

**THE STATES assembled on Thursday,
14th September 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 Leonard Norman – en défaut
Senator Wendy Kinnard – en défaut (défaut raised at 09.46 a.m.)
Senator Philip Francis Cyril Ozouf – en défaut (défaut raised at 09.41 a.m.)
Connétable Kenneth Alan Le Brun of St. Mary– absent on States business
Connétable Thomas John du Feu of St. Peter– excused
Connétable Alan Simon Crowcroft of St. Helier– en défaut
Deputy Robert Charles Duhamel of St. Saviour– absent on States business
Deputy Peter Nicholas Troy of St. Brelade– en défaut (défaut raised at 09.38 a.m.)
Deputy Shona Pitman of St. Helier– en défaut (défaut raised at 09.56 a.m.)

Prayers.

Notification of lodged propositions

Draft Electronic Communications (Amendment) (Jersey) Law 200-.
Lodged: 14th September 2006.
Minister for Economic Development.

P.111/2006.

**Annual Business Plan 2007 – P.92/2006
Amendments**

THE STATES resumed consideration of a proposition of the Chief Minister regarding the Annual Business Plan 2007, and, adopting paragraphs (d), (e) and (f) –

- (d) approved the summary set out in Summary Table B, page 57, being the estimated income an expenditure and estimated minimum contribution, if any, that each States trading operation was to make to the States consolidated fund in 2007;
- (e) approved each of the capital projects in the recommended programme of capital projects for each States funded body for 2007, as set out in Summary Table D, page 59 that required£43,499,000 to be withdrawn from the consolidated fund; and,
- (f) approved each of the capital projects in the recommended programme of capital for each States trading operation, as set out in Summary Table E, page 60, that required funds to be drawn from the tradin funds in 2007.

THE STATES, adopting paragraph (g), approved in principle the total net revenue expenditure for the States funded bodies, as set out in Summary Table C, page 58, for the period 2008 to 2011 and the proposed programm of capital projects for the States funded bodies for 2008 to 2011 as set out in the Summary Tables F to I, pages 61 to 64 respectively.

Members present voted as follows –

POUR: 38

CONTRE: 3

ABSTAIN: 0

Senator S. Syvret
Senator F.H. Walker

Deputy G.C.L. Baudains (C)
Deputy R.G. Le Hérissier
(S)
Deputy of St. Ouen

Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator B.E. Shenton
Senator J.L. Perchard
Connétable of St. Saviour
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. John
Connétable of St. Martin
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 J.B. Fox (H)
Deputy S.C. Ferguson (S)
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 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

THE STATES commenced consideration of paragraph (h) requesting them to approve the Annual Property Plan for 2007, including the schedule of properties for disposal in 2007, as detailed in Summary Table J, pages 65 and 66 of the report, and adopted an amendment of Deputy Sarah Craig Ferguson of St. Brelade that in paragraph (h) for the words “to approve”, there be substituted the words “to refer to the Public Accounts Committee for a report”, and after the words “pages 65 and 66 of the report”, there be inserted the words “and to agree that any debate on the Plan be deferred until after the presentation to the States of the report of the Public Accounts Committee”.

THE STATES adopted, as amended, paragraph (h), having noted that, in accordance with Standing Order 70(4) an amendment of Deputy Sean Seamus Patrick Augustine Power of St. Brelade that in paragraph (h), after the words “pages 65 and 66 of the report”, there be inserted the words “except that the item ‘Development site at Belle Vue, Les Quennevais’ shall be removed from the Schedule of Properties Proposed for Disposal in 2007”, could not be moved as it was inconsistent with the previous decision of the States on the amendment of Deputy Sarah Craig Ferguson of St. Brelade.

THE STATES, adopting paragraph (i), approved the Legislation Programme for 2007, as set out in Summary Table K, pages 67 to 69 of the report.

Members present voted as follows –

POUR: 42

Senator S. Syvret
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 F.E. Cohen
Senator J.L. Perchard
Connétable of St. Saviour
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. John
Connétable of St. Brelade
Connétable of St. Martin
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 C.J. Scott Warren (S)
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (S)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of St. Peter
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 S. Pitman (H)
Deputy A.J.H. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy of St. Mary

CONTRE: 2

Deputy of Grouville
Deputy J.A. Hilton (H)

ABSTAIN: 0

Change in Presidency

The Deputy Bailiff retired from the chair during consideration of paragraph (i) of the proposition of the Chief

Minister regarding the Annual Business Plan 2007, (P.92/2006 lodged “au Greffe” on 18th July 2006), and the remainder of the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States.

