>Minister for Economic Development.</i>	P.95/2012.
Draft Limited Partnerships (Annual Additional Charge) (Jersey) Regulations 201-. Lodged: 8th October 2012. <i>Minister for Economic Development.</i>	P.96/2012.
Old Age Pension: increase for 2012. Lodged: 9th October 2012. <i>Deputy G.P. Southern of St. Helier.</i>	P.97/2012.
Draft Gambling (Ancillary Services and Miscellaneous Provisions) (Jersey) Regulations 201-. Lodged: 9th October 2012. <i>Minister for Economic Development.</i>	P.98/2012.
Draft Gambling (Charitable and Membership Gambling Services) (Jersey) Regulations 201-. Lodged: 9th October 2012. <i>Minister for Economic Development.</i>	P.99/2012.
Draft Gambling (Jersey) Law 2012 (Appointed Day) Act 201-. Lodged: 9th October 2012. <i>Minister for Economic Development.</i>	P.100/2012.
Draft Social Security (Amendment of Law No. 4) (Jersey) Regulations 201-. Lodged: 9th October 2012. <i>Minister for Social Security.</i>	P.101/2012.

### Written Questions

*(see Official Report/Hansard)*

The Minister for Home Affairs tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the return of property confiscated by the States of Jersey Police during investigations.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the fibre optic roll-out by Jersey Telecom.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding the decision to refund GST on visitors' purchases worth over £300.

The Minister for Treasury and Resources tabled an answer to a question asked by Senator S.C. Ferguson regarding the redemption of the 9% preference shares of Jersey Telecoms.

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 from 2002 to 2012.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the possibility of further discretionary fiscal stimulus projects within the Medium Term Financial Plan.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the capping of the population at around 100,000.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding a detailed breakdown of the reductions in expenditure outlined in the draft Medium Term Financial Plan.

The Chief Minister tabled an answer to a question asked by Deputy J.A.N. Le Fondré of St. Lawrence regarding the participants in the recent recruitment process for the post of Chief Executive.

The Minister for Economic Development tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding the number of gambling licences granted since the enactment of the Gambling (Jersey) Law 2012.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding problems at the Energy from Waste Plant.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy M.R. Higgins of St. Helier regarding responses to questions outstanding since January 2012 relating to enforcement matters.

The Chief Minister tabled an answer to a question asked by Deputy J.A.N. Le Fondré of St. Lawrence regarding the various groups which inform/influence the workings of a Department, and/or the development of Ministerial proposals, decisions or policies.

### **Oral Questions**

*(see Official Report/Hansard)*

Deputy T.M. Pitman of St. Helier asked a question of the Chief Minister regarding changes to the current justice system.

Deputy R.G. Le Hérisier of St. Saviour asked a question of the Chairman of the Privileges and Procedures Committee regarding the reports of the Electoral Commission and Sub-Committee on the Machinery of Government.

The Connétable of St. John asked a question of the Minister for Health and Social Services regarding the maintenance of communications in the event of power cuts at the Hospital.

Deputy G.C.L. Baudains of St. Clement asked a question of the Chief Minister regarding the release of correspondence between the Minister for Treasury and Resources and the ex-Interim Treasurer from June 2012 in relation to the former Comptroller and Auditor General.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Health and Social Services regarding investigations or treatments undertaken in Guernsey and associated travel costs.

Deputy J.A. Martin of St. Helier asked a question of the Minister for Social Security regarding proposals for a new Maternity and Paternity leave scheme.

Deputy M.R. Higgins of St. Helier asked a question of the Assistant Minister for Treasury and Resources regarding whether the Managed Print Service tender process was compromised.

The Deputy of St. Mary asked a question of the Minister for Planning and Environment regarding bringing forward social and private housing capital projects.

Deputy S.S.P.A. Power of St. Brelade asked a question of the Minister for Transport and Technical Services regarding the use of a hopper barge to remove sea-lettuce from St. Aubin's Bay.

Deputy M. Tadier of St. Brelade asked a question of the Chief Minister regarding the use of super-injunctions in Jersey.

Deputy J.M. Maçon of St. Saviour asked a question of the Assistant Minister for Treasury and Resources regarding funding commitments to the Jersey Heritage Trust in 2012 and onwards.

Deputy J.H. Young of St. Brelade asked a question of the Minister for Planning and Environment regarding a policy to ensure affordable homes for first-time buyers.

Deputy M. Tadier of St. Brelade asked a question of the Assistant Minister for Treasury and Resources regarding targets for the delivery of residential post by Jersey Post.

Deputy G.P. Southern of St. Helier asked a question of the Assistant Minister for Treasury and Resources regarding changes to the Medium Term Financial Plan.

Deputy T.M. Pitman asked a question of the Minister for Economic Development regarding the viability of establishing a university in Jersey.

Deputy M.R. Higgins of St. Helier asked a question of the Minister for Education, Sport and Culture regarding feedback from schools regarding the Managed Print Service Contract with Danwood.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Chief Minister regarding whether Crown and public servants accused of criminal offences must first face criminal trial before disciplinary proceedings can be pursued.

**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.

**Statements on a matter of official responsibility***(see Official Report/Hansard)*

The Minister for Transport and Technical Services made a statement regarding the current negotiations for the Island's new bus contractor.

**Urgent oral question***(see Official Report/Hansard)*

Deputy G.P. Southern of St. Helier asked the following urgent oral question of the Minister for Transport and Technical Services –

“What steps has the Minister taken and what further action does he propose to ensure that CT Plus withdraws its deadline of 12th October 2012 for agreement to markedly changed terms and conditions for the Island's bus drivers in order that further industrial action can be prevented?”

**Incorporation of Ports of Jersey P.70/2012**

THE STATES resumed consideration of a proposition of the Minister for Economic Development regarding the incorporation of Ports of Jersey (P.70/2012) the debate of which had commenced on 12th September 2012, before the matter had been referred back to the Minister for Economic Development.

THE STATES, adopting the proposition, approved the incorporation of Jersey Airport and Jersey Harbours as a single limited company wholly owned by the States of Jersey, to be known as 'Ports of Jersey' as set out in the attached Report; and requested the Minister for Economic Development to take the necessary action to prepare for incorporation, including the preparation of legislation for the Assembly's consideration, with a target date for achieving incorporation of 1st January 2015.

Members present voted as follows –

**POUR: 42**

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  
 Senator P.M. Bailhache  
 Connétable of St. Helier  
 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)

**CONTRE: 5**

Connétable of St. John  
 Deputy G.P. Southern (H)  
 Deputy S. Pitman (H)  
 Deputy M. Tadier (B)  
 Deputy T.M. Pitman (H)

**ABSTAIN: 1**

Deputy M.R. Higgins (H)

Deputy J.A. Martin (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 E.J. Noel (L)  
Deputy T.A. Vallois (S)  
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)  
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)

#### **Historic Abuse Redress Scheme: approval by the States Assembly P.80/2012**

THE STATES commenced consideration of a proposition of Deputy Michael Roderick Higgins of St. Helier entitled 'Historic Abuse Redress Scheme: approval by the States Assembly' (P.80/2012).

#### **Adjournment**

THE STATES adjourned, having agreed to reconvene on Wednesday 10th October 2012, to continue consideration of the proposition of Deputy Michael Roderick Higgins of St. Helier entitled 'Historic Abuse Redress Scheme: approval by the States Assembly' (P.80/2012) and the outstanding items of public business.

THE STATES rose at 5.24 p.m.

**M.N. DE LA HAYE**

*Greffier of the States*