

**THE STATES assembled on Wednesday  
5th July 2006, at 9.30 a.m. under  
the Presidency of the Bailiff,  
Sir Philip Bailhache.**

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

Senator Philip Francis Cyril Ozouf – en défaut (défaut raised at 09.48 a.m.)  
Connétable Philip Francis Ozouf of St. Saviour– en défaut (défaut raised at 09.36 a.m.)  
Connétable Kenneth Alan Le Brun of St. Mary– en défaut (défaut raised at 11.03 a.m.)  
Deputy Gerard Clifford Lemmens Baudains of St. Clement– absent due to illness (arrived in the Chamber at 2.15 p.m.)  
Deputy Peter Nicholas Troy of St. Brelade– en défaut (défaut raised at 10.06 a.m.)  
Deputy Geoffrey Peter Southern of St. Helier– en défaut (défaut raised at 09.48 a.m.)  
Deputy Sarah Craig Ferguson of St. Brelade– en défaut (défaut raised at 09.48 a.m.)

Prayers.

**Notification of lodged propositions**

Draft Legal Deposit (Jersey) Law 200-.  
Lodged: 5th July 2006.  
*Minister for Education, Sport and Culture.*

P.90/2006.

**Draft Sexual Offences (Jersey) Law 200- P.63/2006  
Comments and Amendments**

THE STATES commenced consideration of the principles of the Draft Sexual Offences (Jersey) Law 200-, and, following consideration, rejected a proposition of the Deputy of St. Martin that, in accordance with the provisions of Standing Order 85, the States move to the consideration of the next item on the Order Paper.

Members present voted as follows –

**POUR: 6**

Connétable of St. Saviour  
Connétable of St. Peter  
Connétable of St. Lawrence  
Connétable of Grouville  
Deputy R.C. Duhamel (S)  
Deputy of St. Martin

**CONTRE: 41**

Senator S. Syvret  
Senator L. Norman  
Senator F.H. Walker  
Senator W. Kinnard  
Senator T.A. Le Sueur  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Senator T.J. Le Main  
Senator F.E. Cohen  
Senator J.L. Perchard  
Connétable of St. Ouen  
Connétable of St. Mary  
Connétable of St. Clement  
Connétable of St. Helier  
Connétable of Trinity  
Connétable of St. John  
Connétable of St. Brelade  
Connétable of St. Martin

**ABSTAIN: 0**

Deputy A. Breckon (S)  
 Deputy C.J. Scott Warren  
 (S)  
 Deputy R.G. Le Hérissier (S)  
 Deputy J.B. Fox (H)  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy S.C. Ferguson (B)  
 Deputy of St. Ouen  
 Deputy P.J.D. Ryan (H)  
 Deputy of Grouville  
 Deputy of St. Peter  
 Deputy J.A. Hilton (H)  
 Deputy G.W.J. de Faye (H)  
 Deputy D.W. Mezbourian  
 (L)  
 Deputy of Trinity  
 Deputy S.S.P.A. Power (B)  
 Deputy S. Pitman (H)  
 Deputy A.J.H. Maclean (H)  
 Deputy K.C. Lewis (S)  
 Deputy of St. John  
 Deputy I.J. Gorst (C)  
 Deputy of St. Mary

THE STATES adopted the principles.

Members present voted as follows –

**POUR: 38**

Senator S. Syvret  
 Senator F.H. Walker  
 Senator W. Kinnard  
 Senator T.A. Le Sueur  
 Senator P.F. Routier  
 Senator M.E. Vibert  
 Senator P.F.C. Ozouf  
 Senator T.J. Le Main  
 Senator F.E. Cohen  
 Senator J.L. Perchard  
 Connétable of St. Ouen  
 Connétable of St. Saviour  
 Connétable of St. Mary  
 Connétable of St. Clement  
 Connétable of St. Helier  
 Connétable of Trinity  
 Connétable of St. John  
 Connétable of St. Brelade  
 Deputy R.C. Duhamel (S)  
 Deputy A. Breckon (S)  
 Deputy P.N. Troy (B)  
 Deputy C.J. Scott Warren (S)  
 Deputy R.G. Le Hérissier (S)  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy S.C. Ferguson (B)  
 Deputy of St. Ouen  
 Deputy P.J.D. Ryan (H)  
 Deputy of Grouville

