

**THE STATES assembled on Tuesday
18th July 2008, at 09.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

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

Senator Stuart Syvret – en défaut (défaut raised at 10.04 a.m.)
Senator Wendy Kinnard – excused (arrived in the Chamber at 12.39 p.m.)
Connétable Alan Simon Crowcroft of St. Helier– en défaut (défaut raised at 10.04 a.m.)
Connétable Geoffrey William Fisher of St. Lawrence– en défaut
Deputy Peter Nicholas Troy of St. Brelade– ill

Prayers read by the Greffier of the States

Documents presented or laid

Review into the Perceived Health Effects of Mobile Phone Masts (S.R.8/2007):
response of the Minister for Health and Social Services. S.R.8/2007.
Res.(3)
Presented: 18th July 2008.
Minister for Health and Social Services.

Notification of lodged propositions

Planning and Environment: division into 2 ministerial offices. P.114/2008.
Lodged: 18th July 2008.
Deputy P.V.F. Le Claire of St. Helier.

Draft European Communities Legislation (Implementation) (Bovine Semen) (Jersey) Regulations 200 P.43/2008

THE STATES resumed consideration of the Draft European Communities Legislation (Implementation) (Bovine Semen) (Jersey) Regulations 200 and adopted the principles.

Members present voted as follows –

POUR: 34

Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen

Connétable of St. Ouen
Connétable of St. Helier
Connétable of Trinity
Connétable of Grouville
Connétable of St. Martin
Connétable of St. Saviour

CONTRE: 15

Senator S. Syvret
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Brelade
Connétable of St. John
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy G.C.L. Baudains
(C)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of St. Peter
Deputy of Trinity
Deputy K.C. Lewis (S)
Deputy of St. Mary

ABSTAIN: 0

Deputy A. Breckon (S)
Deputy of St. Martin
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 P.J.D. Ryan (H)
Deputy of Grouville
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 S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy A.J.D. Maclean (H)
Deputy of St. John
Deputy I.J. Gorst (C)

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation further, adopted Regulations 1 to 3 and, in pursuance of Article 2 of the European Communities Legislation (Implementation) (Jersey) Law 1996 and for the purpose of implementing in Jersey Council Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species, made Regulations entitled the European Communities Legislation (Implementation) (Bovine Semen) (Jersey) Regulations 2008.

In accordance with Standing Order 106(1)(a), Senators Philip Francis Cyril Ozouf and James Leslie Perchard declared an interest and withdrew from the Chamber for the duration of the debate.

Statements on a matter of official responsibility

(see Official Report/Hansard)

The Chairman of the Corporate Services Scrutiny Panel made a statement concerning the Panel's decision of 17th July 2008, to review the Draft Public Elections (Expenditure and Donations) (Jersey) Regulations 200.

Draft Public Elections (Expenditure and Donations) (Jersey) Regulations 200 P.82/2008

THE STATES resumed consideration of the Draft Public Elections (Expenditure and Donations) (Jersey) Regulations 200.

THE STATES adopted Regulations 1 and 2.

THE STATES adopted Regulation 3.

Members present voted as follows –

POUR: 34

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

CONTRE: 9

Connétable of St. Peter
Connétable of Grouville
Connétable of St. Brelade
Deputy J.J. Huet (H)
Deputy R.G. Le Hérissier
(S)

ABSTAIN: 0

Senator M.E. Vibert
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator J.L. Perchard
 Connétable of St. Mary
 Connétable of St. Clement
 Connétable of Trinity
 Connétable of St. John
 Connétable of St. Saviour
 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.B. Fox (H)
 Deputy J.A. Martin (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 A.J.D. Maclean (H)
 Deputy I.J. Gorst (C)
 Deputy of St. Mary

Deputy G.P. Southern (H)
 Deputy G.W.J. de Faye (H)
 Deputy S. Pitman (H)
 Deputy of St. John

THE STATES commenced consideration of Regulation 4 and rejected a proposition of Senator Leonard Norman that –

- (a) in paragraph (1), at the end of subparagraph (a), the word “and” should be deleted and, after subparagraph (b) the following word and subparagraph should be added–
 - “and
 - (c) an amount equal to the cost of posting one letter to each person entitled to vote in the election by virtue of Article 2(1), (2) or (3) of the 2002 Law”;
- (b) after paragraph (1) there should be inserted the following paragraphs and the remaining paragraph should be renumbered accordingly–
 - “(2) The amount of expenses permitted by paragraph (1)(c) shall be incurred only for the purposes of postage described in that provision.
 - (3) For the purposes of paragraph (1)(c), the cost of posting one letter shall be the cost, at the time of postage, of posting a letter of the lowest weight and size by reference to which postage costs are determined, by ordinary post, to an address in Jersey.”.

