

**THE STATES assembled on Tuesday,
22nd March 2005 at 9.30 a.m. under
the Presidency of the Greffier of the States,
Mr. Michael Nelson de la Haye.**

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

All members were present with the exception of –

Senator Jean Amy Le Maistre– out of the Island
Senator Wendy Kinnard – out of the Island
Senator Richard Joseph Shenton – ill
Maurice François Dubras, Deputy of St. Lawrence– out of the Island
Jennifer-Anne Bridge, Deputy of St. Helier– out of the Island.

Prayers

Subordinate legislation tabled

The following enactment was laid before the States, namely –

Island Planning (Tree Preservation) (Grouville) (Jersey) Order 2005. R&O 17/2005.
Environment and Public Services Committee.

Matters presented

The following matters were presented to the States –

General Reserve: grant of additional funds to 31st December 2004. R.C.16/2005.
Presented by the Finance and Economics Committee.

States of Jersey Law 1966, as amended: delegation of functions – Prison Officers R.C. 17/2005.
(Jersey) Regulations 1957 – revised Committee Paper.
Presented by the Home Affairs Committee.

States employees engaging in political activities: draft proposals. R.C. 18/2005.
Presented by the Policy and Resources Committee.

THE STATES ordered that the said reports be printed and distributed.

Matters lodged

The following matters were lodged “au Greffe” –

Rent Control Tribunal: appointment of members. P.52/2005.
Presented by the Housing Committee.

Draft Extradition (Designated Territories) (Jersey) Regulations 200-. <i>Presented by the Policy and Resources Committee.</i>	P.53/2005.
Draft States of Jersey (Transfer of Functions from Committees to Ministers) (Jersey) Regulations 200-. <i>Presented by the Policy and Resources Committee.</i>	P.55/2005.
Draft States of Jersey (Amendments and Construction Provisions No. 1) (Jersey) Regulations 200-. <i>Presented by the Policy and Resources Committee.</i>	P.56/2005.
Draft States of Jersey (Amendments and Construction Provisions No. 2) (Jersey) Regulations 200-. <i>Presented by the Policy and Resources Committee.</i>	P.57/2005.
Draft States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 200-. <i>Presented by the Policy and Resources Committee.</i>	P.58/2005.
Draft States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 200-. <i>Presented by the Policy and Resources Committee.</i>	P.59/2005.
Draft States of Jersey (Amendments and Construction Provisions No. 6) (Jersey) Regulations 200-. <i>Presented by the Policy and Resources Committee.</i>	P.60/2005.
Draft States of Jersey (Amendments and Construction Provisions No. 7) (Jersey) Regulations 200-. <i>Presented by the Policy and Resources Committee.</i>	P.61/2005.
Draft States of Jersey (Amendments and Construction Provisions No. 8) (Jersey) Regulations 200-. <i>Presented by the Policy and Resources Committee.</i>	P.62/2005.
Draft States of Jersey (Amendments and Construction Provisions No. 9) (Jersey) Regulations 200-. <i>Presented by the Policy and Resources Committee.</i>	P.63/2005.
Draft States of Jersey (Amendments and Construction Provisions No. 10) (Jersey) Regulations 200-. <i>Presented by the Policy and Resources Committee.</i>	P.64/2005.
Draft States of Jersey (Amendments and Construction Provisions No. 11) (Jersey) Regulations 200-. <i>Presented by the Policy and Resources Committee.</i>	P.65/2005.
Machinery of Government: relationship between the Parishes and the Executive. <i>Presented by the Policy and Resources Committee, and referred to the Comité des Connétables.</i>	P.66/2005.
Committee of Inquiry: Jersey Opera House. <i>Presented by Deputy G.P. Southern of St. Helier, and referred to the Education, Sport and Culture Committee.</i>	P.67/2005.
Removal of material from website: Senator E.P. Vibert.	P.68/2005.

Presented by the Economic Development Committee.

