



**THE STATES assembled on Tuesday
31st January 2012, at 09.30 a.m. under
the Presidency of the Bailiff,
Michael Cameron St. John Birt, Esquire.**

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

Senator Philip Francis Cyril Ozouf – en défaut
Senator Sarah Craig Ferguson – ill
Deputy Sean Seamus Patrick Augustine Power of St. Brelade – en défaut

Prayers read by the Acting Greffier of the States

Subordinate enactments tabled

The following enactments were tabled, namely –

Community Provisions (Restrictive Measures – Democratic Republic of the Congo) (Amendment) (Jersey) Order 2012. <i>Chief Minister.</i>	R&O.6/2012.
Money Laundering and Weapons Development (Directions) (Iran) (Jersey) Order 2012. <i>Chief Minister.</i>	R&O.10/2012.
Immigration (Work Permits) (Amendment) (Jersey) Rules 2012. <i>Minister for Home Affairs.</i>	R&O.11/2012.
Road Traffic (Public Parking Places – Charges) (Amendment No. 3) (Jersey) Order 2012. <i>Minister for Transport and Technical Services.</i>	R&O.12/2012.
Employment (Minimum Wage) (Amendment No. 5) (Jersey) Order 2012. <i>Minister for Social Security.</i>	R&O.13/2012.
Social Security (Contributions) (Amendment No. 11) (Jersey) Order 2012. <i>Minister for Social Security.</i>	R&O.14/2012.
Community Provisions (Restrictive Measures – Syria) (Jersey) Order 2012. <i>Chief Minister.</i>	R&O.15/2012.
Community Provisions (Restrictive Measures – Iran) (Amendment No. 3) (Jersey) Order 2012. <i>Chief Minister.</i>	R&O.16/2012.

Documents presented or laid

States of Jersey Police: Policing Plan 2012. Presented: 23rd January 2012. <i>Minister for Home Affairs.</i>	R.6/2012.
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Jersey Car Parking Financial Return to the States for 2012: report to the States under Article 27(4) of the Public Finances (Jersey) Law 2005. R.7/2012.
Presented: 25th January 2012.
Minister for Treasury and Resources.

States of Jersey Law 2005: delegation of functions – Transport and Technical Services – revised delegations January 2012. R.8/2012.
Presented: 26th January 2012.
Minister for Transport and Technical Services.

British-Irish Council Summit Meeting on 13th January 2012: Ministerial attendance. R.9/2012.
Presented: 26th January 2012.
Chief Minister.

Contingency allocation: policy. R.10/2012.
Presented: 30th January 2012.
Minister for Treasury and Resources.

States of Jersey Law 2005: delegation of functions – States Employment Board. R.11/2012.
Presented: 30th January 2012.
States Employment Board.

Legislation to assist in the provision of debt relief to poorer countries: update. R.12/2012.
Presented: 31st January 2012.
Chief Minister.

Land Transactions under Standing Order 168(3) – R.13/2012.
(a) Victoria Pier (Store) V55, Victoria Pier (Vivier) V13A, Victoria Pier (Ground site and Al Fresco Area) V24, Albert Pier (Stores) A17A and A17B;
(b) 2 Hungerford Villas, Vauxhall Street, St. Helier – sale.
Presented: 31st January 2012.
Minister for Treasury and Resources.

Notification of lodged propositions

Electoral Commission: composition and terms of reference (P.5/2012) – amendment. P.5/2012.
Lodged: 25th January 2012. Amd.
Deputy R.G. Le Hérisier of St. Saviour.

Draft Fire and Rescue Service (Jersey) Law 2011 (Appointed Day) Act 201-. P.9/2012.
Lodged: 23rd January 2012.
Minister for Home Affairs.

Annulment of Road Traffic (St. Helier) (Amendment No. 23) (Jersey) Order 2011. P.10/2012.
Lodged: 30th January 2012.
Deputy G.C.L. Baudains of St. Clement.

Income Tax: individual tax assessments. P.11/2012.
Lodged: 31st January 2012.
Deputy G.P. Southern of St. Helier.

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 –

Property and Infrastructure Regeneration: appointment of Member to the Regeneration Steering Group. P.8/2012.
Lodged: 17th January 2012.
Chief Minister.

Written Questions

(see Official Report/Hansard)

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding Springfield stadium’s residential parking area.

The Minister for Home Affairs tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding reports of anti-social behaviour at Springfield stadium in the last 2 years.

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 cost of disposing waste through the Energy from Waste plant.

The Minister for Economic Development tabled an answer to a question asked by the Connétable of St. John regarding the incident in September 2011 when the States Tug was damaged.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the total number of 1(1)(k) residents in Jersey in 2011.

H.M. Attorney General tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the declaration of election expenses by all of the candidates from the 2011 Deputies election.

The Minister for Home Affairs tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the payment of the BDO Alto invoice relating to the financial management of the Operation Rectangle Review.

The Minister for Home Affairs tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the total cost of external inquiries and reviews of alleged police disciplinary issues since November 2008.