Members present voted as follows –

POUR: 9

Senator L. Norman
 Senator T.A. Le Sueur
 Senator J.L. Perchard
 Connétable of St. Saviour
 Deputy J.J. Huet (H)

CONTRE: 26

Senator S. Syvret
 Senator W. Kinnard
 Senator P.F. Routier
 Senator M.E. Vibert
 Senator B.E. Shenton

ABSTAIN: 1

Deputy C.J. Scott Warren (S)

Deputy of St. Ouen
Deputy G.W.J. de Faye (H)
Deputy J.A.N. Le Fondré
(L)
Deputy of St. John

Connétable of St. Clement
Connétable of Trinity
Connétable of Grouville

Connétable of St. Brelade
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy G.C.L. Baudains
(C)
Deputy R.G. Le Hérisssier
(S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy J.A. Hilton (H)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy A.J.D. Maclean (H)
Deputy I.J. Gorst (C)
Deputy of St. Mary

THE STATES adopted Regulation 4.

Members present voted as follows –

POUR: 30

Senator S. Syvret
Senator L. Norman
Senator W. Kinnard
Senator P.F. Routier
Senator M.E. Vibert
Senator B.E. Shenton
Senator J.L. Perchard
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Brelade
Connétable of St. Saviour
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 R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy of St. Ouen
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy J.A.N. Le Fondré (L)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)

CONTRE: 6

Connétable of Grouville
Deputy J.J. Huet (H)
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy G.W.J. de Faye (H)
Deputy of St. John

ABSTAIN: 1

Senator P.F.C. Ozouf

Deputy S. Pitman (H)
Deputy A.J.D. Maclean (H)
Deputy I.J. Gorst (C)
Deputy of St. Mary

THE STATES adopted Regulations 5 to 8.

Members present voted as follows –

POUR: 32

Senator S. Syvret
Senator L. Norman
Senator W. Kinnard
Senator P.F. Routier
Senator P.F.C. Ozouf
Senator B.E. Shenton
Senator J.L. Perchard
Connétable of St. Clement
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Saviour
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 R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy J.A.N. Le Fondré (L)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. Mary

CONTRE: 3

Deputy G.P. Southern (H)
Deputy G.W.J. de Faye (H)
Deputy S. Pitman (H)

ABSTAIN: 0

THE STATES adopted Regulations 9 to 13.

Members present voted as follows –

POUR: 31

Senator S. Syvret
Senator L. Norman
Senator W. Kinnard
Senator P.F. Routier
Senator M.E. Vibert
Senator B.E. Shenton
Senator J.L. Perchard

CONTRE: 4

Connétable of Grouville
Connétable of St. Brelade
Deputy G.P. Southern (H)
Deputy G.W.J. de Faye (H)

ABSTAIN: 0

Connétable of St. Clement
Connétable of Trinity
Connétable of St. Saviour
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 R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of Grouville
Deputy J.A. Hilton (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.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. Mary

THE STATES commenced consideration of Regulations 14 and 15 and adopted a proposition of the Chairman of the Privileges and Procedures Committee that Regulation 14 should be withdrawn.

Members present voted as follows –

POUR: 34

Senator L. Norman
Senator W. Kinnard

Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator B.E. Shenton
Senator J.L. Perchard
Connétable of St. Clement
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy C.J. Scott Warren
(S)
Deputy R.G. Le Hérisssier (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 J.A. Hilton (H)

CONTRE: 2

Senator S. Syvret
Deputy G.C.L. Baudains
(C)

ABSTAIN: 0

Deputy G.W.J. de Faye (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.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. Mary

THE STATES adopted Regulation 15.

THE STATES, adopting an amendment of Deputy Roy George Le Hérisier of St. Saviour, agreed that after Regulation 16 there should be inserted the following Regulation and the remaining Regulations should be renumbered accordingly –

“17 Arrangements for publication and distribution of election material

- (1) The Privileges and Procedures Committee shall make arrangements for election material provided to it by a candidate to be published in or distributed with an English language newspaper circulating in Jersey.
- (2) The election material shall include information summarizing the candidate’s background and manifesto (whether or not it contains other information).
- (3) Such arrangements shall be available to each candidate in an election on equal terms.”.

Members present voted as follows –

POUR: 35

CONTRE: 1

ABSTAIN: 0

Senator S. Syvret
Senator L. Norman
Senator W. Kinnard
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator B.E. Shenton
Senator J.L. Perchard
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Brelade
Connétable of St. Saviour
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 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 J.A. Hilton (H)
Deputy G.W.J. de Faye (H)

Connétable of Grouville

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.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. Mary

THE STATES adopted Regulations 16 and 17 and the Schedule.

