

**THE STATES assembled on Tuesday,
31st January 2006 at 9.30 a.m. under
the Presidency of the Deputy Bailiff,
Michael Cameron St. John Birt, Esquire.**

**His Excellency the Lieutenant Governor,
Air Chief Marshal Sir John Cheshire, K.B.E., C.B.,
was present.**

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

Senator Paul Francis Routier – absent due to illness
Senator Philip Francis Cyril Ozouf – absent on States business
Deputy Jacqueline Jeannette Huet of St. Helier– en défaut
Deputy Gerard Clifford Lemmens Baudains of St. Clement– en défaut (arrived in the Chamber at 9.55 a.m.)
Deputy Geoffrey Peter Southern of St. Helier– en défaut (arrived in the Chamber at 9.50 a.m.).

Prayers read by the Greffier of the States.

Subordinate enactments tabled

The following enactments were tabled, namely –

Education (Governing Bodies) (Jersey) Order 2006. <i>Minister for Education, Sport and Culture.</i>	R&O 2/2006.
Collective Investment Funds (Permit Fees) (Jersey) Order 2006. <i>Minister for Economic Development.</i>	R&O 4/2006.
Collective Investment Funds (Unclassified Funds) (Prospectuses) (Amendment No. 4) (Jersey) Order 2006. <i>Minister for Economic Development.</i>	R&O 5/2006.
Companies (Fees) (Jersey) Order 2006. <i>Minister for Economic Development.</i>	R&O 6/2006.
Insurance Business (General Provisions) (Amendment No. 5) (Jersey) Order 2006. <i>Minister for Economic Development.</i>	R&O 7/2006.
Island Planning (Fees) (Jersey) Order 2006. <i>Minister for Planning and Environment.</i>	R&O 8/2006.
Building Bye-Laws (Amendment) (Jersey) 2006. <i>Minister for Planning and Environment.</i>	R&O 9/2006.
Sand Racing (Jersey) Order 2006. <i>Minister for Home Affairs.</i>	R&O 10/2006.

Road Racing (Hill Climbs and Sprint) (Jersey) Order 2006.
Minister for Home Affairs.

R&O 11/2006.

Documents presented or laid

States of Jersey Law 2005: delegation of functions – Economic Development. Presented: 24th January 2006. <i>Minister for Economic Development.</i>	R.3/2006.
States of Jersey Law 2005: delegation of functions – Economic Development – delegated powers to Assistant Ministers. Presented: 27th January 2006. <i>Minister for Economic Development.</i>	R.4/2006.
States of Jersey Law 2005: delegation of functions – Planning and Environment. Presented: 27th January 2006. <i>Minister for Planning and Environment.</i>	R.5/2006.
States of Jersey Law 2005: delegation of functions – Home Affairs. Presented: 27th January 2006. <i>Minister for Home Affairs.</i>	R.6/2006.
States of Jersey Law 2005: delegation of functions – Housing – Population Office. Presented: 27th January 2006. <i>Minister for Housing.</i>	R.7/2006.
States of Jersey Law 2005: delegation of functions – land and property transactions. Presented: 27th January 2006. <i>Minister for Treasury and Resources.</i>	R.8/2006.
States of Jersey Law 2005: delegation of functions – Public Finances (Administration) (Jersey) Law 1967 – reconfirmation of delegations. Presented: 27th January 2006. <i>Minister for Treasury and Resources.</i>	R.9/2006.
States of Jersey Law 2005: delegation of functions – Treasurer of the States. Presented: 27th January 2006. <i>Minister for Treasury and Resources.</i>	R.10/2006.
States of Jersey Law 2005: delegation of functions – postal services. Presented: 31st January 2006. <i>Minister for Economic Development.</i>	R.11/2006.
Speeding fines: allocation of funds to Parishes (P.156/2005) – amendment (P.156/2005 Amd.)– comments. Presented: 27th January 2006. <i>Minister for Treasury and Resources.</i>	P.156/2005. Amd.Com.

Notification of lodged propositions

Draft Administrative Decisions (Review) (Amendment No. 2) (Jersey) Law 200 (P.195/2005): amendment.	P.195/2005. Amd.
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Lodged: 20th January 2006.

Deputy of St. Martin.

Draft Employment Relations (Amendment) (Jersey) Law 200-.

P.5/2006.

Lodged: 30th January 2006.

Deputy G.P. Southern of St. Helier.

Public Employees Contributory Retirement Scheme Committee of Management:
membership.

P.6/2006.

Lodged: 31st January 2006.

Chief Minister.

Draft Magistrate's Court and Petty Debts Court (Location) (Jersey) Act 200-.

P.7/2006.

Lodged: 31st January 2006.

Chief Minister.

