

**THE STATES assembled on Tuesday,
16th May 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 09.32 a.m.)
Connétable Philip Francis Ozouf of St. Saviour– en défaut (défaut raised at 09.52 a.m.)
Connétable Derek Frederick Gray of St. Clement– absent on States’ business
Connétable Geoffrey William Fisher of St. Lawrence– en défaut (défaut raised at 11.44 a.m.).

Prayers.

Subordinate enactments tabled

The following enactments were tabled, namely –

Petroleum (Licensing) (Fees) (Amendment) (Jersey) Order 2006. R&O 43/2006.
Minister for Home Affairs.

Restriction on Smoking (Notice for Vending Machines) (Jersey) Order 2006. R&O 44/2006.
Minister for Health and Social Services.

Documents presented or laid

Jersey Teachers’ Superannuation Fund: actuarial valuation as at 31st December 2001. R.36/2006.
Presented: 3rd May 2006.
Minister for Education, Sport and Culture.

The Zero/Ten Design Proposal – Consultation document. R.37/2006.
Presented: 5th May 2006.
Minister for Treasury and Resources.

Jersey Council for Safety and Health at Work: report for the period 1st July 2004 to 31st December 2005. R.38/2006.
Presented: 8th May 2006.
Minister for Social Security.

Administrative Decisions (Review) (Jersey) Law 1982, as amended: report of the Administrative Appeals Panel for 2005. R.39/2006.
Presented: 8th May 2006.
Privileges and Procedures Committee.

International Conventions and Agreements: progress report for period 1st April to 30th September 2005. R.40/2006.
Presented: 15th May 2006.
Chief Minister.

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| Bellozanne Waste Treatment Works: petition (P.34/2006) – comments. Presented: 15th May 2006. <i>Council of Ministers.</i> | P.34/2006. Com. |
| Draft Social Security (Television Licence Benefit) (Jersey) Regulations 200- (P.37/2006): comments. Presented: 15th May 2006. <i>Minister for Treasury and Resources.</i> | P.37/2006. Com. |
| Charing Cross: vacant site – petition (P.38/2006) – comments. Presented: 11th May 2006. <i>Assistant Minister for Planning and Environment.</i> | P.38/2006. Com. |
| Charing Cross: vacant site – petition (P.38/2006) – comments. Presented: 12th May 2006. <i>Minister for Treasury and Resources.</i> | P.38/2006. Com.(2) |
| Charing Cross: vacant site – petition (P.38/2006) – comments. Presented: 12th May 2006. <i>Council of Ministers.</i> | P.38/2006. Com.(3) |
| Island Plan 2002, Policy H2: Fields 848, 851, 853, and 854 (P.48/2006) – comments. Presented: 8th May 2006. <i>Minister for Planning and Environment.</i> | P.48/2006. Com. |
| Island Plan 2002, Policy H2: Fields 848, 851, 853, and 854 (P.48/2006) – comments – addendum. Presented: 12th May 2006. <i>Minister for Planning and Environment.</i> | P.48/2006. Com.Add. |

Notification of lodged propositions

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| Strategic Plan 2006 to 2011 (P.40/2006): amendment. Lodged: 16th May 2006. <i>Senator J.L. Perchard.</i> | P.40/2006. Amd. |
| Draft Non-Commercial Movement of Pet Animals (Jersey) Regulations 200- Lodged: 2nd May 2006. <i>Minister for Planning and Environment.</i> | P.49/2006. |
| Assemblée Parlementaire de la Francophonie Executive Committee: membership. Lodged: 3rd May 2006. <i>Connétable of St. Ouen.</i> | P.50/2006. |
| Assemblée Parlementaire de la Francophonie Executive Committee: membership (P.50/2006) – amendment. Lodged: 16th May 2006. <i>Connétable of St. Ouen.</i> | P.50/2006. Amd. |
| Administrative Appeals Panel: membership. Lodged 8th May 2006. <i>Privileges and Procedures Committee.</i> | P.51/2006. |
| Draft Customs and Excise (Amendment No. 3) (Jersey) Law 200. | P.52/2006. |