Haut du Mont Farm Commercial Complex: petition P.54/2005.

Deputy Geoffrey Peter Southern of St. Helier presented to the States a petition on behalf of certain of the residents of Mont au Prêtre praying that the Environment and Public Services Committee refuse to grant permission for the Haut du Mont Farm Commercial Complex to be used as a coach depot with associated amenities for Tantivy Blue Coach.

THE STATES referred the petition to the Environment and Public Services Committee and Deputy Geoffrey Peter Southern of St. Helier lodged “au Greffe” a proposition to the effect that the prayer of the petition be granted.

**Draft Employment Relations (Jersey) Law 200- P.19/2005
Comments and Amendments**

THE STATES commenced consideration of the Draft Employment Relations (Jersey) Law 200-, and, after discussion, Deputy Geoffrey Peter Southern of St. Helier sought leave to propose that the matter be referred back to the Employment and Social Security Committee, such proposition being allowed by the President in accordance with Standing Order 26(1).

THE STATES, following consideration of the reference back, rejected a proposition of Deputy Lyndon John Farnham of St. Saviour that, in accordance with Standing Order 26A(1), the question be now put.

Members present voted as follows –

POUR: 14

Senator L. Norman
Connétable of St. Martin
Connétable of St. Saviour
Connétable of St. Lawrence
Deputy R.C. Duhamel (S)
Deputy of St. John
Deputy G.C.L. Baudains (C)
Deputy J.L. Dorey (H)
Deputy L.J. Farnham (S)
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (H)
Deputy of St. Mary
Deputy P.J.D. Ryan (H)
Deputy M.A. Taylor (C)

CONTRE: 30

Senator S. Syvret
Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.V.F. Le Claire
Senator P.F. Routier
Senator M.E. Vibert
Senator E.P. Vibert
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of St. John
Deputy of Trinity
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy T.J. Le Main (H)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren
(S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy J.A. Bernstein (B)

ABSTAIN: 0

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)

THE STATES, following further discussion, adopted the proposition of Deputy Geoffrey Peter Southern of St. Helier that the matter be referred back to the Employment and Social Security Committee.

Members present voted as follows –

POUR: 29

Senator S. Syvret
Senator P.V.F. Le Claire
Senator P.F. Routier
Senator E.P. Vibert
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Brelade
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of St. John
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy of St. John
Deputy C.J. Scott Warren (S)
Deputy L.J. Farnham (S)
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (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: 13

Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur
Senator M.E. Vibert
Senator P.F.C. Ozouf
Connétable of St. Lawrence
Deputy of Trinity
Deputy R.C. Duhamel (S)
Deputy T.J. Le Main (H)
Deputy J.L. Dorey (H)
Deputy P.N. Troy (B)
Deputy of St. Mary
Deputy M.A. Taylor (C)

ABSTAIN: 0

Senator Jean Amy Le Maistre– attendance

Senator Jean Amy Le Maistre arrived in the Chamber during the consideration of the proposition of Deputy Geoffrey Peter Southern of St. Helier concerning the reference back of the Draft Employment Relations (Jersey) Law 200- to the Employment and Social Security Committee, (P.19/2005 lodged “au Greffe” on the 1st February 2005), and was present for the remainder of the meeting.

Change in Presidency

Mr. Michael Nelson de la Haye, Greffier of the States retired from the Chair during consideration of th

proposition of Deputy Geoffrey Peter Southern of St. Helier concerning the reference back of the Draft Employment Relations (Jersey) Law 200- to the Employment and Social Security Committee, (P.19/2005 lodged “au Greffe” on the 1st February 2005), and the meeting continued under the presidency of Senator Jean Amy Le Maistre.