THE STATES, in pursuance of the Order in Council of 28th March 1771, made Regulations entitled the Public Elections (Expenditure and Donations) (Jersey) Regulations 2008.

In accordance with Standing Order 106(1)(b), Deputy Andrew David Lewis of St. John declared an interest but remained in the Chamber for the duration of the debate.

Change in Presidency

The Bailiff retired from the Chamber during consideration of the Draft Public Elections (Expenditure and Donations) (Jersey) Regulations 200- and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States.

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) –

Monday 8th September 2008 (as agreed on 10th July 2008)

Draft Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment) (Jersey) Regulations 200- second reading. P.36/2008.
Lodged: 6th March 2008.
Minister for Economic Development.
(principles adopted on 29th April 2008)

Draft Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment) (Jersey) Regulations 200- (P.36/2008): comments. P.36/2008.
Presented: 1st July 2008. Com.
Environment Scrutiny Panel.

Draft Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment) (Jersey) Regulations 200- (P.36/2008): comments (P.36/2008 Com.) – response of the Minister for Economic Development. P.36/2008.
Presented: 8th July 2008. Com.Res.
Minister for Economic Development.

Draft Water (Amendment No. 3) (Jersey) Law 200. P.58/2008.
Lodged: 11th April 2008.
Minister for Planning and Environment.

Flu pandemic funding. P.67/2008.
Lodged: 13th May 2008.

Minister for Treasury and Resources.

Flu pandemic funding (P.67/2008): comments. P.67/2008.
Presented: 1st July 2008. Com.
Health, Social Security and Housing Scrutiny Panel.

Draft European Communities Legislation (Bluetongue) (Jersey) Regulations 200. P.71/2008.
Lodged: 20th May 2008.
Minister for Planning and Environment.

Integrated Coastal Zone Management Strategy. P.76/2008.
Lodged: 23rd May 2008.
Minister for Planning and Environment.

Draft Supply of Goods and Services (Jersey) Law 200-. P.77/2008.
Lodged: 23rd May 2008.
Minister for Economic Development.

Human Rights Committee and Statements of Compatibility. P.78/2008.
Lodged: 29th May 2008.
Deputy of St. Martin.

Human Rights Committee and Statements of Compatibility (P.78/2008): comments. P.78/2008.
Presented: 30th June 2008. Com.
Privileges and Procedures Committee.

Human Rights Committee and Statements of Compatibility (P.78/2008): comments. P.78/2008.
Presented: 1st July 2008. Com.(2)
Council of Ministers.

Human Rights Committee and Statements of Compatibility (P.78/2008): amendment. P.78/2008.
Lodged: 24th June 2008. Amd.
Chairmen's Committee.

Draft Mental Health (Amendment No. 2) (Jersey) Law 200. P.83/2008.
Lodged: 2nd June 2008.
Minister for Health and Social Services.

Historic Child Abuse Enquiry: Funding. P.91/2008.
Lodged: 3rd June 2008.
Minister for Treasury and Resources.

Committee of Inquiry: Toxic Incinerator Ash Dumping in the St. Helier Waterfront P.96/2008.
Land Reclamation Schemes.
Lodged: 10th June 2008.
Senator S. Syvret.

Committee of Inquiry: Toxic Incinerator Ash Dumping in the St. Helier Waterfront P.96/2008.
Land Reclamation Schemes (P.96/2008) – comments. Com.
Presented: 7th July 2008.
Council of Ministers.

Goods and Services Tax: exemption or zero-rating for foodstuffs and domestic energy. P.103/2008.
Lodged: 17th June 2008.
Deputy of Grouville.

Goods and Services Tax: exemption for fruit, vegetables and milk. P.104/2008.
Lodged: 17th June 2008.
Deputy S. Pitman of St. Helier.

Draft Water Resources (Jersey) Law 2007 (Appointed Day) Act 200-. P.105/2008.

Lodged: 20th June 2008.
Minister for Planning and Environment.

Rent Control Tribunal: appointment of Chairman and Members. P.106/2008.
Lodged: 23rd June 2008.
Minister for Housing.

Esplanade Quarter Masterplan, St. Helier: development agreement– approval by the States. P.111/2008.
Lodged: 3rd July 2008.
Senator J.L. Perchard.

Bailiff of Jersey: cessation of dual rôle. P.112/2008.
Lodged: 9th July 2008.
Deputy S. Pitman of St. Helier.

Planning and Environment: division into 2 ministerial offices. P.114/2008.
Lodged: 18th July 2008.
Deputy P.V.F. Le Claire of St. Helier.

16th September 2008

Annual Business Plan 2009. P.113/2008.
Lodged: 15th July 2008.
Chief Minister.

THE STATES rose at 5.57 p.m.

M.N. DE LA HAYE

Greffier of the States