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| Lodged: 11th May 2006. <i>Minister for Treasury and Resources.</i> | |
| Draft Employers' Liability (Compulsory Insurance) (Amendment No. 3) (Jersey) Law 200-. Lodged: 11th May 2006. <i>Minister for Social Security.</i> | P.53/2006. |
| Draft Health and Safety (Work Experience) (Jersey) Regulations 200-. Lodged: 11th May 2006. <i>Minister for Social Security.</i> | P.54/2006. |
| Strategy Plan: approval by the States. Lodged: 11th May 2006. <i>Senator B.E. Shenton.</i> | P.55/2006. |
| Tevielka, La Rue de la Haye du Puits, Grouville: deed of arrangement. Lodged: 12th May 2006. <i>Minister for Treasury and Resources.</i> | P.56/2006. |
| Draft Employment Relations (Amendment No. 2) (Jersey) Law 200-. Lodged: 15th May 2006. <i>Minister for Social Security.</i> | P.57/2006. |

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 –

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| Draft Sexual Offences (Jersey) Law 200-. Lodged: 13th September 2005. <i>Minister for Home Affairs, (formerly the Home Affairs Committee).</i> <i>(debate suspended on 18.01.06 and remained such on 31.01.06 as item referred to Corporate Services Scrutiny Panel under Standing Order 79(i)).</i> | P.196/2005. |
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Written Questions

[*\(see Official Report\)*](#)

The Minister for Education, Sport and Culture tabled an answer to a question asked by the Connétable of St. Helier regarding the funding of top-up fees.

The Minister for Health and Social Services tabled an answer to a question asked by the Connétable of St. Helier regarding health matters related to composting operations.

The Minister for Education, Sport and Culture tabled an answer to questions asked by the Connétable of St. Helier regarding early childhood education and care, and the provision of a nursery unit at the new St. Peter's School.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy Geoffrey Peter Southern of St. Helier regarding matters contained in the Zero/Ten Design Proposals (R.37/2005).

The Chief Minister tabled an answer to a question asked by Deputy Geoffrey Peter Southern of St. Helier regarding agreements concerning the Island's taxation commitments.

The Minister for Social Security tabled an answer to a question asked by Deputy Roy George Le Hérisser of

St. Saviour regarding provisions for parents who had deaf children in their care.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy Roy George Le Hérissier of St. Saviour regarding authoritative bodies used to determine whether Jersey's business and corporate tax proposals met international and EU requirements.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy Roy George Le Hérissier of St. Saviour regarding the level of expenditure required to complete implementation of the Jo Families agreement.

The Minister for Housing tabled an answer to a question asked by Deputy Roy George Le Hérissier of St. Saviour regarding controls on speculative purchasing.

The Minister for Transport and Technical Services tabled an answer to a question asked by the Connétable of St. Helier regarding the monitoring of composting operations.

Oral Questions

(see Official Report)

Deputy Paul Vincent Francis Le Claire of St. Helier asked a question of the Chief Minister regarding risk evaluation for emergency purposes of the recent Buncefield incident.

Senator Leonard Norman asked a question of the Minister for Planning and Environment regarding the project Sites of Special Interest and Buildings of Local Interest: financial implications (P.166/2004).

Deputy Sean Seamus Patrick Augustine Power of St. Brelade asked a question of the Minister for Economic Development regarding the total number of passengers arriving by sea from the United Kingdom and France.

Senator Ben Edward Shenton asked a question of the Minister for Education, Sport and Culture regarding a post project review of Phase 1 of the Hautlieu School rebuilding project.

The Connétable of Grouville asked a question of the Minister for Planning and Environment regarding investigation of the benefits of tidal energy.

Deputy Roy George Le Hérissier of St. Saviour asked a question of the Minister for Transport and Technical Services regarding whether initiatives such as free bus travel to dogs fell within an approved Transport Strategy.