Draft Postal Services (Jersey) Law 2004 (Appointed Day) (No. 2) Act 200.

P.8/2006.

Lodged: 31st January 2006.

Minister for Economic Development.

Draft Postal Services (Transfer) (Jersey) Regulations 200-.

P.9/2006.

Lodged: 31st January 2006.

Minister for Treasury and Resources.

Withdrawal of lodged propositions

THE STATES noted that, in accordance with Standing Order 34(1), the proposers of the following propositions lodged "au Greffe" had informed the Greffier of the States that they were to be withdrawn –

Strategic Travel and Transport Plan.

P.174/2005.

Lodged: 30th August 2005.

Minister for Transport and Technical Services (formerly the Environment and Public Services Committee).

Draft Criminal Justice (Miscellaneous Provisions) (No. 2) (Jersey) Law 200.

P.197/2005.

Lodged: 13th September 2005.

Minister for Home Affairs (formerly the Home Affairs Committee).

Draft Employment Relations (Amendment) (Jersey) Law 200-.

P.271/2005.

Lodged: 15th November 2005.

Deputy G.P. Southern of St. Helier.

Written Questions

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

The Chief Minister tabled an answer to a question asked by Senator James Leslie Perchard regarding the delegation of ministerial responsibilities and their reporting under Article 30 of the States of Jersey Law 2005.

The Minister for Social Security tabled an answer to a question asked by Deputy Geoffrey Peter Southern of St. Helier regarding Health Insurance Exemption income allowances and Invalidity Benefits.

The Minister for Economic Development tabled an answer to a question asked by Deputy Geoffrey Peter Southern of St. Helier regarding the Islands ferry services.

The Minister for Economic Development tabled an answer to a question asked by Deputy Geoffrey Peter Southern of St. Helier regarding the provision of school milk.

Oral Questions

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

The Connétable of St. Helier asked a question of the Minister for Treasury and Resources regarding the payment of rates by the States.

The Connétable of Grouville asked a question of the Minister for Health and Social Services regarding meetings with ACET and Brook.

Senator Leonard Norman asked a question of the Chief Minister regarding the provision of facilities for the Council of Ministers and Ministers.

Deputy Geoffrey Peter Southern of St. Helier asked a question of the Chief Minister regarding the availability of consultation outcomes to the Scrutiny Panels.

Senator Leonard Norman asked a question of the Minister for Transport and Technical Services regarding car park barriers.

Deputy Geoffrey Peter Southern of St. Helier asked a question of the Minister for Economic Development regarding the decision of the former Economic Development Committee to withdraw funding for school milk.

Deputy Roy George Le Hérissier of St. Saviour asked a question of the Minister for Health and Social Service regarding the handling of discipline cases within the Health and Social Services Department.

Deputy Judith Ann Martin of St. Helier asked a question of the Minister for Social Security regarding the provision for housing benefit in the income support scheme.

Deputy Roy George Le Hérissier of St. Saviour asked a question of the Minister for Housing regarding the introduction of legislation to protect tenants' deposits.

Oral Questions without notice

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

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

The Minister for Health and Social Services answered questions without notice from members.

Draft Sexual Offences (Jersey) Law 200- (P.196/2005, lodged “au Greffe” on 13th September 2005) – statement

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

Deputy Patrick John Dennis Ryan of St. Helier, Chairman of the Corporate Services Scrutiny Panel, made a statement regarding the Draft Sexual Offences (Jersey) Law 200- (P.196/2005, lodged “au Greffe” on 13th September 2005).

Draft Sexual Offences (Jersey) Law 200- (P.196/2005, lodged “au Greffe” on 13th September 2005) – statement

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

The Deputy of St. Martin, Chairman of the Social Affairs Scrutiny Panel, made a statement regarding the Draft Sexual Offences (Jersey) Law 200- (P.196/2005, lodged “au Greffe” on 13th September 2005).

Work processes of the Assembly and Scrutiny – statement

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

Deputy Robert Charles Duhamel of St. Saviour, President of the Chairmen's Committee made a statement regarding the work processes of the Assembly and Scrutiny.

Strategic Travel and Transport Plan (P.174/2005 lodged “au Greffe” on 30th August 2005) – statement

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

Deputy Guy William John de Faye of St. Helier, Minister for Transport and Technical Services, made a statement regarding the withdrawal of the Strategic Travel and Transport Plan (P.174/2005 lodged “au Greffe” on 30th August 2005).

Speeding Fines: allocation of funds to Parishes – P.156/2005

Comments, Addendum and Amendment

THE STATES commenced consideration of a proposition of the Deputy of St. Martin regarding Speeding Fines: allocation of funds to Parishes, and adopted an amendment of the Comité des Connétables that in subparagraph (a), there be deleted the words “one half of” and, after the words “for the benefit of that Parish”, there be inserted the words “and applied towards the general expenses of the Parish”.

