

**THE STATES assembled on Tuesday
27th March 2007, at 09.30 a.m.
under the Presidency of the Greffier of the States,
Mr. Michael Nelson de la Haye.**

**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 –

Senator Stuart Syvret – en défaut (défaut raised at 09.57 a.m.)
Senator Wendy Kinnard – en défaut
Senator Terence Augustine Le Sueur– en défaut
Connétable Kenneth Priaux Vibert of St. Ouen– absent due to illness
Connétable Philip Francis Ozouf of St. Saviour– absent due to illness
Deputy Patrick John Dennis Ryan of St. Helier– en défaut (défaut raised at 09.47 a.m.)
Deputy Guy William John de Faye of St. Helier– en défaut (défaut raised at 09.46 a.m.)
Deputy Paul Vincent Francis Le Claire of St. Helier– en défaut (défaut raised at 09.55 a.m.)

Prayers

Subordinate enactments tabled

The following enactments were tabled, namely –

Matrimonial Causes (Amendment) Rules 2007. <i>Superior Number of the Royal Court.</i>	R&O 43/2007.
Royal Court (Amendment No. 5) Rules 2007. <i>Superior Number of the Royal Court.</i>	R&O 44/2007.
The Law Society of Jersey Bye-Laws 2007. <i>The Law Society of Jersey.</i>	R&O 45/2007.

Documents presented or laid

Land Transactions under Standing Order 168(3) – Le Marais Phase 2 Development– sale of land to Jersey Electricity Company Ltd. to facilitate the installation of a sub-station and section pillar. Presented: 15th March 2007. <i>Minister for Treasury and Resources.</i>	R.25/2007.
Public Lotteries: report for 2006. Presented: 15th March 2007. <i>Minister for Economic Development.</i>	R.26/2007.
Jersey Police Complaints Authority: report for 2006. Presented: 21st March 2007. <i>Minister for Home Affairs.</i>	R.27/2007.
States' Aggregate Expenditure. Presented: 22nd March 2007. <i>Comptroller and Auditor General.</i>	R.28/2007.

Jersey Community Relations Trust: strategic plan – 2007 to 2011 Presented: 27th March 2007 <i>Chief Minister</i>	R.29/2007.
Land Transactions under Standing Order 168(3): Château du Port, La Grande Route des Mielles, St. Peter– sale. Presented: 27th March 2007. <i>Minister for Treasury and Resources.</i>	R.30/2007.
The Planning Process (S.R.2/2007) – response of the Minister for Planning and Environment. Presented: 15th March 2007. <i>Minister for Planning and Environment.</i>	S.R.2/2007. Res.
Electoral Reform (P.4/2007): comment. Presented: 19th March 2007. <i>Privileges and Procedures Committee.</i>	P.4/2007. Com.

Notification of lodged propositions

Rent Control Tribunal: appointment of members. Lodged: 26th March 2007. <i>Minister for Housing.</i>	P.44/2007.
School milk and milk at a reduced rate: continued provision. Lodged: 27th March 2007. <i>Deputy G.P. Southern of St. Helier.</i>	P.45/2007.

Written Questions

(see Official Report)

The Minister for Social Security tabled an answer to a question asked by Deputy D.W. Mezbourian of St. Lawrence regarding the need to prove one's identity when applying for a social security card.

The Minister for Treasury and Resources tabled an answer to a question asked by Senator B.E. Shenton regarding the sale of the Mont Mado quarry.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy D.W. Mezbourian of St. Lawrence regarding the way in which parking fines could be appealed.

The Minister for Housing tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding the circumstances in which tenants could be evicted from properties identified for sale within the Social Housing Property Plan.

The Minister for Housing tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding the redevelopment of Convent and Caesarea Courts.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier concerning 'j' category employees.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier in relation to the sale of Jersey Telecom.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.P. Southern of St. Helier in connexion with the subsidy of BMI's Heathrow route.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.P. Southern of

St. Helier concerning the growth of the job market.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.P. Southern of St. Helier concerning the granting of a licence to a third supermarket operator.

Oral Questions

(see Official Report)

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding whether the findings of the Population Review Officer Group would be released for public consultation.

Deputy J.A. Martin of St. Helier asked a question of the Assistant Minister for Treasury and Resources regarding the number of people registered with the Income Tax Department in 2006 under the new ITIS scheme and whether this was linked to the amount of licences issued under the Regulations of Undertakings and Development (Jersey) Law 1973.

Deputy S. Pitman of St. Helier asked a question of the Minister for Planning and Environment regarding the development of a States policy to encourage recycling within States Departments.

Deputy K.C. Lewis of St. Saviour asked a question of the Assistant Minister for Treasury and Resources regarding any plans by Jersey Post to close post offices in the Island.

The Connétable of St. John asked a question of the Minister for Planning and Environment regarding the proposed development and bypass scheme in St. John.

The Connétable of Grouville asked a question of the Assistant Minister for Treasury and Resources regarding the Drug Trafficking Confiscation Fund and the conditions attached thereto.

The Deputy of Trinity asked a question of the Minister for Health and Social Services regarding the relocation of patients from Leoville and McKinstry wards at Overdale.

Deputy R.G. Le Hérisssier of St. Saviour asked a question of the Assistant Minister for Treasury and Resources regarding the opening hours of the Central Market.

Deputy R.G. Le Hérisssier of St. Saviour asked a question of the Minister for Housing regarding the provision of sheltered housing.

The Connétable of Grouville asked a question of the Minister for Planning and Environment regarding the publication date for the new Energy Policy report.

