

**THE STATES assembled on Tuesday,
4th April 2006 at 9.30 a.m. under
the Presidency of the Deputy Bailiff,
Michael Cameron St. John Birt, Esquire.**

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

Senator Wendy Kinnard – absent due to illness
Senator Frederick Ellyer Cohen – en défaut
Connétable John Baudains Germain of St. Martin– absent due to illness
Connétable Michael Keith Jackson of St. Brelade– en défaut
Deputy Celia Joyce Scott Warren of St. Saviour– excused
Deputy Roy George Le Hérisier of St. Saviour– en défaut
Deputy Paul Vincent Francis Le Claire of St. Helier– en défaut (arrived in the Chamber at 09.45 a.m.)

Prayers.

Documents presented or laid

Jersey Competition Regulatory Authority: Annual Report 2005. R.29/2006.
Presented: 4th April 2006.
Minister for Economic Development.

Draft Housing (General Provisions) (Amendment No. 24) (Jersey) Regulations P.25/2006. Com.
200- (P.25/2006): comments.
Presented: 30th March 2006.
Minister for Treasury and Resources.

Notification of lodged propositions

Draft Social Security (Television Licence Benefit) (Jersey) Law 200-. P.36/2006.
Lodged: 4th April 2006.
Minister for Social Security.

Draft Social Security (Television Licence Benefit) (Jersey) Regulations 200-. P.37/2006.
Lodged: 4th April 2006.
Minister for Social Security.

Draft Restriction on Smoking (Amendment No. 2) (Jersey) Law 200-. P.39/2006.
Lodged: 4th April 2006.
Minister for Health and Social Services.

Withdrawal of lodged propositions

THE STATES noted that, in accordance with the provisions of Standing Order 34(1), the proposer of the following proposition lodged “au Greffe” had informed the Greffier of the States that it was to be withdrawn –

Draft Housing (General Provisions) (Amendment No. 23) (Jersey) Regulations P.19/2006.
200-.
Lodged: 28th February 2006.
Minister for Housing.

Charing Cross: vacant site – petition. P.38/2006.

The Connétable of St. Helier presented to the States a petition on behalf of certain of the residents and traders from the area of Charing Cross, York Street and Dumaresq Street, St. Helier, requesting that the Minister for Planning and Environment designate as an Area of Important Open Space the greater part of the vacant site situated at the

intersection of York Street and Dumaresq Street.

THE STATES referred the petition to the Ministers for Treasury and Resources, and Planning and Environment and the Connétable of St. Helier lodged "au Greffe" the following proposition relating to the remedy sought in the petition –

Charing Cross: vacant site – petition.
Lodged: 4th April 2006.
Connétable of St. Helier.

P.38/2006.

Written Questions

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

The Chief Minister tabled an answer to a question asked by Deputy J.A. Martin of St. Helier regarding the establishment of the Legislation Advisory Panel.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding proposals for a new structure of banding rents for social housing.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding matters relating to housing trusts.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the release of a report concerning benchmarking for housing trusts.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the freezing of income tax exemptions.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact of financial service sector growth.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding various statistics relating to the finance sector and the application of GVA.

Oral Questions

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

Deputy D.W. Mezbourian of St. Lawrence asked a question of the Chief Minister regarding succession planning policies and procedures in place in the public sector.

Deputy G.C.L. Baudains of St. Clement asked a question of the Chief Minister regarding advice given to the Waterfront Enterprise Board Limited in connection with development of the St. Helier Waterfront.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding expenditure at Oakfield Industries and the effect of this on the number of places for training.

Deputy D.W. Mezbourian of St. Lawrence asked a question of the Minister for Treasury and Resources regarding discussions concerning the States placing funds into ethical investments and the outcome of those discussions.

Senator B.E. Shenton asked a question of the Chief Minister regarding the valuation method of land at the Waterfront which was transferred to Les Pas Holdings Limited in final settlement of a legal action and whether height restrictions on buildings agreed in the planning permission were relevant to this valuation.

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Economic Development regarding a possible review of off-island transport links.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding details of the combination of attribution and distribution-only methods as related to the enabling of "look-through" provisions without loss in revenue.