Members present voted as follows –

POUR: 41

Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Martin
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
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 of St. Martin
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren (S)
Deputy J.A. Martin (H)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of St. Peter
Deputy J.A. Hilton (H)

CONTRE: 2

Senator T.A. Le Sueur
Deputy S.C. Ferguson (B)

ABSTAIN: 0

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.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, following further consideration, adopted the proposition, as amended of the Deputy of St. Martin and –

- (a) agreed that when a fine for driving at excess speed was levied by the Honorary Police in the Parish where the offence was committed, the fine should be for the benefit of that Parish and applied towards the general expenses of the Parish; and
- (b) charged the Minister for Home Affairs, after consultation with the Crown and other appropriate authorities, to bring forward for approval the necessary amendments to the Road Traffic (Jersey) Law 1956, to give effect to the proposal.

Members present voted as follows –

POUR: 44

CONTRE: 2

ABSTAIN: 0

Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Martin
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
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 of St. Martin
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.A. Martin (H)

Senator T.A. Le Sueur
Deputy S.C. Ferguson (B)

Deputy G.P. Southern (H)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
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.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 Sexual Offences (Jersey) Law 200- P.196/2005

THE STATES, having noted the decision of the Corporate Services Scrutiny Panel that, in accordance with Standing Order 79(3), the Draft Sexual Offences (Jersey) Law 200- be referred to that Panel prior to debate resuming on the matter, agreed, in accordance with the provisions of Standing Order 79(4), that the debate would be listed to resume on 28th March 2006.

Draft Telecommunications (Amendment) (Jersey) Law 200- P.257/2005

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

Draft Police Procedures and Criminal Evidence (Jersey) Law 2003 (Appointed Day) (No. 3) Act 200- P.267/2005

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, made an Act entitled the Police Procedures and Criminal Evidence (Jersey) Law 2003 (Appointed Day) (No. 3) Act 2006.

Draft Dogs (Amendment No. 3) (Jersey) Law 200 P.280/2005

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Dogs (Amendment No. 3) (Jersey) Law 200.

Draft Companies (Amendment No. 1) (Jersey) Regulations 200 P.4/2006

THE STATES, in pursuance of Article 127YN of the Companies (Jersey) Law 1991, made Regulations entitled the Companies (Amendment No. 1) (Jersey) Regulations 2006.

Draft Companies (Amendment No. 8) (Jersey) Law 2005 (Appointed Day) Act 200 P.3/2006

THE STATES, in pursuance of Article 42 of the Companies (Amendment No. 8) (Jersey) Law 2005, made an Act entitled the Companies (Amendment No. 8) (Jersey) Law 2005 (Appointed Day) Act 2006.

Arrangement of public business for future meetings

THE STATES adopted a proposition of the Chairman of the Privileges and Procedures Committee that the States meet on Tuesday 4th April 2006 (and 5th and 6th April if necessary), and that the meeting scheduled for Tuesday 11th April 2006, be cancelled.

The Chairman of the Privileges and Procedures Committee proposed the following arrangement of public business for future meetings –

14th February 2006

Draft Administrative Decisions (Review) (Amendment No. 2) (Jersey) Law 200 –. P.195/2005.
Lodged: 13th September 2005.
Privileges and Procedures Committee.

Draft Administrative Decisions (Review) (Amendment No. 2) (Jersey) Law 200- (P.195/2005): amendment. P.195/2005.
Lodged: 20th January 2006. Amd.
Deputy of St. Martin.

Private hospital development: Scrutiny Review. P.221/2005.
Lodged: 6th October 2005.
Deputy P.V.F. Le Claire of St. Helier (formerly in the name of Senator P.V.F. Le Claire), and referred to the Council of Ministers, and the Ministers for Economic Development and Health and Social Services (formerly the Policy and Resources, the Economic Development and the Health and Social Services Committees).

Draft Employment (Minimum Wage) (Amendment) (Jersey) Regulations 200-. P.282/2005.
Lodged: 29th December 2005.
Minister for Social Security.

Public Employees Contributory Retirement Scheme Committee of Management: membership. P.6/2006.
Lodged: 31st January 2006.
Chief Minister.

Draft Magistrate's Court and Petty Debts Court (Location) (Jersey) Act 200-. P.7/2006.
Lodged: 31st January 2006.
Chief Minister.

28th February 2006

Cigarette lighter refill canisters: sale to minors. P.218/2005.
Lodged: 5th October 2005.
Deputy G.P. Southern of St. Helier.

Draft Public Elections (Jersey) Law 2002 (Appointed Day) (No. 2) Act 200-. P.1/2006
Lodged: 13th January 2006.
Privileges and Procedures Committee.