**CONTRE: 11**

Senator L. Norman  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Deputy J.J. Huet (H)  
 Deputy of St. Martin  
 Deputy G.C.L. Baudains (C)  
 Deputy J.B. Fox (H)  
 Deputy of St. Peter  
 Deputy J.A. Hilton (H)  
 Deputy S.S.P.A. Power (B)  
 Deputy K.C. Lewis (C)

**ABSTAIN: 3**

Connétable of Grouville  
 Connétable of St. Martin  
 Deputy P.V.F. Le Claire (H)

Deputy G.W.J. de Faye (H)  
Deputy J.A.N. Le Fondré (L)  
Deputy D.W. Mezbourian  
(L)  
Deputy of Trinity  
Deputy S. Pitman (H)  
Deputy A.J.H. Maclean (H)  
Deputy of St. John  
Deputy I.J. Gorst (C)  
Deputy of St. Mary

THE STATES adopted Articles 1 and 2.

THE STATES commenced consideration of Articles 3, 4, 5 and 6 and adopted amendments of the Deputy of St. Ouen that in Article 3 in paragraph (1)(e)(ii) for the number“13”, there be substituted the number “15”, in Article 4 in paragraph (1)(e)(ii) for the number“13”, there be substituted the number “15”, that in Article 5 in paragraph (1)(f)(ii) for the number “13”, there be substituted the number “15”, and that in Article 6 in paragraph (1)(e)(ii) for the number“13”, there be substituted the number “15”.

Members present voted as follows –

**POUR: 40**

Senator S. Syvret  
Senator L. Norman  
Senator F.H. Walker  
Senator T.A. Le Sueur  
Senator P.F. Routier  
Senator T.J. Le Main  
Senator B.E. Shenton  
Senator J.L. Perchard  
Connétable of St. Ouen  
Connétable of St. Mary  
Connétable of St. Peter  
Connétable of St. Clement  
Connétable of Trinity  
Connétable of St. Lawrence  
Connétable of St. John  
Connétable of St. Brelade  
Connétable of St. Martin  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy of St. Martin  
Deputy P.N. Troy (B)  
Deputy C.J. Scott Warren (S)  
Deputy R.G. Le Hérisssier (S)  
Deputy J.B. Fox (H)  
Deputy J.A. Martin (H)  
Deputy of St. Ouen  
Deputy of Grouville  
Deputy of St. Peter  
Deputy J.A. Hilton (H)  
Deputy G.W.J. de Faye (H)  
Deputy P.V.F. Le Claire (H)  
Deputy J.A.N. Le Fondré (L)  
Deputy D.W. Mezbourian  
(L)  
Deputy of Trinity  
Deputy S.S.P.A. Power (B)

**CONTRE: 9**

Senator W. Kinnard  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Senator F.E. Cohen  
Deputy G.P. Southern (H)  
Deputy S.C. Ferguson (B)  
Deputy P.J.D. Ryan (H)  
Deputy S. Pitman (H)  
Deputy of St. John

**ABSTAIN: 0**

Deputy A.J.H. Maclean (H)  
Deputy K.C. Lewis (S)  
Deputy I.J. Gorst (C)  
Deputy of St. Mary

THE STATES adopted, as amended, Articles 3, 4, 5, and 6.

THE STATES adopted Articles 7 to 11.

THE STATES commenced consideration of Articles 12 and 13 together with an amendment of the Deputy of St. Ouen that for Articles 12 and 13, there be substituted the following Article and the remaining Articles be renumbered accordingly –

**“12 Sexual Offences (Jersey) Law 1990 amended**

In the Sexual Offences (Jersey) Law 1990 –

(a) in paragraph (1), for the words “18 years” there shall be substituted the words “16 years”;

(b) after paragraph (2) there shall be inserted the following paragraph–

“(2A) Notwithstanding any provision of law, whether enacted or customary, a person who has not attained the age of 16 years shall not be guilty of the *crime of sodomie* if the other party to the act has attained that age.”,

and, following consideration, rejected a proposition of Senator Leonard Norman that, in accordance with the provisions of Standing Order 85, the States move to the consideration of the next item on the Order Paper.

