

**THE STATES assembled on Tuesday  
4th July 2006, at 9.30 a.m. under  
the Presidency of the Bailiff,  
Sir Philip Bailhache.**

**His Excellency the Lieutenant Governor,  
Lieutenant-General Andrew Peter Ridgway, C.B., C.B.E.,  
was present.**

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

Deputy Gerard Clifford Lemmens Baudains of St. Clement– absent due to illness  
Deputy Judith Ann Martin of St. Helier– en défaut (défaut raised at 11.54 a.m.).

Prayers.

**Tribute to the late Very Reverend Basil O’Ferrall, former Dean of Jersey**

The Bailiff paid tribute to the late Very Reverend Basil O’Ferrall, former Dean of Jersey, and members observed one minute’s silence as a mark of respect.

**Connétable of St. Martin– welcome**

The Bailiff, on behalf of all members, welcomed to the States the newly elected Connétable of St. Martin Mr. Silvanus Arthur Yates.

**Subordinate enactments tabled**

The following enactments were tabled, namely –

Bankruptcy (Désastre) (Jersey) Order 2006. <i>Minister for Economic Development.</i>	R&O 64/2006.
Planning and Building (Moveable Structures) (Jersey) Order 2006. <i>Minister for Planning and Environment.</i>	R&O 66/2006.
Planning and Building (Application Publication) (Jersey) Order 2006. <i>Minister for Planning and Environment.</i>	R&O 67/2006.
Planning and Building (Display of Advertisements) (Jersey) Order 2006. <i>Minister for Planning and Environment.</i>	R&O 68/2006.
Planning and Building (General Development) (Jersey) Order 2006. <i>Minister for Planning and Environment.</i>	R&O 69/2006.
Rabies (Importation of Dogs, Cats and Other Mammals) (Amendment No. 6) (Jersey) Order 2006. <i>Minister for Planning and Environment.</i>	R&O 70/2006.

Gorey Fête (Jersey) Order 2006.  
*Minister for Transport and Technical Services.*

R&O 71/2006.

### Documents presented or laid

Jersey's Goods and Services Tax (GST): an explanation and summary of the proposed GST Regulations for public consultation. R.56/2006.  
Presented: 3rd July 2006.  
*Minister for Treasury and Resources.*

Draft Sexual Offences (Jersey) Law 200- (P.63/2006): amendments P.63/2006.  
(P.63/2006 Amd.)– comments. Amd.Com.  
Presented: 30th June 2006.  
*H.M. Attorney General.*

Composting facilities at La Collette, St. Helier: cessation (P.76/2006)– comments. P.76/2006.  
Presented: 4th July 2006. Com.  
*Minister for Transport and Technical Services.*

### Notification of lodged propositions

Draft Teachers' Superannuation (Amendment No. 2) (Jersey) Law 200 P.69/2006. Amd.  
(P.69/2006): amendment.  
Lodged: 30th June 2006.  
*Minister for Education, Sport and Culture.*

Manual Workers' Joint Council Constitution: amendment. P.82/2006.  
Lodged: 30th June 2006.  
*Chief Minister.*

Manual Workers' Joint Council: Employers' Side membership. P.83/2006  
Lodged: 30th June 2006.  
*Chief Minister.*

Planning Applications Panel: membership. P.84/2006  
Lodged: 3rd July 2006.  
*Minister for Planning and Environment.*

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

Goods and Services Tax: exempt or zero-rated items. P.86/2006.  
Lodged: 4th July 2006, *and referred to the Minister for Treasury and Resources and the Corporate Services Scrutiny Panel.*  
*Senator S. Syvret.*

Parish Rate Appeal Board: appointment of members. P.87/2006.  
Lodged: 4th July 2006. (re-issue)  
*Minister for Treasury and Resources.*

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

Waterfront Enterprise Board: appointment of Chairman and directors.  
Lodged: 4th July 2006.  
*Chief Minister.*

P.89/2006.

### **Written Questions**

*(see Official Report)*

The Minister for Treasury and Resources tabled an answer to a question asked by Senator Ben Edward Shentor regarding reporting of the Public Employees Contributory Retirement Scheme (PECRS) and treatment of any deficit.

The Chief Minister tabled an answer to a question asked by Deputy Paul Vincent Francis Le Claire of St. Helier regarding financial returns from development of the Waterfront.

The Minister for Housing tabled an answer to a question asked by Deputy Gerard Clifford Lemmens Baudains of St. Clement regarding application of the“(j)” category policy.

The Minister for Economic Development tabled an answer to a question asked by Deputy Gerard Clifford Lemmens Baudains of St. Clement regarding the conversion of coastal forts and similar properties into holiday lets.

The Minister for Economic Development tabled an answer to a question asked by Deputy Judith Ann Martin of St. Helier regarding the conversion of coastal forts and similar properties into holiday lets.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy Roy George Le Hérisssier of St. Saviour regarding the IT system integration scheme for GPs.