Draft Employment (Jersey) Law 2003 (Appointed Day) Act 200- P.18/2005 – withdrawn

THE STATES noted that, following the adoption of the proposition of Deputy Geoffrey Peter Southern of St. Helier concerning the reference back of the Draft Employment Relations (Jersey) Law 200- to the Employment and Social Security Committee, (P.19/2005 lodged “au Greffe” on 1st February 2005), the President of the Employment and Social Security Committee had withdrawn the Draft Employment (Jersey) Law 2003 (Appointed Day) Act 200-.

Draft Liquor (Restrictions on Consumption) (Jersey) Law 200- P.9/2005 Comments and Amendments

THE STATES commenced consideration of the Draft Liquor (Restriction on Consumption) (Jersey) Law 200-, and, following consideration, Deputy Jeremy Laurence Dorey of St. Helier proposed that, in accordance with Standing Order 27(1), the States move to the consideration of the next item on the Order Paper, which proposition was adopted.

Members present voted as follows –

POUR: 27

Senator L. Norman
Senator F.H. Walker
Senator P.F.C. Ozouf
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of St. John
Deputy of Trinity
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy of St. John
Deputy T.J. Le Main (H)
Deputy J.L. Dorey (H)
Deputy C.J. Scott Warren (S)
Deputy L.J. Farnham (S)
Deputy R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy of St. Mary
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy M.A. Taylor (C)
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)

CONTRE: 7

Senator T.A. Le Sueur
Senator E.P. Vibert
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Brelade
Deputy F.G. Voisin (L)
Deputy J.A. Bernstein (B)

ABSTAIN: 1

Deputy of St. Peter

Change in Presidency

Senator Jean Amy Le Maistre retired from the Chair following consideration of the proposition of Deputy Jeremy Laurence Dorey of St. Helier that the States move to the consideration of the next item on the Order Paper following the Draft Liquor (Restrictions on Consumption) (Jersey) Law 200-, (P.9/2005 lodged "au Greffe" on 18th February 2005), and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States.

Senatorial elections 2005: reduced term of office – P.17/2005

THE STATES commenced consideration of a proposition of the Deputy of St. Martin concerning Senatorial elections 2005: reduced term of office, and agreed to suspend Standing Order 44(1) relating to the declaration of financial interests for the purpose of considering the matter.

THE STATES, following discussion, adopted a proposition of Senator Edward Philip Vibert 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 L. Norman
Senator F.H. Walker
Senator E.P. Vibert
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Brelade
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 St. John
Deputy of Trinity
Deputy R.C. Duhamel (S)
Deputy of St. John
Deputy T.J. Le Main (H)
Deputy J.L. Dorey (H)
Deputy L.J. Farnham (S)
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Mary
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy M.A. Taylor (C)
Deputy of St. Peter
Deputy J.A. Hilton (H)

CONTRE: 16

Senator S. Syvret
Senator T.A. Le Sueur
Senator P.V.F. Le Claire
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy F.G. Voisin (L)
Deputy C.J. Scott Warren (S)
Deputy J.A. Martin (H)
Deputy J.A. Bernstein (B)
Deputy of Grouville
Deputy G.W.J. de Faye (H)

ABSTAIN: 0

THE STATES rejected the proposition of the Deputy of St. Martin requesting that they–

- (a) agree that the term of office of the Senators elected in the senatorial elections to be held in October 2005

should be reduced from 6 years to 3 years; and,

- (b) charge the Privileges and Procedures Committee to bring forward for approval the necessary legislation to give effect to the proposal.

Members present voted as follows –

POUR: 18

Senator F.H. Walker
Senator T.A. Le Sueur
Connétable of St. Helier
Connétable of Trinity
Connétable of St. John
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy of St. John
Deputy P.N. Troy (B)
Deputy F.G. Voisin (L)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy of St. Mary
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)

CONTRE: 27

Senator J.A. Le Maistre
Senator S. Syvret
Senator L. Norman
Senator P.F.V.F. Le Claire
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator E.P. Vibert
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Brelade
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Lawrence
Deputy of Trinity
Deputy T.J. Le Main (H)
Deputy J.L. Dorey (H)
Deputy L.J. Farnham (S)
Deputy J.A. Martin (H)
Deputy J.A. Bernstein (B)
Deputy S.C. Ferguson (B)
Deputy M.A. Taylor (C)
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)

ABSTAIN: 0

Draft States of Jersey (Amendment) Law 200- P.26/2005

THE STATES commenced consideration of the Draft States of Jersey (Amendment) Law 200-, and adopted the preamble.