Members present voted as follows –

**POUR: 18**

Senator L. Norman  
Senator F.H. Walker  
Senator T.J. Le Main  
Connétable of St. Mary  
Connétable of St. Peter  
Connétable of St. Clement  
Connétable of Helier  
Connétable of Trinity  
Connétable of St. Lawrence  
Connétable of St. John  
Connétable of St. Brelade  
Deputy of St. Martin  
  
Deputy P.N. Troy (B)  
Deputy of St. Peter  
Deputy J.A. Hilton (H)  
Deputy P.V.F. Le Claire (H)  
Deputy S.S.P.A. Power (B)  
Deputy of St. John

**CONTRE: 29**

Senator S. Syvret  
Senator W. Kinnard  
Senator T.A. Le Sueur  
Senator P.F. Routier  
Senator P.F.C. Ozouf  
Senator B.E. Shenton  
Senator F.E. Cohen  
Senator J.L. Perchard  
Connétable of St. Ouen  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy C.J. Scott Warren (S)  
Deputy R.G. Le Hérissier (S)  
Deputy J.B. Fox (H)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy S.C. Ferguson (B)  
Deputy of St. Ouen  
Deputy P.J.D. Ryan (H)  
Deputy of Grouville  
Deputy G.W.J de Faye (H)  
Deputy J.A.N. Le Fondré (L)  
Deputy D.W. Mezbourian (L)  
Deputy of Trinity

**ABSTAIN: 1**

Connétable of St. Martin

Deputy S. Pitman (H)  
Deputy K.C. Lewis (S)  
Deputy I.J. Gorst (C)  
Deputy of St. Mary

THE STATES, following further consideration, rejected the amendment to Articles 12 and 13 of the Deputy of St. Ouen.

Members present voted as follows –

**POUR: 3**

Connétable of St. Peter  
Deputy R.C. Duhamel (S)  
Deputy of St. Ouen

**CONTRE: 39**

Senator S. Syvret  
Senator L. Norman  
Senator F.H. Walker  
Senator W. Kinnard  
Senator T.A. Le Sueur  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Senator T.J. Le Main  
Senator F.E. Cohen  
Senator J.L. Perchard  
Connétable of St. Ouen  
Connétable of St. Mary  
Connétable of St. Clement  
Connétable of St. Helier  
Connétable of Trinity  
Connétable of St. Lawrence  
Connétable of St. John  
Connétable of St. Brelade  
Connétable of St. Martin  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy of St. Martin  
Deputy CJ. Scott Warren (S)  
Deputy R.G. Le Hérissier (S)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy S.C. Ferguson (B)  
Deputy of Grouville  
Deputy of St. Peter  
Deputy J.A. Hilton (H)  
Deputy G.W.J. de Faye (H)  
Deputy P.V.F. Le Claire (H)  
Deputy D.W. Mezbourian (L)  
Deputy of Trinity  
Deputy S.S.P.A. Power (B)  
Deputy S. Pitman (H)  
Deputy K.C. Lewis (S)  
Deputy of St. Mary

**ABSTAIN: 2**

Deputy J.A.N. Le Fondré (L)  
Deputy I.J. Gorst (C)

THE STATES adopted Articles 12 and 13.

Members present voted as follows –

**POUR: 34**

Senator S. Syvret

**CONTRE: 9**

Senator L. Norman

**ABSTAIN: 2**

Connétable of St. Martin

Senator F.H. Walker  
Senator W. Kinnard  
Senator T.A. Le Sueur  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator P.F.C. Ozouf

Senator T.J. Le Main  
Senator F.E. Cohen  
Senator J.L. Perchard  
Connétable of St. Ouen  
Connétable of St. Mary  
Connétable of St. Clement  
Connétable of St. Helier  
Connétable of Trinity  
Connétable of St. Lawrence  
Connétable of St. John  
Connétable of St. Brelade  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy of St. Martin  
Deputy P.N. Troy (B)  
Deputy C.J. Scott Warren (S)  
Deputy R.G. Le Hérisier (S)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy S.C. Ferguson (B)  
Deputy P.J.D. Ryan (H)  
Deputy of Grouville  
Deputy G.W.J. de Faye (H)  
Deputy of Trinity  
Deputy S. Pitman (H)  
Deputy K.C. Lewis (S)  
Deputy of St. Mary

Connétable of St. Peter  
Deputy R.C. Duhamel (S)  
Deputy of St. Ouen  
Deputy of St. Peter  
Deputy J.A. Hilton (H)  
Deputy P.V.F. Le Claire (H)  
Deputy D.W. Mezbourian  
(L)  
Deputy S.S.P.A. Power (B)

Deputy I.J. Gorst (C)

THE STATES adopted Article 14 together with the Schedule.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Sexual Offences (Jersey) Law 200-, as amended.