Draft Treaty on Open Skies (Privileges and Immunities) (Amendment) (Jersey) Law 200- P.73/2006

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Treaty on Open Skies (Privileges and Immunities) (Amendment) (Jersey) Law 200-.

Draft Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 2) (Jersey) Regulations 200 P.78/2006

THE STATES, in pursuance of Articles 25, 26 and 29 of the Sea Fisheries (Jersey) Law 1994, made Regulations entitled the Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 2) (Jersey) Regulations 2006.

Manual Workers’ Joint Council Constitution: amendment – P.82/2006

THE STATES, adopting a proposition of the Chief Minister referred to their Act of 9th November 1961, approving the constitution of a Manual Workers’ Joint Council on the basis set out in ANNEX B to that Act, and approved the following amendments –

In Section 3 – Membership of the constitution –

- (a) *in the first line of paragraph 3(a), delete the number “16” and insert the number “10”;*
- (b) *in the second line of paragraph 3(a), delete the number “8” and insert the number “5”;*
- (c) *in the fifth line of paragraph 3(a), delete the number “8” and insert the number ‘5’;*
- (d) *in the third line of paragraph 3(b), delete the number “6” and insert the number “4”;*
- (e) *in the fourth line of paragraph 3(b), delete the words “St. Helier Parish– 1 representative”.*

In Appendix B of ANNEX B – Rules for the Conduct of Business –

- (a) *In the first line of paragraph 7, delete the word “eight” and insert the word “four”;*
- (b) *in the second line of paragraph 7, delete the word “four” in both cases and insert the word “two” in both cases.*

Manual Workers’ Joint Council Employers’ Side membership – P.83/2006

THE STATES, adopting a proposition of the Chief Minister and in accordance with their Act dated 9th November 1961, as amended, concerning the membership of the Manual Workers’ Joint Council, approved the nomination of the four representatives of the States to serve as members of the Employers’ Side of the Council, as follows –

Deputy Ian Joseph Gorst of St. Clement

Deputy Alan John Henry Maclean of St. Helier

Mr. John Michael Pollard, Chief Executive, Health and Social Services

Mr. John Richardson, Chief Executive Officer, Transport and Technical Services.

Draft Insurance Business (Amendment No. 5) (Jersey) Law 200 P. 85/2006

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Insurance Business (Amendment No. 5) (Jersey) Law 200.

Draft Health Care (Registration) (Jersey) Regulations 200- P.91/2006

THE STATES, in pursuance of Article 17 of the Health Care (Registration) (Jersey) Law 1995, made Regulations entitled the Health Care (Registration) (Jersey) Regulations 2006.

Deputy Ian Joseph Gorst of St. Clement, in accordance with the provisions of Standing Order 106(b), declared an interest but remained in the Chamber for the duration of the debate.

Fields 190 and 192, Rue de la Sergente, St. Brelade: petition P.75/2006 – deferred

THE STATES noted that in accordance with Standing Order 30(2), Deputy S. Power of St. Brelade had informed the Greffier of the States that the following matter listed for debate at the present meeting was to be listed for debate at a later date –

Fields 190 and 192, Rue de la Sergente, St. Brelade petition P.75/2006.
Lodged: 13th June 2006, *and referred to the Minister for Planning and Environment.*
Deputy S. Power of St. Brelade.

Provision of Pedestrian Crossings P.60/2006 – deferred

THE STATES noted that in accordance with Standing Order 30(2), the Connétable of St. Helier had informed the Greffier of the States that the following matter listed for debate at the present meeting was to be listed for debate at a later date –

Provision of Pedestrian Crossings. P.60/2006.
Lodged: 23rd May 2006.
Connétable of St. Helier.

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) –

26th September 2006

Fur products: petition. P.72/2006.
Lodged: 6th June 2006, *and referred to the Ministers for Economic Development and Home Affairs.*
Senator S. Syvret.

Fur products: petition (P.72/2006) – comments. P.72/2006. Com.
Presented: 30th August 2006.
Minister for Home Affairs.