The Chairman of the Privileges and Procedures Committee tabled an answer to a question asked by Deputy T.M. Pitman of St. Helier regarding the composition of the Electoral Commission.

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 current large profile of the reclamation site at La Collette.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding recent speed limit changes and the current speed limit policy.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the possible introduction of business property occupation and payroll taxes.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding additional powers to control population under the Control of Housing and Work (Jersey) Law 201-.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the number of Income Support recipients charged for G.P. consultations since 2008.

Oral Questions

(see Official Report/Hansard)

Deputy R.G. Le Hérisier of St. Saviour asked a question of the Minister for Transport and Technical Services regarding a report on the taxi and cab industry.

Deputy T.M. Pitman of St. Helier asked a question of the Minister for Home Affairs regarding the report of the Independent Police Complaints Commission into the complaint of Mr. Lenny Harper.

Deputy J.H. Young of St. Brelade, having declared an interest in accordance with Standing Order 106(1)(b), asked a question of the Minister for Treasury and Resources regarding Income Tax allowance for non-corporate owners of residential properties whose properties were not in a suitable condition for letting.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Home Affairs regarding the report commissioned by an outside media consultant in relation to Operation Rectangle.

Deputy M.R. Higgins of St. Helier asked a question of the Minister for Home Affairs regarding the publication of a letter which precipitated the suspension of the former Chief Officer of the States of Jersey Police.

The Connétable of St. John asked a question of the Minister for Economic Development regarding the qualifications of the Tug Master involved in an incident in September 2011.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Economic Development regarding licences granted under the Regulation of Undertakings and Development (Jersey) Law 1973 for construction contracts of between 3 and 12 months in 2011.

The Connétable of St. Helier asked a question of the Minister for Transport and Technical Services regarding the abandonment of plans for an extension to Green Street car park.

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the Guernsey authorities' "deemed distribution scheme".

Deputy J.H. Young of St. Brelade, having declared an interest in accordance with Standing Order 106(1)(b), asked a question of the Chairman of the Comité des Connétables regarding the liability of owners of vacant properties under the Rates (Jersey) Law 2005.

The Connétable of St. Helier asked a question of the Minister for Home Affairs regarding the results of speed monitoring carried out by St. Helier Honorary Police officers on Victoria Avenue.

Deputy M.R. Higgins of St. Helier asked a question of the Chief Minister regarding the publication of the details of the contract with Matt Tapp Associates.

Deputy T.M. Pitman of St. Helier asked a question of the Minister for Economic Development regarding the level of background checks undertaken before a candidate was proposed for appointment as a Commissioner of the Jersey Financial Services Commission.

Deputy M. Tadier of St. Brelade asked a question of the Minister for Housing regarding measures to ensure that habitable properties did not remain vacant for long periods.

Deputy R.G. Le Hérisier of St. Saviour asked a question of the Minister for Health and Social Services regarding the reform of the Children's Service.

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

The Minister for Home Affairs answered questions without notice from members.

The Chief Minister answered questions without notice from members.

Personal Statement*(see Official Report/Hansard)*

Senator A. Breckon, the retiring Chairman of the Jersey Consumer Council, made a statement about the work of the Council.

Draft Maintenance Orders (Facilities for Enforcement – Convention Countries) (Amendment) (Jersey) Act 201- P.184/2011

THE STATES, in pursuance of Article 22 of the Maintenance Orders (Facilities for Enforcement) (Jersey) Law 2000, made an Act entitled the Maintenance Orders (Facilities for Enforcement – Convention Countries) (Amendment) (Jersey) Act 2012.

Draft Policing of Beaches (Amendment No. 10) (Jersey) Regulations 201- P.192/2011

THE STATES commenced consideration of the Draft Policing of Beaches (Amendment No. 10) (Jersey) Regulations 201- and adopted the principles.

Members present voted as follows –

POUR: 39**CONTRE: 0****ABSTAIN: 0**

Senator P.F. Routier
 Senator A. Breckon
 Senator A.J.H. Maclean
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 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. Pitman (H)
 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 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 R.J. Rondel (H)

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 powers conferred upon them by the Order in Council of the 26 December 1851, Article 92 of the Road Traffic (Jersey) Law 1956, and the Policing of Roads, Parks and Sea Beaches (Application of Fines) (Jersey) Law 1957, made Regulations entitled the Policing of Beaches (Amendment No. 10) (Jersey) Regulations 2012.

Jersey Consumer Council: appointment of Chairman P.195/2011

THE STATES, adopting a proposition of the Minister for Economic Development, agreed to refer to their Act dated 2nd February 2011 regarding the future mandate for the Jersey Consumer Council, and in consideration of (b)(ii) of P.182/2010, approved the appointment of Advocate Rose Edith Colley as Chair of the Jersey Consumer Council for a term of 3 years with immediate effect.