### **Change in Presidency**

The Bailiff retired from the chair during consideration of the amendments of the Deputy of St. Ouen to Article 3, 4, 5 and 6 of the Draft Sexual Offences (Jersey) Law 200-, (P.63/2006 Amd. *re-issue*) lodged "au Greffe" on 20th June 2006), and the meeting continued under the presidency of the Greffier of the States, Mr. Michae Nelson de la Haye.

### **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 –

#### **18th July 2006**

Island Plan 2002, Policy H2: Field 91, St. Clement.  
Lodged: 6th June 2006.  
*Deputy I.J. Gorst of St. Clement.*

P.70/2006.

Draft Jersey College for Girls (Removal of Covenants from Former Site) (Jersey) Law 200-. Lodged: 23rd May 2006. <i>Minister for Treasury and Resources.</i>	P.62/2006. ( <i>re-issue</i> )
Income Tax: allowances, reliefs and exemption thresholds ("20 means 20). Lodged: 19th May 2006. <i>Minister for Treasury and Resources.</i>	P.58/2006.
Aquasplash Swimming Pool Complex, Waterfront, St. Helier: public use at weekends. Lodged: 22nd May 2006. <i>Connétable of St. Helier.</i>	P.59/2006.
Aquasplash Swimming Pool Complex, Waterfront, St. Helier: public use at weekends (P.59/2006) – comments. Presented: 15th June 2006. <i>Minister for Education, Sport and Culture.</i>	P.59/2006. Com.
Social Affairs Scrutiny Panel: division to create a fifth scrutiny panel. Lodged 26th May 2006. <i>Chairmen's Committee.</i>	P.64/2006.
Social Affairs Scrutiny Panel: division to create a fifth scrutiny panel (P.64/2006) – comments. Presented: 6th June 2006. <i>Privileges and Procedures Committee.</i>	P.64/2006. Com.
Draft Teachers' Superannuation (Amendment No. 2) (Jersey) Law 200. Lodged: 5th June 2006. <i>Minister for Education, Sport and Culture.</i>	P.69/2006.
Draft Teachers' Superannuation (Amendment No. 2) (Jersey) Law 200 (P.69/2006): amendment. Lodged: 30th June 2006. <i>Minister for Minister for Education, Sport and Culture.</i>	P.69/2006. Amd.
Draft Sea Fisheries (Licensing of Fishing Boats) (Amendment) (Jersey) Regulations 200-. Lodged: 6th June 2006. <i>Minister for Planning and Environment.</i>	P.71/2006.
Draft Bankruptcy (Désastre) (Amendment No. 5) (Jersey) Law 2006 (Appointed Day) Act 200-. Lodged: 13th June 2006. <i>Minister for Economic Development.</i>	P.74/2006.
Draft Companies (Amendment No. 8) (Jersey) Law 2005 (Appointed Day No. 2) Act 200. Lodged: 28th June 2006. <i>Minister for Economic Development.</i>	P.81/2006
Composting facilities at La Collette, St. Helier: cessation. Lodged: 15th June 2006. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.76/2006.
Composting facilities at La Collette, St. Helier: cessation (P.76/2006)- comments.	P.76/2006. Com.

Presented: 4th July 2006. <i>Minister for Transport and Technical Services.</i>	
Rent Control Tribunal: appointment of members. Lodged: 27th June 2006. <i>Minister for Housing.</i>	P.80/2006
Planning Applications Panel: membership. Lodged: 3rd July 2006. <i>Minister for Planning and Environment.</i>	P.84/2006
Parish Rate Appeal Board: appointment of members. Lodged: 4th July 2006. <i>Minister for Treasury and Resources.</i>	P.87/2006. ( <i>re-issue</i> )
Waterfront Enterprise Board: appointment of Chairman and directors. Lodged: 4th July 2006. <i>Chief Minister.</i>	P.89/2006.
<b><u>12th September 2006</u></b>	
Provision of Pedestrian Crossings. Lodged: 23rd May 2006. <i>Connétable of St. Helier.</i>	P.60/2006.
Provision of Pedestrian Crossings (P.60/2006): comments. Presented: 20th June 2006. <i>Minister for Transport and Technical Services.</i>	P.60/2006. Com.
Fur products: petition. Lodged: 6th June 2006, <i>and referred to the Ministers for Economic Development and Home Affairs.</i> <i>Senator S. Syvret.</i>	P.72/2006.
Draft Treaty on Open Skies (Privileges and Immunities) (Amendment) (Jersey) Law 200-. Lodged: 8th June 2006. <i>Chief Minister.</i>	P.73/2006.
Fields 190 and 192, Rue de la Sergente, St. Brelade: petition Lodged: 13th June 2006, <i>and referred to the Minister for Planning and Environment.</i> <i>Deputy S. Power of St. Brelade.</i>	P.75/2006.
Draft Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 2) (Jersey) Regulations 200-. Lodged: 20th June 2006. <i>Minister for Planning and Environment.</i>	P.78/2006.
Draft Electronic Communications (Amendment) (Jersey) Law 200-. Lodged: 27th June 2006. <i>Minister for Economic Development.</i>	P.79/2006.
Manual Workers' Joint Council Constitution: amendment. Lodged: 30th June 2006. <i>Chief Minister.</i>	P.82/2006.
Manual Workers' Joint Council: Employers' Side membership. Lodged: 30th June 2006. <i>Chief Minister.</i>	P.83/2006