Deputy Judith Ann Martin of St. Helier asked a question of the Chief Minister regarding the project Migration Monitoring and Regulation (P.25/2005).

Deputy Roy George Le Hérissier of St. Saviour asked a question of the Minister for Education, Sport and Culture regarding programmes in place for on-Island training of primary and secondary school teachers.

Deputy Paul Vincent Francis Le Claire of St. Helier asked a question of the Minister for Transport and Technical Services regarding the recent Buncefield oil fires.

Senator Ben Edward Shenton asked a question of the Minister for Treasury and Resources regarding the current fiscal strategy and the "20 means 20" proposals.

Deputy Geoffrey Peter Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding the new 0/10 proposals.

Deputy Geoffrey Peter Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding Foreign Incorporated Investment Companies.

Deputy Gerard Clifford Lemmens Baudains of St. Clement asked a question of the Minister for Transport and Technical Services regarding maintenance schedules for standby and emergency plant.

The Deputy of St. Martin asked a question of the Chief Minister regarding the projet Share Transfer Property Stamp Duty (P.211/2004).

Deputy Gerard Clifford Lemmens Baudains of St. Clement asked a question of the Minister for Planning and Environment regarding Article 15(a) of the Island Planning (Jersey) Law 1964.

Deputy Sean Seamus Patrick Augustine Power of St. Brelade asked a question of the Minister for Transport and Technical Services regarding parking provision on the Esplanade car park.

The Deputy of St. Martin asked a question of the Minister for Home Affairs regarding the projet Speeding Fines allocation of funds to Parishes (P.156/2005).

Oral Questions without notice

[*\(see Official Report\)*](#)

The Minister for Education, Sport and Culture answered questions without notice from members.

The Chief Minister answered questions without notice from members.

Deputy Sean Seamus Patrick Augustine Power of St. Brelade– personal statement

[*\(see Official Report\)*](#)

Deputy Sean Seamus Patrick Augustine Power of St. Brelade made a personal statement.

States Strategic Plan 2006-2011 – statement

[*\(see Official Report\)*](#)

The Chief Minister made a statement regarding the States Strategic Plan 2006-2011.

Withdrawal of Draft Sexual Offences (Jersey) Law 200- (P.196/2005) – statement

[*\(see Official Report\)*](#)

The Minister for Home Affairs made a statement regarding the withdrawal of the Draft Sexual Offences (Jersey) Law 200- (P.196/2005).

Draft Taxation (United States of America) (Jersey) Regulations 200- P.264/2005

THE STATES, recognizing their autonomy in domestic matters including tax, and noting that by a Tax Information Exchange Agreement signed in Washington on 4th November 2002, for and on behalf of the Governments of the States of Jersey and the United States of America, Jersey had incurred obligations towards the United States that were for Jersey's performance alone, in pursuance of Article 2 of the Taxation (Implementation) (Jersey) Law 2004, and following the decision of the States of 22nd October 2002, to adopt paragraph (a) of Projet 172 of 2002, made Regulations entitled the Taxation (United States of America) (Jersey) Regulations 2006.

Draft Employment Relations (Amendment) (Jersey) Law 200- P.5/2006 Comments

THE STATES commenced consideration of the Draft Employment Relations (Amendment) (Jersey) Law 200-, and, following consideration and in accordance with the provisions of Standing Order 69(4), agreed to allow Deputy Geoffrey Peter Southern of St. Helier to withdraw the matter.

**Draft Employment (Amendment No. 2) (Jersey) Law 200 P.270/2005
Comments**

THE STATES commenced consideration of the Draft Employment (Amendment No. 2) (Jersey) Law 200, and rejected the principles.

