

**THE STATES assembled on Wednesday,  
6th July 2005, at 9.30 a.m. under  
the Presidency of Mr. Michael Nelson de la Haye,  
Greffier of the States.**

All members were present with the exception of –

Senator Paul Francis Routier – out of the Island  
Senator Edward Philip Vibert– ill  
Senator Richard Joseph Shenton – ill  
Alan Breckon, Deputy of St. Saviour– ill  
Terence John Le Main, Deputy of St. Helier– out of the Island  
Jeremy Laurence Dorey, Deputy of St. Helier– ill  
Geoffrey John Grime, Deputy of St. Mary– ill.

Prayers read by the Acting Dean of Jersey.

**Arrangement of public business for the present meeting**

THE STATES granted leave to the President of the Privileges and Procedures Committee to defer consideration of the following item from the present meeting to a later date –

Draft States of Jersey (Amendment No. 2) Law 200. P.98/2005.  
Lodged: 24th May 2005.  
*Privileges and Procedures Committee.*

**Draft Employment of States of Jersey Employees (Jersey) Law 200- P.99/2005  
Amendments and comments**

THE STATES commenced consideration of the draft Employment of States of Jersey Employees (Jersey) Law 200-, and adopted the Preamble.

THE STATES adopted Articles 1 to 30 together with Schedule.

THE STATES commenced consideration of Article 31 and adopted an amendment of the Harbours and Airport Committee that after paragraph (5) in proposed Article 2, there be added the following paragraphs–

- (6) The Airport Director shall, on or as soon as practicable after becoming Airport Director, take oath before the Royal Court well and faithfully to discharge his or her duties as Airport Director.
- (7) A person appointed under paragraph (4) to act as the Airport Director shall, on or as soon as practicable after being so appointed, take oath before the Royal Court well and faithfully to discharge the duties of the Airport Director while acting as the Airport Director.

THE STATES adopted Article 31, as amended, and Article 32 and 33.

THE STATES commenced consideration of Article 34 and adopted an amendment of the Harbours and Airport Committee that after proposed Article 2A there be added the following Article–

**2B Oaths**

- (1) The Harbour Master shall, on or as soon as practicable after becoming Harbour Master, take oath before the Royal Court well and faithfully to discharge his or her duties as Harbour Master.
- (2) A person appointed under Article 2A to act as the Harbour Master shall, on or as soon as practicable after being so appointed, take oath before the Royal Court well and faithfully to discharge, while acting as the Harbour Master, his or her duties as the Harbour Master under that Article.

Members present voted as follows –

**POUR: 30**

**CONTRE: 1**

**ABSTAIN: 0**

Senator S. Syvret  
 Senator L. Norman  
 Senator F.H. Walker  
 Senator T.A. Le Sueur  
 Senator P.V.F. Le Claire  
 Senator M.E. Vibert  
 Connétable of St. Martin  
 Connétable of St. Ouen  
 Connétable of St. Saviour  
 Connétable of St. Brelade  
 Connétable of St. Peter  
 Connétable of St. Clement  
 Connétable of Trinity  
 Connétable of St. Lawrence  
 Connétable of Grouville  
 Connétable of St. John  
 Deputy of Trinity  
 Deputy R.C. Duhamel (S)  
 Deputy J.J. Huet (H)  
 Deputy of St. Martin  
 Deputy M.F. Dubras (L)  
 Deputy C.J. Scott Warren (S)  
 Deputy R.G. Le Hérisssier (S)  
 Deputy J.B. Fox (H)  
 Deputy J.A. Bernstein (B)  
 Deputy S.C. Ferguson (B)  
 Deputy M.A. Taylor (C)  
 Deputy of Grouville  
 Deputy of St. Peter  
 Deputy G.W.J. de Faye (H)

Deputy of St. John

THE STATES adopted Article 34, as amended, and Articles 35 to 40.

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

**Freedom of Information: proposed legislation – P.72/2005  
Amendment and comments**

THE STATES commenced consideration of a proposition of the Privileges and Procedures Committee, as amended by that Committee, concerning Freedom of Information: proposed legislation, and adopted a proposition of Deputy Roy George Le Hérisssier of St. Saviour that Standing Order 26A, relating to propositions for closure of debate, be suspended during consideration of the matter.