The Minister for Economic Development tabled an answer to a question asked by Deputy Roy George Le Hérisssier of St. Saviour regarding incentive payments to senior management at Jersey Post.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy Geoffrey Peter Southern of St. Helier regarding consultation on the ‘Zero/Ten Design Proposal’ document.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy Geoffrey Peter Southern of St. Helier regarding exemptions to shareholders under the ‘Zero/Ten Design Proposal’ document.

### **Oral Questions**

*(see Official Report)*

Deputy Geoffrey Peter Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding the application and effect of the EU Savings Tax Directive (STD) on U.K. and EU depositors.

Deputy Geoffrey Peter Southern of St. Helier asked a question of the Minister for Economic Development regarding the public consultation that took place in respect of the Draft Trusts (Amendment No. 4) (Jersey) Law 200-.

Deputy Roy George Le Hérisssier of St. Saviour asked a question of the Minister for Planning and Environment regarding the introduction of regulations embracing energy efficiency in construction.

Deputy Shona Pitman of St. Helier asked a question of the Minister for Education, Sport and Culture regarding the recent decision to work with the Prince’s Trust scheme.

Deputy Alan Breckon of St. Saviour asked a question of the Minister for Housing regarding the total numbers of

time and non-time-limited “(j)” category consents.

Deputy Sean Seamus Patrick Augustine Power of St. Brelade asked a question of the Minister for Health and Social Services regarding the continuation of services and care provided at Overdale Hospital.

Deputy Roy George Le Hérissier of St. Saviour asked a question of the Chief Minister regarding States funding for the Prince’s Trust scheme.

The Deputy of Trinity asked a question of the Minister for Health and Social Services regarding the placement of patients in other nursing and residential homes transferring from Overdale Hospital.

Senator Ben Edward Shenton asked a question of the Minister for Economic Development regarding the performance of the Jersey Competition Regulatory Authority.

### **Oral Questions without notice**

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

The Minister for Economic Development answered questions without notice from members.

The Chief Minister answered questions without notice from members.

### **Deep ground water investigation – statement**

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

The Minister for Planning and Environment made a statement regarding the deep ground water investigation.

### **Policing arrangements in respect of the World Cup quarter-final football match between England and Portugal – statement**

[\*\(see official report\)\*](#)

The Minister for Home Affairs made a statement regarding policing arrangements in respect of the World Cup quarter-final football match between England and Portugal.

### **Island Plan 2002, Policy H2: Fields 848, 851, 853 and 854 (P.48/2006) – statement**

[\*\(see official report\)\*](#)

The Minister for Planning and Environment made a statement regarding a proposition of the Connétable of St. Lawrence entitled Island Plan 2002, Policy H2: Fields 848, 851, 853 and 854 (P.48/2006 lodged “au Greffe” on 20th April 2006).

### **Island Plan 2002, Policy H2: Fields 848, 851, 853 and 854 – P.48/2006 Comments and Addendum**

THE STATES commenced consideration of a proposition of the Connétable of St. Lawrence regarding the Island Plan 2002, Policy H2: Fields 848, 851, 853 and 854, and following consideration, adopted a proposition of Senator Stuart Syvret that, in accordance with the provisions of Standing Order 81, they conduct part of the debate in camera, and the Bailiff, in accordance with the provisions of Standing Order 82, ordered all strangers to withdraw from the precincts of the States and the doors of the Chamber to be closed.

THE STATES, having concluded part of the debate in camera, and following further consideration of the proposition in public session, adopted the proposition of the Connétable of St. Lawrence and referred to their Ac

dated 11th July 2002, in which they approved the Island Plan 2002 and, in particular, in which they approved the zoning of land for Category A housing listed in Policy H2 of the Plan including Fields 848, 851, 853 and 854, Bel Royal, St. Lawrence, and requested the Minister of Planning and Environment to bring forward for approval by the Assembly an amendment to paragraph 8.71 of Island Plan 2002 which related to the above fields so that the words, “The site could accommodate approximately 97 homes with 1.5 acres (3.4 vergées) of public open space/landscape area as part of the development”, in the said paragraph be amended to read, “The site will accommodate a maximum of 97 homes (comprising two, three or four bedrooms or any combination thereof) with 1.5 acres (3.4 vergées) of public open space/landscape area as part of the development.”

Members present voted as follows –

**POUR: 35**

Senator S. Syvret  
Senator L. Norman  
Senator P.F. Routier  
Senator B.E. Shenton  
Senator J.L. Perchard  
Connétable of St. Ouen  
Connétable of St. Mary  
Connétable of St. Clement

Connétable of Trinity  
Connétable of St. Lawrence  
Connétable of Grouville  
Connétable of St. Brelade  
Connétable of St. Martin  
Deputy A. Breckon (S)  
Deputy of St. Martin  
Deputy C.J. Scott Warren (S)  
Deputy R.G. Le Hérisier (S)  
Deputy J.B. Fox (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 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 K.C. Lewis (S)  
Deputy of St. John  
Deputy I.J. Gorst (C)  
Deputy of St. Mary

**CONTRE: 6**

Senator T.A. Le Sueur  
Senator T.J. Le Main  
Connétable of St. Helier  
Deputy J.J. Huet (H)  
Deputy J.A. Martin (H)  
Deputy G.W.J. de Faye (H)

**ABSTAIN: 9**

Senator F.H. Walker  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Senator F.E. Cohen  
Connétable of St. Saviour  
Connétable of St. John  
Deputy R.C. Duhamel (S)  
Deputy P.N. Troy (B)  
Deputy A.J.H. Maclean (H)

The Bailiff, Deputy Peter Nicholas Troy of St. Brelade and Deputy John Alexander Nicholas Le Fondré of St. Lawrence, in accordance with the provisions of Standing Order 106, all declared an interest but remained in the Chamber for the duration of the debate.