Members present voted as follows –

POUR: 34

Senator P.F. Routier
 Senator A. Breckon
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 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. Lawrence
 Connétable of St. John
 Connétable of St. Martin
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisssier (S)

CONTRE: 6

Connétable of Trinity
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Deputy G.P. Southern (H)
 Deputy M.R. Higgins (H)

ABSTAIN: 2

Deputy S. Pitman (H)
 Deputy T.M. Pitman (H)

Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 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 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 noted that, in accordance with the provisions of Standing Order 106(1)(c), Deputy John Hilary Young of St. Brelade declared an interest and withdrew from the Chamber for the duration of the debate.

Arrangement of public business for future meetings

THE STATES acceded to a request of the Chief Minister that the report entitled ‘Strategic Plan 2012 – Green Paper’ (R.5/2012) presented to the States on 16th January 2012, be debated ‘in Committee’ on 21st February 2012.

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) –

21st February 2012

Draft States of Jersey (Transfer of Functions No. 5) (Economic Development to Chief Minister) (Jersey) Regulations 201-. P.196/2011.
 Lodged: 23rd December 2011.
Chief Minister.

Draft Civil Aviation (Amendment of Law) (Jersey) Regulations 201-. P.197/2011.
 Lodged: 23rd December 2011.
Chief Minister.

Draft Social Security (Amendment of Law No. 2) (Jersey) Regulations 201-. P.1/2012.
 Lodged: 4th January 2012.
Minister for Social Security.

Committee of Inquiry: payments on premature cessation of employment contracts. P.2/2012.
 Lodged: 11th January 2012.
Deputy R.G. Le Hérissier of St. Saviour.

Manual Workers' Joint Council: Employers' Side membership. P.3/2012.
Lodged: 12th January 2012.
States Employment Board.

Law Revision Board: appointment of member. P.7/2012.
Lodged: 17th January 2012.
Minister for Treasury and Resources.

Draft Fire and Rescue Service (Jersey) Law 2011 (Appointed Day) Act 201-. P.9/2012.
Lodged: 23rd January 2012.
Minister for Home Affairs.

Strategic Plan 2012 – Green Paper. R.5/2012.
Presented: 16th January 2012.
Council of Ministers.
(‘In Committee’ debate)

6th March 2012

Ex gratia payment: Mr. D. Turner. P.166/2011.
Lodged: 4th October 2011.
Deputy M.R. Higgins of St. Helier.

Draft Amendment (No. 18) of the Standing Orders of the States of Jersey. P.4/2012.
Lodged: 13th January 2012.
Privileges and Procedures Committee.

Electoral Commission: composition and terms of reference. P.5/2012.
Lodged: 13th January 2012.
Privileges and Procedures Committee.

Electoral Commission: composition and terms of reference (P.5/2012) – amendment. P.5/2012.
Lodged: 25th January 2012. Amd.
Deputy R.G. Le Hérissier of St. Saviour.

Channel Islands Lottery: allocation of profits for 2011. P.6/2012.
Lodged: 17th January 2012.
Minister for Economic Development.

Annulment of Road Traffic (St. Helier) (Amendment No. 23) (Jersey) Order 2011. P.10/2012.
Lodged: 30th January 2012.
Deputy G.C.L. Baudains of St. Clement.

Income Tax: individual tax assessments. P.11/2012.
Lodged: 31st January 2012.
Deputy G.P. Southern of St. Helier.

20th March 2012

Old Age Pension: method for increase. P.164/2011.
Lodged: 3rd October 2011.
Senator A. Breckon.

Draft States of Jersey Police Force Law 201-. P.182/2011.
Lodged: 16th November 2011.
Minister for Home Affairs.

17th April 2012

Election campaign period: restrictions. P.174/2011.
Lodged: 21st October 2011.
Deputy R.G. Le Hérissier of St. Saviour.

Election campaign period: restrictions (P.174/2011) – comments. P.174/2011.
Presented: 6th January 2012. Com.
Privileges and Procedures Committee.

Standing Orders: Answers to Questions. P.177/2011.
Lodged: 21st October 2011.
Deputy G.P. Southern of St. Helier.

Standing Orders: Answers to Questions (P.177/2011) – comments. P.177/2011.
Presented: 6th January 2012. Com.
Privileges and Procedures Committee.

29th May 2012

Machinery of Government: review by Privileges and Procedures Committee. P.187/2011.
Lodged: 29th November 2011.
Deputy G.C.L. Baudains of St. Clement.

Machinery of Government: review by Privileges and Procedures Committee P.187/2011.
(P.187/2011) – comments. Com.
Presented: 6th January 2012.
Privileges and Procedures Committee.

Open ballot for Ministers and Chairmen. P.188/2011.
Lodged: 5th December 2011.
Deputy T.M. Pitman of St. Helier.

Open ballot for Ministers and Chairmen (P.188/2011): comments. P.188/2011.
Presented: 6th January 2012. Com.
Privileges and Procedures Committee.

THE STATES rose at 1.08 p.m.

L-M. HART

Acting Greffier of the States