Members present voted as follows –

POUR: 23

Senator S. Syvret
Senator L. Norman
Senator W. Kinnard
Senator B.E. Shenton
Connétable of St. Helier
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren (S)
Deputy J.B. Fox (H)
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 of St. Mary

CONTRE: 24

Senator F.H. Walker
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. Peter
Connétable of Trinity
Connétable of St. Lawrence
Connétable of St. John
Connétable of St. Brelade
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy P.N. Troy (B)

Deputy of St. Ouen
Deputy J.A.N. Le Fondré (L)
Deputy A.J.H. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)

ABSTAIN: 0

THE STATES, in accordance with Standing Order 71(6), noted that the Draft Employment (Amendment No. 2) (Jersey) Law 200- was taken to have been withdrawn.

Change in Presidency

The Bailiff retired from the Chair during consideration of the principles of the Draft Employment (Amendment No. 2) (Jersey) Law 200 (P.270/2005 lodged “au Greffe” on 15th November 2005), and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States.

**Bailiff’s Consultative Panel – P.20/2006
Amendment and Comments**

THE STATES commenced consideration of a proposition of the Privileges and Procedures Committee regarding the Bailiff's Consultative Panel, and adopting an amendment of the Connétable of St. Helier that in the list setting out the proposed composition of the Panel, there be deleted the words "the senior Senator" and "the senior Deputy", for the words "three other members elected by ballot" there be substituted the words "five other members elected by ballot", and there be deleted the words "except that if either the senior Senator or Deputy are already members of the Panel by virtue of holding another office their place on the Panel shall be filled by the next most senior Senator or Deputy in the roll of elected members who is not already a member of the Panel."

Members present voted as follows –

POUR: 27

Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator T.J. Le Main
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Helier
Connétable of St. Lawrence
Connétable of St. John
Connétable of St. Brelade
Deputy J.J. Huet (H)

Deputy of St. Martin
Deputy C.J. Scott Warren (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
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 S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy of St. John

CONTRE: 19

Senator L. Norman
Senator F.H. Walker
Senator P.F.C. Ozouf
Senator B.E. Shenton
Connétable of St. Peter
Connétable of Trinity
Connétable of Grouville
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy of Grouville
Deputy of St. Peter
Deputy G.W.J. de Faye (H)
Deputy J.A.N. Le Fondré
(L)
Deputy of Trinity
Deputy A.J.H. Maclean (H)
Deputy I.J. Gorst (C)
Deputy of St. Mary

ABSTAIN: 0

THE STATES adopting, as amended, a proposition of the Privileges and Procedures Committee, referred to their Act dated 7th July 1992, in which they agreed to establish a Consultative Panel of elected members of the States with whom the Bailiff would be able to meet in order to consult on a confidential basis in appropriate cases, and to their Act dated 4th February 2003, in which they agreed to revise the composition of the Panel, and

agreed that the composition of the Panel should be further revised and henceforth be comprised as follows –

the Chairman of the Comité des Connétables;
the Chief Minister;
the Chairman of the Privileges and Procedures Committee;
the Minister for Treasury and Resources; and
five other members elected by ballot by the States for a period of 3 years.

Senator Stuart Syvret declared an interest and withdrew from the Chamber prior to the consideration of this

matter.

Change in Presidency

The Bailiff returned to the Chamber during consideration of the proposition of the Privileges and Procedures Committee regarding the Bailiff's Consultative Panel, (P.20/2006 lodged "au Greffe" on 28th February 2006), and the meeting continued under his presidency.

Bailiff's Consultative Panel – P.20/2006 – nomination and election of members

THE STATES, having adopted, as amended, a proposition of the Privileges and Procedures Committee regarding the Bailiff's Consultative Panel, (P.20/2006 lodged "au Greffe" on 28th February 2006), noted the following nominations for membership –

Senator Stuart Syvret was nominated by Senator Frank Harrison Walker.

Senator Paul Francis Routier was nominated by Senator Michael Edward Vibert.

Senator Michael Edward Vibert was nominated by Senator Wendy Kinnard.

Senator Terence John Le Main was nominated by the Connétable of St. Mary.

The Connétable of St. Helier was nominated by the Connétable of St. Brelade.