Senator Wendy Kinnard and the Connétable of St. Peter, in accordance with the provisions of Standing Order

106, both declared an interest and withdrew from the Chamber prior to consideration of the matter.

**Draft Customs and Excise (Amendment No. 3) (Jersey) Law 200 P.52/2006**

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

**Draft Act declaring that part of a taxation draft known as the Customs and Excise (Amendment No. 3) (Jersey) Law 200- shall have immediate effect – P.67/2006**

THE STATES, in pursuance of Article 19 of the Public Finances (Jersey) Law 2005, made an Act entitled the Act declaring that part of a taxation draft known as the Customs and Excise (Amendment No. 3) (Jersey) Law 200 shall have immediate effect.

**Draft Employers' Liability (Compulsory Insurance (Amendment No. 3) (Jersey) Law 200 P.53/2006**

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

**Draft Health and Safety (Work Experience) (Jersey) Regulations 200- P.54/2006**

THE STATES, in pursuance of Article 1 of the Health and Safety at Work (Jersey) Law 1989, made Regulations entitled the Health and Safety (Work Experience) (Jersey) Regulations 2006.

**Tevielka, La Rue de la Haye du Puits, Grouville: deed of arrangements- P.56/2006**

THE STATES, adopting a proposition of the Minister for Treasury and Resources –

- (a) agreed that a deed of arrangement should be passed between the public, as the owner of Tevielka, La Rue de la Haye du Puits, Grouville and Tiptree House (Grouville) Limited, as the owner of Tiptree House, La Rue à Don, Grouville, to agree the boundary between the two properties, with each party to bear their respective costs in connection with passing the contract before the Royal Court, the two properties being shown for information on Drawing No. 1413/06/100; and,
- (b) authorised the Attorney General and the Greffier of the States to pass on behalf of the public the necessary contracts.

**Draft Employment Relations (Amendment No. 2) (Jersey) Law 200 P.57/2006**

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

Members present voted as follows –

**POUR: 50**

**CONTRE: 2**

**ABSTAIN: 0**

Senator S. Syvret  
Senator L. Norman

Connétable of St. Brelade  
Deputy J.A.N. Le Fondré  
(L)

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. Clement  
Connétable of St. Helier  
Connétable of Trinity  
Connétable of St. Lawrence  
Connétable of Grouville  
Connétable of St. John  
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 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 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 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

Articles 1 to 6 were adopted.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Employment Relations (Amendment No. 2) (Jersey) Law 200.

**Adjournment**

THE STATES then adjourned, having agreed to reconvene at 9.30 a.m. the next day, Wednesday 5th July 2006 in order to continue consideration of the outstanding matters of public business and having adopted a proposition of Senator Stuart Syvret that the following matter be considered as the first item of public business –

Draft Sexual Offences (Jersey) Law 200-  
Lodged: 23rd May 2006.  
*Minister for Home Affairs.*

P.63/2006.

Members present voted as follows –

**POUR: 31**

Senator S. Syvret  
Senator L. Norman  
Senator F.H. Walker  
Senator W. Kinnard  
Senator P.F.C. Ozouf  
Senator T.J. Le Main  
Senator B.E. Shenton  
Senator F.E. Cohen  
Connétable of St. Ouen  
Connétable of St. Mary  
Connétable of Trinity  
Connétable of St. Lawrence  
Connétable of Grouville  
Deputy A. Breckon (S)  
  
Deputy of St. Martin  
Deputy C.J. Scott Warren (H)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy of St. Ouen  
Deputy P.J.D. Ryan (H)  
Deputy of Grouville  
Deputy of St. Peter  
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 K.C. Lewis (S)  
Deputy of St. John  
Deputy I.J. Gorst (C)  
Deputy of St. Mary

**CONTRE: 21**

Senator T.A. Le Sueur  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator J.L. Perchard  
Connétable of St. Saviour  
Connétable of St. Peter  
Connétable of St. Clement  
Connétable of St. Helier  
Connétable of St. John  
Connétable of St. Brelade  
Connétable of St. Martin  
Deputy R.C. Duhamel (S)  
Deputy J.J. Huet (H)  
Deputy P.N. Troy (B)  
Deputy R.G. Le Hérisier  
(S)  
Deputy J.B. Fox (H)  
Deputy S.C. Ferguson (B)  
Deputy J.A. Hilton (H)  
Deputy P.V.F. Le Claire  
Deputy J.A.N. Le Fondré  
Deputy A.J.H. Maclean (H)

**ABSTAIN: 0**

THE STATES rose at 5.33 p.m.

**M.N. DE LA HAYE**

*Greffier of the States*