The Deputy of St. Ouen asked a question of the Assistant Minister for Home Affairs regarding the consideration given to the budgeting prioritisation process in recent years to address the lack of funding at H.M. Prison, La Moye.

The Deputy of St. Ouen asked a question of the Assistant Minister for Home Affairs regarding the review of the Firearms (Jersey) Law 2000, and the consultation process.

Change in Presiding Officer

The Deputy Bailiff retired as Presiding Officer for the duration of the oral question asked by Senator Ben Edward Shenton regarding matters relating to the settlement with Les Pas Holdings Limited over land at the Waterfront, and, the Greffier of the States, Mr. Michael Nelson de la Haye assumed the rôle of Presiding Officer during this time.

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.

Composting facilities at La Collette II: approval by States Assembly P.31/2006

Comment

THE STATES, adopting a proposition of the Connétable of St. Helier, agreed that no steps should be taken by the Minister of Transport and Technical Services to establish permanent composting facilities at La Collette II, St. Helie until the proposed site and technology had been debated and approved by the Assembly.

Draft States of Jersey (Powers, Privileges and Immunities) (Scrutiny panels, PAC and PPC) (Jersey) Regulations 200- P.15/2006

Amendment

THE STATES commenced consideration of the draft States of Jersey (Powers, Privileges and Immunities) (Scrutiny panels, PAC and PPC) (Jersey) Regulations 200-, and adopted the principles.

THE STATES adopted Regulations 1 and 2.

Regulation 3 was not proposed.

THE STATES adopted Regulations 4, 5 and 6, as amended by the Privileges and Procedures Committee, that in Regulation 6, sub-paragraph 6(1)(a) be deleted and the remaining subparagraphs be renumbered accordingly.

THE STATES adopted regulations 7 to 24.

THE STATES, in pursuance of Article 48 of the States of Jersey Law 2005, made Regulations entitled the States of Jersey (Powers, Privileges and Immunities) (Scrutiny panels, PAC and PPC) (Jersey) Regulations 2006.

Legislation Advisory Panel: appointment of members P.32/2006

THE STATES, adopting a proposition of the Chief Minister, appointed the following persons as members of the Legislation Advisory Panel –

Senator James Leslie Perchard
Senator Ben Edward Shenton
The Connétable of St. Clement
The Deputy of St. John

Members present voted as follows –

POUR: 43

CONTRE: 3

ABSTAIN: 0

Senator S. Syvret	Deputy J.A. Martin (H)
Senator L. Norman	Deputy G.P. Southern (H)
Senator F.H. Walker	Deputy S. Pitman (H)
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 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	
Deputy R.C. Duhamel (S)	
Deputy A. Breckon (S)	
Deputy J.J. Huet (H)	
Deputy of St. Martin	
Deputy G.C.L. Baudains (C)	
Deputy P.N. Troy (B)	
Deputy J.B. Fox (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 J.A.N. Le Fondré (L)	
Deputy D.W. Mezbourian (L)	
Deputy of Trinity	
Deputy S.P.A. Power (B)	
Deputy A.J.H. Maclean (H)	
Deputy K.C. Lewis (S)	
Deputy of St. John	
Deputy I.J. Gorst (C)	
Deputy of St. Mary	

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) –

25th April 2006

Political activities by States employees. Lodged: 24th February 2006. <i>Council of Ministers.</i>	P.17/2006.
Draft Restriction on Smoking (Vending Machines) (Jersey) Regulations 200-. Lodged: 28th February 2006. <i>Minister for Health and Social Services.</i>	P.21/2006.
Draft Restriction on Smoking (Public Transport) (Amendment) (Jersey)	P.22/2006.