Deputy Robert Charles Duhamel of St. Saviour was nominated by Deputy Kevin Charles Lewis of St. Saviour.

Deputy Jacqueline Jeannette Huet of St. Helier was nominated by Deputy Sarah Craig Ferguson of St. Brelade.

Deputy Gerard Clifford Lemmens Baudains of St. Clement was nominated by the Deputy of St. Martin.

Deputy Peter Nicholas Troy of St. Brelade was nominated by Deputy Sean Seamus Patrick Augustine Power of St. Brelade.

Deputy Judith Ann Martin of St. Helier was nominated by Deputy John Benjamin Fox of St. Helier.

Deputy Sarah Craig Ferguson of St. Brelade was nominated by Deputy Jacqueline Jeannette Huet of St. Helier.

The Deputy of Grouville was nominated by Senator Michael Edward Vibert.

Deputy Deidre Wendy Mezbourian of St. Lawrence was nominated by the Deputy of St. Mary.

The Deputy of Trinity was nominated by Senator Philip Francis Cyril Ozouf.

THE STATES, having proceeded to a secret ballot, were informed of the following results by the Bailiff –

| | |
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| Senator Stuart Syvret | 24 |
| The Deputy of Trinity | 23 |
| Deputy Deidre Wendy Mezbourian of St. Lawrence | 22 |
| Senator Terence John Le Main | 21 |
| The Deputy of Grouville | 19 |
| Deputy Judith Ann Martin of St. Helier | 16 |
| Senator Paul Francis Routier | 15 |
| The Connétable of St. Helier | 15 |
| Deputy Robert Charles Duhamel of St. Saviour | 15 |
| Deputy Jacqueline Jeannette Huet of St. Helier | 12 |
| Deputy Gerard Clifford Lemmens Baudains of St. Clement | 12 |
| Senator Michael Edward Vibert | 8 |
| Deputy Sarah Craig Ferguson of St. Brelade | 8 |
| Deputy Peter Nicholas Troy of St. Brelade | 5. |

The Bailiff accordingly declared that the following members had been elected to serve on the Bailiff's Consultative Panel –

Senator Stuart Syvret

The Deputy of Trinity
Deputy Deidre Wendy Mezbourian of St. Lawrence
Senator Terence John Le Main
The Deputy of Grouville.

Bellozanne Waste Treatment Works: petition – P.34/2006

Comments

THE STATES, adopting a proposition of Deputy John Benjamin Fox of St. Helier requested the Minister for Transport and Technical Services –

- (a) to undertake an assessment of the Bellozanne Sewage Treatment Works by the end of 2006 to identify the sources of the unpleasant smells that were causing a nuisance to those living and working in the vicinity of the Works; and,
- (b) to prepare a full engineering appraisal, following the assessment, showing how the smells could be minimized and setting out the total capital cost of the required buildings, enclosures, odour control equipment and all associated engineering works, and requested the Minister to then make the necessary submission based on the appraisal, as part of the capital prioritization process, so that funds could be sought to enable the remedial work to be undertaken.

Members present voted as follows –

POUR: 50

CONTRE: 1

ABSTAIN: 0

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 B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. John
Connétable of St. Brelade
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérissier (S)
Deputy J.B. Fox (H)

Deputy R.C. Duhamel (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
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)
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

**Draft Social Security (Television Licence Benefit) (Jersey) Regulations 200- P.37/2006
Comments**

THE STATES commenced consideration of the Draft Social Security (Television Licence Benefit) (Jersey) Regulations 200-, and adopted the principles.

Members present voted as follows –

POUR: 46

CONTRE: 0

ABSTAIN: 2

Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. John
Connétable of St. Brelade
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy of St. Martin

Connétable of St. Saviour
Deputy G.C.L. Baudains (C)

Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisier (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 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)
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, in pursuance of the Order in Council dated 28th March 1771, made Regulations entitled the Social Security (Television Licence Benefit) (Jersey) Regulations 2006.