Members present voted as follows –

**POUR: 29**

Senator J.A. Le Maistre  
Senator S. Syvret  
Senator W. Kinnard  
Senator P.V.F. Le Claire  
Senator M.E. Vibert  
Connétable of St. Martin  
Connétable of St. Ouen  
Connétable of St. Peter  
Connétable of St. Clement  
Connétable of St. Helier  
Connétable of Trinity  
Connétable of St. John  
Deputy of Trinity  
Deputy R.C. Duhamel (S)  
Deputy J.J. Huet (H)  
Deputy M.F. Dubras (L)  
Deputy P.N. Troy (B)  
Deputy C.J. Scott Warren (S)  
Deputy R.G. Le Hérissier (S)  
Deputy J-A. Bridge (H)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy J.A. Bernstein (B)  
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)

**CONTRE: 7**

Senator F.H. Walker  
Senator T.A. Le Sueur  
Senator P.F.C. Ozouf  
Connétable of St. Lawrence  
Connétable of Grouville  
Deputy G.C.L. Baudains (C)  
Deputy L.J. Farnham (S)

**ABSTAIN: 0**

THE STATES, adopting paragraph (a) of the proposition, as amended, of the Privileges and Procedures Committee –

- (a) agreed that the existing Code of Practice on Public Access to Official Information should be replaced by a Law, to be known as the Freedom of Information (Jersey) Law 200-.

Members present voted as follows –

**POUR: 32**

Senator J.A. Le Maistre  
Senator S. Syvret  
Senator F.H. Walker  
Senator W. Kinnard  
Senator P.V.F. Le Claire  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Connétable of St. Martin  
Connétable of St. Ouen  
Connétable of St. Mary  
Connétable of St. Clement

**CONTRE: 12**

Senator T.A. Le Sueur  
Connétable of St. Saviour  
Connétable of St. Brelade  
Connétable of St. Peter  
Connétable of St. Lawrence  
Connétable of Grouville  
Connétable of St. John  
Deputy of Trinity  
Deputy J.J. Huet (H)  
Deputy G.C.L. Baudains (C)  
Deputy F.G. Voisin (L)

**ABSTAIN: 0**

Connétable of St. Helier  
Connétable of Trinity  
Deputy R.C. Duhamel (S)  
Deputy of St. Martin  
Deputy of St. John  
Deputy M.F. Dubras (L)  
Deputy P.N. Troy (B)  
Deputy C.J. Scott Warren (S)  
Deputy L.J. Farnham (S)  
Deputy R.G. Le Hérisssier (S)  
Deputy J-A. Bridge (H)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy J.A. Bernstein (B)  
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 M.A. Taylor (C)

THE STATES, adopting paragraphs (b) and (c) of the proposition, as amended, of the Privileges and Procedures Committee –

- (b) agreed that, subject to further consultation, the Law should be broadly based upon the key policy outcomes listed at section 17, numbers 1 to 22, of the report of the Privileges and Procedures Committee dated 19th April 2005; and,
- (c) requested the Privileges and Procedures Committee to bring forward for approval the necessary draft legislation to give effect to the decision.

Members present voted as follows –

**POUR: 31**

Senator J.A. Le Maistre  
Senator S. Syvret  
Senator F.H. Walker  
Senator W. Kinnard  
Senator P.V.F. Le Claire  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Connétable of St. Ouen  
Connétable of St. Mary  
Connétable of St. Clement  
Connétable of St. Helier  
Connétable of St. Lawrence  
Deputy R.C. Duhamel (S)  
Deputy of St. Martin  
Deputy of St. John  
Deputy M.F. Dubras (L)  
Deputy P.N. Troy (B)  
Deputy C.J. Scott Warren (S)  
Deputy L.J. Farnham (S)  
Deputy R.G. Le Hérisssier (S)

**CONTRE: 13**

Senator T.A. Le Sueur  
Connétable of St. Martin  
Connétable of St. Saviour  
Connétable of St. Brelade  
Connétable of St. Peter  
Connétable of Trinity  
Connétable of Grouville  
Connétable of St. John  
Deputy of Trinity  
Deputy J.J. Huet (H)  
Deputy G.C.L. Baudains (C)  
Deputy F.G. Voisin (L)  
Deputy M.A. Taylor (C)

**ABSTAIN: 0**

Deputy J-A. Bridge (H)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy J.A. Bernstein (B)  
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)

### **Change in Presidency**

The Bailiff assumed the Presidency during consideration of the proposition of the Privileges and Procedures Committee regarding Freedom of Information: proposed legislation, and the meeting continued under his presidency.