Draft Public Elections (Amendment) (Jersey) Regulations 200-. P.2/2006.
Lodged: 13th January 2006.
Privileges and Procedures Committee.

14th March 2006

Employment legislation: petition. P.214/2005.
Lodged: 4th October 2005.
Deputy G.P. Southern of St. Helier.

Employment legislation: petition (P.214/2005) – comments. P.214/2005.
Presented: 11th January 2006. Com.
Minister for Social Security.

Composting facilities. P.258/2005.
Lodged: 1st November 2005.
Deputy P.V.F. Le Claire of St. Helier (formerly in the name of Senator P.V.F. Le Claire), and referred to the Ministers for Health and Social Services, Planning and Environment, and Transport and Technical Services (formerly the Health and Social Services and the Environment and Public Services Committees).

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

Draft Taxation (United States of America) (Jersey) Regulations 200-. P.264/2005.
Lodged: 8th November 2005.
Chief Minister (formerly the Policy and Resources Committee).

Draft Employment Relations (Amendment) (Jersey) Law 200-. P.5/2006.
Lodged: 30th January 2006.
Deputy G.P. Southern of St. Helier.

Draft Postal Services (Transfer) (Jersey) Regulations 200-. P.9/2006.
Lodged: 31st January 2006.
Minister for Treasury and Resources.

Draft Postal Services (Jersey) Law 2004 (Appointed Day) (No. 2) Act 200. P.8/2006.
Lodged: 31st January 2006.
Minister for Economic Development.

28th March 2006

Draft Sexual Offences (Jersey) Law 200-. P.196/2005.
Lodged: 13th September 2005.
*Minister for Home Affairs (formerly the Home Affairs Committee).
(debate suspended on 18.01.06 and remained such on 31.01.06 as item referred to Scrutiny under S.O. 79(4)).*

Draft Employment (Amendment No. 2) (Jersey) Law 200. P.270/2005.
Lodged: 15th November 2005.
Deputy G.P. Southern of St. Helier.

Draft Employment (Amendment No. 2) (Jersey) Law 200 (P.270/2005):
comments. P.270/2005.
Presented: 17th January 2006. Com.
Minister for Social Security.

4th April 2006

Draft Water Resources (Jersey) Law 200-. P.206/2005.
Lodged: 27th September 2005.
*Minister for Planning and Environment (formerly the Environment and Public
Services Committee).*

Draft Water Resources (Jersey) Law 200- (P.206/2005): comments. P.206/2005.
Presented: 1st November 2005. Com.
*Minister for Economic Development (formerly the Economic Development
Committee).*

Draft Water Resources (Jersey) Law 200- (P.206/2005): amendment. P.206/2005.
Lodged: 25th October 2005. Amd.
Deputy R.C. Duhamel of St. Saviour.

Draft Water Resources (Jersey) Law 200- (P.206/2005): amendments P.206/2005.
(P.206/2005 Amd.)– comments. Amd.Com.
Presented: 22nd November 2005.
*Minister for Planning and Environment (formerly the Environment and Public
Services Committee).*

Draft Water Resources (Jersey) Law 200- (P.206/2005): second amendments. P.206/2005.
Lodged: 1st November 2005. Amd.(2)
Deputy P.N. Troy of St. Brelade.

Draft Water Resources (Jersey) Law 200- (P.206/2005): second amendments P.206/2005.
(P.206/2005 Amd.(2))– comments. Amd.(2) Com.
Presented: 29th November 2005.
*Minister for Planning and Environment (formerly the Environment and Public
Services Committee).*

25th April 2006

Criminal Justice Policy. P.201/2005.
Lodged: 20th September 2005.
Minister for Home Affairs (formerly the Home Affairs Committee).

Criminal Justice Policy (P.201/2005): comments. P.201/2005.
Presented: 25th October 2005. Com.
*Minister for Treasury and Resources (formerly the Finance and Economics
Committee).*

16th May 2006

Milk Subsidy for Delivery to Special Classes. P.145/2005.
Lodged: 5th July 2005.
*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).

23rd May 2006

6th June 2006

Senators and Deputies: terms of office.

P.227/2004.

Lodged: 14th December 2004.

Deputy A. Breckon.

(debate commenced and States adopted move to next item of public business on 1st February 2005)

Senators and Deputies: terms of office (P.227/2004) – comments.

P.227/2004.

Presented: 18th January 2005.

Com.

Presented by the Minister for Treasury and Resources (formerly the Finance and Economics Committee).

Housing Trading Organisation: establishment.

P.211/2005

Lodged: 27th September 2005.

Minister for Housing (formerly the Housing Committee).

20th June 2006

4th July 2006

18th July 2006

THE STATES rose at 12.40 p.m.

M.N. DE LA HAYE

Greffier of the States