Draft Social Security (Television Licence Benefit) (Jersey) Law 200- P.36/2006

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Social Security (Television Licence Benefit) (Jersey) Law 200-.

Charing Cross: vacant site – petition – P.38/2006

Comments

THE STATES rejected a proposition of the Connétable of St. Helier requesting the Minister for Planning and Environment to designate as an Area of Important Open Space the greater part of the vacant site situated at the intersection of York Street and Dumaresq Street.

Members present voted as follows –

POUR: 11

Senator L. Norman
Connétable of St. Helier
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian
(L)

CONTRE: 33

Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Mary

ABSTAIN: 0

Deputy S. Pitman (H)

Connétable of St. Peter
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. John
Connétable of St. Brelade
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy R.G. Le Hérissier (S)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy A.J.H. Maclean (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. Mary

Senator Frederick Ellyer Cohen and Senator Ben Edward Shenton declared an interest and withdrew from the Chamber prior to the consideration of this matter.

In accordance with the provisions of Standing Order 106, all other members present, except Deputy Gerard Clifford Lemmens Baudains of St. Clement and Deputy Alan John Henry Maclean of St. Helier declared an interest as shareholders in the Channel Islands Co-operative Society but remained in the Chamber for the duration of the debate.

Change in Presidency

The Bailiff retired from the Chair during consideration of the proposition of the Connétable of St. Helier regarding Charing Cross: vacant site – petition (P.38/2006 lodged “au Greffe” on 4th April 2006), and the meeting continued under the Presidency of Mr. Michael Nelson de la Haye, Greffier of the States.

Draft Restriction on Smoking (Amendment No. 2) (Jersey) Law 200 P.39/2006

Comments

THE STATES commenced consideration of the Draft Restriction on Smoking (Amendment No. 2) (Jersey) Law 200-, and adopted the principles.

Members present voted as follows –

POUR: 45

Senator S. Syvret
Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier

CONTRE: 2

Deputy G.C.L. Baudains (C)
Deputy G.W.J. de Faye (H)

ABSTAIN: 0

Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Peter
Connétable of Trinity
Connétable of St. Lawrence
Connétable of St. John
Connétable of St. Brelade
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 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 of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (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)
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 Articles 1 to 9.

Members present voted as follows –

POUR: 43

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 B.E. Shenton
Senator F.E. Cohen

CONTRE: 3

Deputy G.C.L. Baudains (C)
Deputy of St. Ouen
Deputy G.W.J. de Faye (H)

ABSTAIN: 0

Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Lawrence
Connétable of St. John
Connétable of St. Brelade
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 Hérisier (S)
Deputy J.B. Fox (H)
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 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)
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, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Restriction on Smoking (Amendment No. 2) (Jersey) Law 200.

Draft Planning and Building (Jersey) Law 2002 (Appointed Day) Act 200- P.46/2006

THE STATES commenced consideration of the Draft Planning and Building (Jersey) Law 2002 (Appointed Day) Act 200-, and, on a proposition of the Connétable of St. Helier, agreed to defer further consideration of the matter until the next meeting on 23rd May 2006, at which it would be taken as the first item of public business.

Jersey Community Relations Trust: replacement of Chairman – P.47/2006

THE STATES, adopting a proposition of the Chief Minister, referred to their Act dated 20th January 2004, in which they approved the establishment of the Jersey Community Relations Trust, and to their Act dated 8th June 2004, in which they appointed the Rev. Lewis William Matthews as the Chairman of the Trust, and –

appointed Mr. Nicholas Mark Hutchinson as Chairman of the Jersey Community Relations Trust, in pursuance of paragraph 5.11 of the Trust's Constitution, to complete the term of office of the former Chairman, namely until 7th June 2007.