### **Environment and Public Services: establishment of Ministers and Departments (P.120/2005) – amendment – P.120/2005 Amd. – withdrawn**

THE STATES, in accordance with Standing Order 22(1), granted leave to the President of the Environment and Public Services Committee to withdraw the following matter –

Environment and Public Services: establishment of Ministers and Departments (P.120/2005) – amendment. Lodged: 28th June 2005. <i>Environment and Public Services Committee.</i>	P.120/2005. Amd.
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### **Environment and Public Services: establishment of Ministers and Departments – P.120/2005 Amendments and comments**

THE STATES, adopting a proposition of the Policy and Resources Committee, referred to their Act dated 24th July 2002, in which *inter alia* they agreed that following the introduction of the ministerial system there should be an Environment Department and a Public Services Department, both headed by a minister, and agreed to vary that decision as follows –

- (a) that there should be a Minister and Department for Planning and Environment, with the responsibilities as described in Appendix 1 of the report of the Policy and Resources Committee dated 20th June 2005 and,
- (b) that there should be a Minister and Department for Transport and Technical Services, with the responsibilities as described in Appendix 2 of the report of the Policy and Resources Committee dated 20th June 2005.

### **Census 2006: provision – P.116/2005**

THE STATES commenced consideration of a proposition of the Connétable of St. Helier concerning the provision of a Census in 2006, and, following consideration, adopted a proposition of the Deputy of St. John that in accordance with Standing Order 26A(1), the question be now put.

Members present voted as follows –

**POUR: 29**

Senator J.A. Le Maistre  
 Senator F.H. Walker  
 Senator T.A. Le Sueur  
 Senator P.F.C. Ozouf  
 Connétable of St. Martin  
 Connétable of St. Ouen  
 Connétable of St. Saviour  
 Connétable of St. Brelade  
 Connétable of St. Peter  
 Connétable of St. Clement  
 Connétable of St. Helier  
 Connétable of St. Lawrence  
 Connétable of Grouville  
 Connétable of St. John  
 Deputy of Trinity  
 Deputy R.C. Duhamel (S)  
 Deputy of St. Martin  
 Deputy of St. John  
 Deputy F.G. Voisin (L)  
 Deputy C.J. Scott Warren (S)  
 Deputy L.J. Farnham (S)  
 Deputy R.G. le Hérissier (S)  
 Deputy J-A. Bridge (H)  
 Deputy J.A. Bernstein (B)  
 Deputy S.C. Ferguson (B)  
 Deputy P.J.D. Ryan (H)  
 Deputy M.A. Taylor (C)  
 Deputy of St. Peter  
 Deputy J.A. Hilton (H)

**CONTRE: 5**

Senator S. Syvret  
 Deputy J.J. Huet (H)  
 Deputy P.N. Troy (B)  
 Deputy J.A. Martin (H)  
 Deputy G.W.J. de Faye (H)

**ABSTAIN: 1**

Senator P.V.F. Le Claire

THE STATES, adopting the proposition of the Connétable of St. Helier, referred to the statement made by the President of the Policy and Resources Committee on 1st February 2005, and charged that Committee to carry out a Census as originally planned in 2006.

Members present voted as follows –

**POUR: 20**

Senator J.A. Le Maistre  
 Senator S. Syvret  
 Senator P.V.F. Le Claire  
 Connétable of St. Peter  
 Connétable of St. Clement  
 Connétable of St. Helier  
 Connétable of St. John  
 Deputy R.C. Duhamel (S)  
 Deputy J.J. Huet (H)  
 Deputy of St. Martin  
 Deputy of St. John  
 Deputy P.N. Troy (B)  
 Deputy C.J. Scott Warren (S)  
 Deputy R.G. Le Hérissier (S)  
 Deputy J-A. Bridge (H)

**CONTRE: 17**

Senator F.H. Walker  
 Senator T.A. Le Sueur  
 Senator M.E. Vibert  
 Senator P.F.C. Ozouf  
 Connétable of St. Martin  
 Connétable of St. Ouen  
 Connétable of St. Saviour  
 Connétable of St. Brelade  
 Connétable of St. Lawrence  
 Connétable of Grouville  
 Deputy of Trinity  
 Deputy F.G. Voisin (L)  
 Deputy L.J. Farnham (S)  
 Deputy S.C. Ferguson (B)  
 Deputy P.J.D. Ryan (H)

**ABSTAIN: 0**

Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy J.A. Bernstein (B)  
Deputy of St. Peter  
Deputy J.A. Hilton (H)

Deputy M.A. Taylor (C)  
Deputy G.W.J. de Faye (H)

### **Adjournment**

THE STATES then adjourned, having agreed to reconvene on Tuesday 12th July 2005, in order to resume consideration of the outstanding matters of public business.

THE STATES rose at 7.10 p.m.

**A.H. HARRIS**

*Deputy Greffier of the States.*