Regulations 200-. Lodged: 28th February 2006. <i>Minister for Health and Social Services.</i>	
Draft Restriction on Smoking (Sales of Cigarettes to Children) (Amendment No. 2) (Jersey) Regulations 200-. Lodged: 28th February 2006. <i>Minister for Health and Social Services.</i>	P.23/2006.
Draft Restriction on Smoking (Amendment) (Jersey) Law 2006 (Appointed Day Act) 200-. Lodged: 14th March 2006. <i>Minister for Health and Social Services.</i>	P.28/2006.
Draft Housing (General Provisions) (Amendment No. 24) (Jersey) Regulations 200-. Lodged: 14th March 2006. <i>Minister for Housing.</i>	P.25/2006.
Draft Housing (General Provisions) (Amendment No. 24) (Jersey) Regulations 200- (P.25/2006): comments. Presented: 30th March 2006. <i>Minister for Treasury and Resources.</i>	P.25/2006. Com.
Draft States of Jersey (Transfer of Functions No. 1) (Home Affairs to Transport and Technical Services) (Jersey) Regulations 200-. Lodged: 14th March 2006. <i>Chief Minister.</i>	P.26/2006.
Draft Amendment (No. 4) of the Standing Orders of the States of Jersey. Lodged: 14th March 2006. <i>Privileges and Procedures Committee.</i>	P.27/2006.
Draft Trusts (Amendment No. 4) (Jersey) Law 200-. Lodged: 14th March 2006. <i>Minister for Economic Development.</i>	P.29/2006.
Higher Education 'top-up' fees: payment by the States. Lodged: 21st March 2006. <i>Senator B.E. Shenton.</i>	P.33/2006.
<u>16th May 2006</u>	
Milk Subsidy for Delivery to Special Classes. Lodged: 5th July 2005. <i>Deputy G.P. Southern of St. Helier, and referred to the Ministers for Economic Development and Social Security, (formerly the Economic Development and the Employment and Social Security Committees).</i>	P.145/2005.
Draft Sexual Offences (Jersey) Law 200-. Lodged: 13th September 2005. <i>Minister for Home Affairs, (formerly the Home Affairs Committee). (debate suspended on 18.01.06 and remained such on 31.01.06 as item referred to Corporate Services Scrutiny Panel under S.O. 79(i)).</i>	P.196/2005.
Draft Taxation (United States of America) (Jersey) Regulations 200-. Lodged: 8th November 2005. <i>Chief Minister, (formerly the Policy and Resources Committee).</i>	P.264/2005.
Draft Employment (Amendment No. 2) (Jersey) Law 200-. Lodged: 15th November 2005. <i>Deputy G.P. Southern of St. Helier.</i>	P.270/2005.
Draft Employment (Amendment No. 2) (Jersey) Law 200 (P.270/2005):	P.270/2005.

comments. Presented: 17th January 2006. <i>Minister for Social Security.</i>	Com.
Draft Employment Relations (Amendment) (Jersey) Law 200-. Lodged: 30th January 2006. <i>Deputy G.P. Southern of St. Helier.</i>	P.5/2006.
Draft Employment Relations (Amendment) (Jersey) Law 200- (P.5/2006): comments. Presented: 8th February 2006. <i>Minister for Social Security.</i>	P.5/2006. Com.
Bailiff's Consultative Panel. Lodged: 28th February 2006. <i>Privileges and Procedures Committee.</i>	P.20/2006.
Bailiff's Consultative Panel (P.20/2006): amendment. Lodged: 3rd March 2006. <i>Connétable of St. Helier.</i>	P.20/2006. Amd.
Bailiff's Consultative Panel (P.20/2006): amendment (P.20/2006 Amd.)– comments. Presented: 10th March 2006. <i>Privileges and Procedures Committee.</i>	P.20/2006. Amd.Com.
Bellozanne Waste Treatment Works: petition. Lodged: 28th March 2006. <i>Deputy J.B. Fox of St. Helier.</i>	P.34/2006.
Draft Social Security (Television Licence Benefit) (Jersey) Law 200-. Lodged: 4th April 2006. <i>Minister for Social Security.</i>	P.36/2006.
Draft Social Security (Television Licence Benefit) (Jersey) Regulations 200-. Lodged: 4th April 2006. <i>Minister for Social Security.</i>	P.37/2006.
Charing Cross: vacant site – petition. Lodged: 4th April 2006. <i>Connétable of St. Helier.</i>	P.38/2006.
Draft Restriction on Smoking (Amendment No. 2) (Jersey) Law 200. Lodged: 4th April 2006. <i>Minister for Health and Social Services.</i>	P.39/2006.
<u>23rd May 2006</u>	
Employment legislation: petition. Lodged: 4th October 2005. <i>Deputy G.P. Southern of St. Helier.</i>	P.214/2005.
Employment legislation: petition (P.214/2005) – comments. Presented: 11th January 2006. <i>Minister for Social Security.</i>	P.214/2005. Com.
Employment legislation: petition (P.214/2005) – comments – addendum. Presented: 21st March 2006. <i>Minister for Social Security.</i>	P.214/2005. Com.Add. (re-issue)
Composting facilities. Lodged: 1st November 2005. <i>Deputy P.V.F. Le Claire of St. Helier, (formerly in the name of Senator</i>	P.258/2005.