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) –

23rd May 2006

Draft Planning and Building (Jersey) Law 2002 (Appointed Day) Act 200-. P.46/2006.
Lodged: 13th April 2006.
Minister for Planning and Environment.
(proposed and debate commenced on 16th May 2006)

Composting facilities. P.258/2005.
Lodged: 1st November 2005.
Deputy P.V.F. Le Claire of St. Helier.

Composting facilities (P.258/2005): comments. P.258/2005. Com.
Presented: 19th December 2005.
Comité des Connétables.

Composting facilities (P.258/2005): comments. P.258/2005. Com.
Presented: 9th March 2006. (2)
Minister for Health and Social Services.

Composting facilities (P.258/2005): comments. P.258/2005. Com.
Presented: 9th March 2006. (3)
Minister for Transport and Technical Services.

Channel Islands Lottery: allocation of profits for 2005/2006. P.41/2006.
Lodged: 11th April 2006.
Minister for Economic Development.

Assemblée Parlementaire de la Francophonie Executive Committee: P.50/2006.
membership.
Lodged: 3rd May 2006.
Connétable of St. Ouen.

Assemblée Parlementaire de la Francophonie Executive Committee: P.50/2006. Amd.
membership (P.50/2006) – amendment.
Lodged: 16th May 2006.
Connétable of St. Ouen.

Administrative Appeals Panel: membership. P.51/2006.
Lodged 8th May 2006.
Privileges and Procedures Committee.

6th June 2006

Senators and Deputies: terms of office. P.227/2004.
Lodged: 14th December 2004.
Deputy A. Breckon of St. Saviour.
(debate commenced and States adopted move to next item of public business on 1st February 2005).

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| Senators and Deputies: terms of office (P.227/2004) – comments. Presented: 18th January 2005. <i>Presented by the Minister for Treasury and Resources (formerly the Finance and Economics Committee).</i> | P.227/2004. Com. |
| Employment legislation: petition. Lodged: 4th October 2005. <i>Deputy G.P. Southern of St. Helier.</i> | P.214/2005. |
| Employment legislation: petition (P.214/2005) – comments. Presented: 11th January 2006. <i>Minister for Social Security.</i> | P.214/2005. Com. |
| Employment legislation: petition (P.214/2005) – comments – addendum. Presented: 21st March 2006. <i>Minister for Social Security.</i> | P.214/2005. Com.Add. <i>(re-issue)</i> |
| Draft Postal Services (Transfer) (Jersey) Regulations 200-. Lodged: 31st January 2006. <i>Minister for Treasury and Resources.</i> <i>Continuation of 2nd reading.</i> <i>(Principles adopted on 28th March 2006 before referral to Economic Affairs Scrutiny Panel in accordance with Standing Order 72(1)).</i> | P.9/2006. |
| Draft Postal Services (Transfer) (Jersey) Regulations 200- (P.9/2006): amendment. Lodged: 28th February 2006. <i>Minister for Treasury and Resources.</i> | P.9/2006. Amd. |
| Draft Postal Services (Transfer) (Jersey) Regulations 200- (P.9/2006): second amendment. Lodged: 14th March 2006. <i>Minister for Treasury and Resources.</i> | P.9/2006. Amd. (2) |
| Draft Postal Services (Transfer) (Jersey) Regulations 200- (P.9/2006): third amendments. Lodged: 25th April 2006. <i>Minister for Treasury and Resources.</i> | P.9/2006. Amd. (3) |
| Exclusivity of postal services within Jersey: termination of Agreement between the States of Jersey and the United Kingdom. Lodged: 11th April 2006. <i>Minister for Economic Development.</i> | P.42/2006. |
| Draft Postal Services (Jersey) Law 2004 (Appointed Day) (No. 2) Act 200-. Lodged: 11th April 2006. <i>Minister for Economic Development.</i> | P.43/2006. |
| Milk Subsidy for Delivery to Special Classes. Lodged: 5th July 2005. <i>Deputy G.P. Southern of St. Helier, and referred to the Ministers for Economic Development and Social Security (formerly the Economic Development and the Employment and Social Security Committees).</i> | P.145/2005. |
| Draft Water Resources (Jersey) Law 200-. | P.206/2005. |