Members present voted as follows –

POUR: 34

Senator J.A. Le Maistre
Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator E.P. Vibert
Connétable of St. Saviour
Connétable of St. Brelade

CONTRE: 9

Senator S. Syvret
Senator L. Norman
Senator P.V.F. Le Claire
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy of St. John
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy of Grouville

ABSTAIN: 0

Connétable of St. Mary
 Connétable of St. Peter
 Connétable of St. Clement
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of St. Lawrence
 Deputy of Trinity
 Deputy J.J. Huet (H)
 Deputy of St. Martin
 Deputy T.J. Le Main (H)
 Deputy J.L. Dorey (H)
 Deputy P.N. Troy (B)
 Deputy F.G. Voisin (L)
 Deputy C.J. Scott Warren (S)
 Deputy L.J. Farnham (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Bernstein (B)
 Deputy S.C. Ferguson (B)
 Deputy of St. Mary
 Deputy of St. Ouen
 Deputy P.J.D. Ryan (H)
 Deputy M.A. Taylor (C)
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy G.W.J. de Faye (H)

THE STATES adopted the States of Jersey (Amendment) Law 200- in second reading, and agreed to defer consideration of the draft Law in third reading until a later date.

Arrangement of Public Business for the next meeting on 5th April 2005

THE STATES adopted a proposition of Deputy Francis Gerald Voisin of St. Lawrence, President of the Economic Development Committee, that the proposition of the Economic Development Committee concerning the removal of material from website: Senator E.P. Vibert (P.68/2005 lodged “au Greffe” at the present meeting), be taken as the first item of public business at the next meeting on 5th April 2005.

Members present voted as follows –

POUR: 28

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 E.P. Vibert

 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of St. Mary
 Connétable of St. Peter
 Connétable of St. Clement
 Connétable of Trinity

CONTRE: 14

Senator J.A. Le Maistre
 Senator S. Syvret
 Senator P.V.F. Le Claire
 Connétable of St. Helier
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy of St. John
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy J.A. Bernstein (B)
 Deputy of St. Ouen
 Deputy of St. Peter

ABSTAIN: 1

Deputy of Grouville

Connétable of St. Lawrence
Deputy of Trinity
Deputy A. Breckon (S)
Deputy T.J. Le Main (H)
Deputy J.L. Dorey (H)
Deputy P.N. Troy (B)
Deputy F.G. Voisin (L)
Deputy C.J. Scott Warren (S)
Deputy L.J. Farnham (S)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Mary
Deputy P.J.D. Ryan (H)
Deputy M.A. Taylor (C)
Deputy J.A. Hilton (H)

Deputy G.W.J. de Faye (H)

Adjournment

THE STATES then adjourned, having agreed that the following outstanding matters of public business would be taken as the second and third items of public business at the next meeting on 5th April 2005 –

Draft Bankruptcy (Netting, Contractual Subordination and Non-Petition Provisions) (Jersey) Law 200-. P.30/2005.
Lodged: 8th February 2005.
Economic Development Committee.

Draft Employment Tribunal (Jersey) Regulations 200-. P.36/2005.
Lodged: 1st March 2005.
Employment and Social Security Committee.

Draft Employment Tribunal (Jersey) Regulations 200- (P.36/2005): comments. P.36/2005. Com.
Presented: 15th March 2005.
Finance and Economics Committee.

THE STATES rose at 6.05 p.m.

A.H. HARRIS

Deputy Greffier of the States.