P.V.F. Le Claire), and referred to the Ministers for Health and Social Services, Planning and Environment, and Transport and Technical Services, (formerly the Health and Social Services and the Environment and Public Services Committees).

Composting facilities (P.258/2005): comments. Presented: 19th December 2005. <i>Comité des Connétables.</i>	P.258/2005. Com.
Composting facilities (P.258/2005): comments. Presented: 9th March 2006. <i>Minister for Health and Social Services.</i>	P.258/2005. Com.(2)
Composting facilities (P.258/2005): comments. Presented: 9th March 2006. <i>Minister for Transport and Technical Services.</i>	P.258/2005. Com.(3)
Draft Postal Services (Transfer) (Jersey) Regulations 200-. Lodged: 31st January 2006. Minister for Treasury and Resources. <i>2nd reading</i> <i>(Principles adopted on 28.03.06 before referral to Economic Affairs Scrutiny Panel in accordance with Standing Order 72(1)).</i>	P.9/2006.
Draft Postal Services (Transfer) (Jersey) Regulations 200- (P.9/2006): amendment. Lodged: 28th February 2006. <i>Minister for Treasury and Resources.</i>	P.9/2006. Amd.
Draft Postal Services (Transfer) (Jersey) Regulations 200- (P.9/2006): second amendment. Lodged: 14th March 2006. <i>Minister for Treasury and Resources.</i>	P.9/2006. Amd. (2)
Draft Postal Services (Jersey) Law 2004 (Appointed Day) (No. 2) Act 200-. Lodged: 31st January 2006. <i>Minister for Economic Development.</i>	P.8/2006.
Exclusivity of postal services within Jersey: termination of Agreement between the States of Jersey and the United Kingdom. Lodged: 14th February 2006. <i>Minister for Economic Development.</i>	P.13/2006.
<u>6th June 2006</u>	
Senators and Deputies: terms of office. Lodged: 14th December 2004. <i>Deputy A. Breckon of St. Saviour.</i> <i>(debate commenced and States adopted move to next item of public business on 1st Feb 2005)</i>	P.227/2004.
Senators and Deputies: terms of office (P.227/2004) – comments. Presented: 18th January 2005. <i>Presented by the Minister for Treasury and Resources, (formerly the Finance and Economics Committee).</i>	P.227/2004. Com.
Draft Water Resources (Jersey) Law 200-. Lodged: 27th September 2005. <i>Minister for Planning and Environment, (formerly the Environment and Public Services Committee).</i>	P.206/2005.
Draft Water Resources (Jersey) Law 200- (P.206/2005): comments. Presented: 1st November 2005.	P.206/2005. Com.

Minister for Economic Development, (formerly the Economic Development Committee).

Draft Water Resources (Jersey) Law 200- (P.206/2005): amendment. P.206/2005.
Lodged: 25th October 2005. Amd.
Deputy R.C. Duhamel of St. Saviour.

Draft Water Resources (Jersey) Law 200- (P.206/2005): amendments P.206/2005.
(P.206/2005 Amd.)– comments. Amd.Com.
Presented: 22nd November 2005.
Minister for Planning and Environment, (formerly the Environment and Public Services Committee).

Draft Water Resources (Jersey) Law 200- (P.206/2005): second P.206/2005.
amendments. Amd.(2)
Lodged: 1st November 2005.
Deputy P.N. Troy of St. Brelade.

Draft Water Resources (Jersey) Law 200- (P.206/2005): second P.206/2005.
amendments (P.206/2005 Amd.(2))– comments. Amd.(2) Com.
Presented: 29th November 2005.
Minister for Planning and Environment, (formerly the Environment and Public Services Committee).

20th June 2006

4th July 2006

18th July 2006

12th September 2006

26th September 2006

THE STATES rose at 12.30 p.m.

M.N. DE LA HAYE

Greffier of the States