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| Lodged: 27th September 2005. <i>Minister for Planning and Environment (formerly the Environment and Public Services Committee).</i> | |
| Draft Water Resources (Jersey) Law 200- (P.206/2005): comments. Presented: 1st November 2005. <i>Minister for Economic Development (formerly the Economic Development Committee).</i> | P.206/2005. Com. |
| Draft Water Resources (Jersey) Law 200- (P.206/2005): amendment. Lodged: 25th October 2005. <i>Deputy R.C. Duhamel of St. Saviour.</i> | P.206/2005. Amd. |
| Draft Water Resources (Jersey) Law 200- (P.206/2005): amendments (P.206/2005 Amd.)– comments. Presented: 22nd November 2005. <i>Minister for Planning and Environment (formerly the Environment and Public Services Committee).</i> | P.206/2005. Amd.Com. |
| Draft Water Resources (Jersey) Law 200- (P.206/2005): second amendments. Lodged: 1st November 2005. <i>Deputy P.N. Troy of St. Brelade.</i> | P.206/2005. Amd. (2) |
| Draft Water Resources (Jersey) Law 200- (P.206/2005): second amendments (P.206/2005 Amd.(2))– comments. Presented: 29th November 2005. <i>Minister for Planning and Environment (formerly the Environment and Public Services Committee).</i> | P.206/2005. Amd. (2) Com. |
| Island Plan 2002, Policy H2: Fields 848, 851, 853, and 854. Lodged: 20th April 2006. <i>Connétable of St. Lawrence.</i> | P.48/2006. |
| Island Plan 2002, Policy H2: Fields 848, 851, 853, and 854 (P.48/2006) – comments. Presented: 8th May 2006. <i>Minister for Planning and Environment.</i> | P.48/2006. Com. |
| Island Plan 2002, Policy H2: Fields 848, 851, 853, and 854 (P.48/2006) – comments – addendum. Presented: 12th May 2006. <i>Minister for Planning and Environment.</i> | P.48/2006. Com.Add. |
| Strategy Plan: approval by the States. Lodged: 11th May 2006. <i>Senator B.E. Shenton.</i> | P.55/2006. |
| <u>20th June 2006</u> | |
| Strategic Plan 2006 to 2011. Lodged: 10th April 2006. <i>Council of Ministers.</i> | P.40/2006. |
| Strategic Plan 2006 to 2011 (P.40/2006): amendment. Lodged: 16th May 2006. | P.40/2006. Amd. |

Senator J.L. Perchard.

Solid Waste Strategy: locations for proposed facilities. P.45/2006.
Lodged: 11th April 2006.
Minister for Transport and Technical Services.

Draft Non-Commercial Movement of Pet Animals (Jersey) Regulations P.49/2006.
200-.
Lodged: 2nd May 2006.
Minister for Planning and Environment.

4th July 2006

Draft Customs and Excise (Amendment No. 3) (Jersey) Law 200. P.52/2006.
Lodged: 11th May 2006.
Minister for Treasury and Resources.

Draft Employers' Liability (Compulsory Insurance) (Amendment No. 3) P.53/2006.
(Jersey) Law 200-.
Lodged: 11th May 2006.
Minister for Social Security.

Draft Health and Safety (Work Experience) (Jersey) Regulations 200-. P.54/2006.
Lodged: 11th May 2006.
Minister for Social Security.

Tevielka, La Rue de la Haye du Puits, Grouville: deed of arrangement. P.56/2006.
Lodged: 12th May 2006.
Minister for Treasury and Resources.

Draft Employment Relations (Amendment No. 2) (Jersey) Law 200. P.57/2006.
Lodged: 15th May 2006.
Minister for Social Security.

18th July 2006

12th September 2006

26th September 2006

10th October 2006

THE STATES rose at 6.35 p.m.

A.H. HARRIS

Deputy Greffier of the States