Draft Insurance Business (Amendment No. 5) (Jersey) Law 200. P.85/2006.  
Lodged: 4th July 2006.  
*Minister for Economic Development.*

**26th September 2006**

Ministerial Government: review of first 12 months. P.77/2006.  
Lodged: 20th June 2006.  
*Senator B.E. Shenton.*

Goods and Services Tax: exempt or zero-rated items. P.86/2006.  
Lodged: 4th July 2006.  
*Senator S. Syvret.*

Draft Road Traffic (Amendment No. 4) (Jersey) Law 200. P.88/2006.  
Lodged: 4th July 2006.  
*Minister for Transport and Technical Services.*

Draft Legal Deposit (Jersey) Law 200-. P.90/2006.  
Lodged: 5th July 2006.  
*Minister for Education, Sport and Culture.*

**10th October 2006**

Draft Howard Davis Farm (Removal of Covenant) (Jersey) Law 200-. P.65/2006.  
Lodged 30th May 2006.  
*Minister for Treasury and Resources.*

**24th October 2006**

**7th November 2006**

**21st November 2006**

Howard Davis Farm, Trinity: part of Fields 562, 827 and 828 – sale of P.68/2006.  
land.  
Lodged: 5th June 2006, *and referred to the Public Accounts Committee.*  
*Minister for Treasury and Resources.*

THE STATES rejected a proposition of Deputy Geoffrey Peter Southern of St. Helier that consideration of the following matter be deferred from 18th July 2006 to 12th September 2006 –

Income Tax: allowances, reliefs and exemption thresholds P.58/2006.  
("20 means 20).  
Lodged: 19th May 2006.  
*Minister for Treasury and Resources.*

Members present voted as follows –

**POUR: 20**

Senator S. Syvret  
Senator B.E. Shenton  
Connétable of St. Clement  
Connétable of St. Helier  
Connétable of St. Brelade  
Connétable of St. Martin  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)

**CONTRE: 26**

Senator L. Norman  
Senator F.H. Walker  
Senator W. Kinnard  
Senator T.A. Le Sueur  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Senator F.E. Cohen

**ABSTAIN: 0**

Deputy of St. Martin  
Deputy P.N. Troy (B)  
Deputy C.J. Scott Warren (S)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy of St. Ouen  
Deputy P.J.D. Ryan (H)  
Deputy J.A. Hilton (H)  
Deputy P.V.F. Le Claire (H)  
Deputy S.S.P.A. Power (B)  
Deputy S. Pitman (H)  
Deputy K.C. Lewis (S)

Senator J.L. Perchard  
Connétable of St. Ouen  
Connétable of St. Mary  
Connétable of St. Peter  
Connétable of Trinity  
Connétable of St. Lawrence  
Connétable of St. John  
Deputy J.J. Huet (H)  
Deputy R.G. Le Hérissier (S)  
Deputy J.B. Fox (H)  
Deputy S.C. Ferguson (B)  
Deputy of St. Peter  
Deputy G.W.J. de Faye (H)  
Deputy J.A.N. Le Fondré (L)  
Deputy D.W. Mezbourian  
(L)  
Deputy of Trinity  
Deputy I.J. Gorst (C)  
Deputy of St. Mary

THE STATES rose at 5.55 p.m.

**M.N. DE LA HAYE**

*Greffier of the States*