Deputy K.C. Lewis of St. Saviour asked a question of the Chief Minister regarding possible revisions to Protocol 3 under the new draft treaty for the European constitution.

Deputy G.P. Southern of St. Helier asked a question of the Chief Minister regarding the possibility of submitting a complaint to the European Union concerning the United Kingdom's treatment of the Isle of Man's Value Added Tax revenues.

Deputy J.A. Martin of St. Helier asked a question of the Minister for Health and Social Services regarding how much progress had been made in developing the new Health Register for all Islanders and whether there had been any data protection issues.

The Deputy of St. Martin asked a question of the Assistant Minister for Home Affairs regarding the advice the Minister had received to enable her to make the statement in P.18/2007 that the Draft Prison (Amendment No. 6) (Jersey) Law 2007 was compatible with the Convention rights of the Human Rights (Jersey) Law 2000.

Deputy S. Pitman of St. Helier asked a question of the Minister for Social Security regarding the new Income Support scheme application forms.

Senator B.E. Shenton asked a question of the Assistant Minister for Treasury and Resources regarding the

requirement for additional commercial expertise within Property Holdings and the estimated total cost of running Property Holdings for 2007.

Oral Questions without notice

(see Official Report)

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

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

Personal statement

(see Official Report)

Deputy Gerard Clifford Lemmens Baudains of St. Clement made a statement regarding his absence from the States on 14th March 2007.

Statements on a matter of official responsibility

(see Official Report)

The Chairman of the Education and Home Affairs Scrutiny Panel made a statement about the Panel's review of Higher Education funding.

The Chairman of the Economic Affairs Scrutiny Panel made a statement about the proposed sale of Jersey Telecom.

President of Chairmen's Committee: vote of no confidence P.40/2007

THE STATES, adopting a proposition of Deputy Sarah Craig Ferguson of St. Brelade, agreed that they had no confidence in the President of the Chairmen's Committee.

Members present voted as follows –

POUR: 27

Senator F.H. Walker
Senator B.E. Shenton

Connétable of St. Peter
Connétable of St. Clement
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
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 G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of St. Peter
Deputy D.W. Mezbourian

CONTRE: 18

Senator L. Norman
Senator P.F. Routier

Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator F.E. Cohen
Connétable of St. Mary
Connétable of St. Helier
Connétable of St. Lawrence
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy S.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)

ABSTAIN: 3

Senator S. Syvret
Senator M.E. Vibert
Deputy G.W.J. de Faye
(H)

(L)
Deputy of Trinity
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

Chairmen's Committee – resignation of President

THE STATES accepted the resignation of Deputy Robert Charles Duhamel of St. Saviour as President of the Chairmen's Committee.

Draft Employment (Minimum Wage) (Amendment No. 2) (Jersey) Regulations 2007 P.14/2007 Third Reading

THE STATES, resumed consideration in third reading of the Employment (Minimum Wage) (Amendment No. 2) (Jersey) Regulations 2007, approved in second reading on 13th March 2007.

THE STATES, in pursuance of Articles 17, 18 and 104 of the Employment (Jersey) Law 2003, made Regulations entitled the Employment (Minimum Wage) (Amendment No. 2) (Jersey) Regulations 2007.

Senator S. Syvret: expression of disapproval for conduct P.43/2007

THE STATES, adopting a proposition of Deputy Gerard Clifford Lemmens Baudains of St. Clement–

- (a) agreed that they disapproved of Senator Stuart Syvret's conduct following the publication of his open letter to Mr. Richard Brocken; and
- (b) requested Senator Syvret to resign his membership of the Privileges and Procedures Committee.

Members present voted as follows –

POUR: 29

Senator S. Syvret
Senator L. Norman
Senator P.F. Routier
Senator P.F.C. Ozouf

Connétable of St. Mary
Connétable of St. Peter

Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. John
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy of St. Ouen
Deputy of St. Peter
Deputy J.A. Hilton (H)

CONTRE: 8

Connétable of St. Clement
Connétable of St. Helier
Connétable of St. Martin
Deputy A. Breckon (S)
Deputy R.G. Le Hérisier (S)
Deputy P.J.D. Ryan (H)

Deputy S. Pitman (H)
Deputy I.J. Gorst (C)

ABSTAIN: 7

Senator F.H. Walker
Senator M.E. Vibert
Senator T.J. Le Main
Senator B.E. Shenton
Deputy S.C. Ferguson (B)

Deputy of Grouville
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.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy of St. Mary

Privileges and Procedures Committee – resignation of member

THE STATES accepted the resignation of Senator Stuart Syvret as a member of the Privileges and Procedures Committee.

Draft Regulation of Investigatory Powers (Amendment) (Jersey) Law 200- P.19/2007

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

Adjournment

THE STATES adjourned, and agreed to reconvene on Wednesday 28th March 2007 to consider the outstanding items of public business.

Changes in presidency

Mr. Michael Nelson de la Haye, Greffier of the States retired from the Chair during consideration of the proposition of Deputy Sarah Craig Ferguson of St. Brelade concerning the President of the Chairmen's Committee – vote of no confidence (P.40/2007 lodged "au Greffe" on 12th March 2007) and the meeting resumed following the lunch adjournment under the Presidency of the Bailiff. The Bailiff retired from the Chamber during consideration of the proposition of Deputy Gerard Clifford Lemmens Baudains of St. Clement concerning Senator S. Syvret: expression of disapproval for conduct (P.43/2007 lodged "au Greffé" on 13th March 2007) and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States.

THE STATES rose at 5.39 p.m.

A.H. HARRIS

Deputy Greffier of the States