Ministerial Government: review of first 12 months. Lodged: 20th June 2006. <i>Senator B.E. Shenton.</i>	P.77/2006.
Draft Road Traffic (Amendment No. 4) (Jersey) Law 200. Lodged: 4th July 2006. <i>Minister for Transport and Technical Services.</i>	P.88/2006.
Draft Legal Deposit (Jersey) Law 200-. Lodged: 5th July 2006. <i>Minister for Education, Sport and Culture.</i>	P.90/2006.
Employee protection: legislation. Lodged: 27th July 2006. <i>Senator B.E. Shenton.</i>	P.95/2006.
Draft The Law Society of Jersey (Amendment) Law 200-. Lodged: 1st August 2006. <i>Chief Minister.</i>	P.96/2006.
Draft Licensing (Licence Fees) (Jersey) Regulations 200-. Lodged: 3rd August 2006. <i>Minister for Economic Development.</i>	P.99/2006.
Draft Social Security (Reciprocal Agreement with the Netherlands) (Jersey) Act 200-. Lodged: 11th August 2006. <i>Chief Minister.</i>	P.100/2006.
Statistics User Group: appointment of Chairman. Lodged: 12th September 2006. <i>Chief Minister.</i>	P.107/2006.
<u>10th October 2006</u>	
Composting facilities at La Collette, St. Helier: cessation. Lodged: 15th June 2006. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.76/2006.
Composting facilities at La Collette, St. Helier: cessation (P.76/2006)- comments. Presented: 4th July 2006. <i>Minister for Transport and Technical Services.</i>	P.76/2006. Com.
Draft Waste Management (OECD Revised Decision) (Jersey) Regulations 200-. Lodged: 1st August 2006. <i>Minister for Planning and Environment.</i>	P.97/2006.
Draft Waste Management (Jersey) Law 2005 (Appointed Day) Act 200-. Lodged: 1st August 2006. <i>Minister for Planning and Environment.</i>	P.98/2006.
Draft Income Support (Jersey) Law 200-. Lodged: 29th August 2006. <i>Minister for Social Security.</i>	P.102/2006.

24th October 2006

Goods and Services Tax: exempt or zero-rated items. Lodged: 4th July 2006. <i>Senator S. Syvret.</i>	P.86/2006.
Goods and Services Tax: exempt or zero-rated items (P.86/2006) – second amendment. Lodged: 13th September 2006. <i>Senator S. Syvret.</i>	P.86/2006. Amd. (2)
Fields 190 and 192, Rue de la Sergente, St. Breladepetition. Lodged: 13th June 2006, <i>and referred to the Minister for Planning and Environment.</i> <i>Deputy S. Power of St. Brelade.</i>	P.75/2006.
Policing commercial and profit-making events: new ‘user pays’ charge. Lodged: 21st July 2006. <i>Minister for Home Affairs.</i>	P.94/2006.
Code of Practice for Scrutiny Panels and the Public Accounts Committee. Lodged: 15th August 2006. <i>Chairmen’s Committee.</i>	P.101/2006.
Code of Practice for Scrutiny Panels and the Public Accounts Committee (P.101/2006): comments. Presented: 1st September 2006. <i>H.M. Attorney General.</i>	P.101/2006. Com.
Code of Practice for Scrutiny Panels and the Public Accounts Committee (P.101/2006): amendment. Lodged: 6th September 2006. <i>Chairmen’s Committee.</i>	P.101/2006. Amd.
Code of Practice for Scrutiny Panels and the Public Accounts Committee (P.101/2006): second amendment. Lodged: 13th September 2006. <i>Council of Ministers.</i>	P.101/2006. Amd.(2)
Draft Weights and Measures (Amendment) (Jersey) Law 200-. Lodged: 31st August 2006. <i>Minister for Economic Development.</i>	P.103/2006.
Draft Amendment (No. 5) of the Standing Orders of the States of Jersey. Lodged: 5th September 2006. <i>Privileges and Procedures Committee.</i>	P.104/2006.
Draft Maintenance Orders (Enforcement) (Amendment No. 2) (Jersey) Law 200-. Lodged: 8th September 2006. <i>Chief Minister.</i>	P.105/2006.
Draft Lois sur la Société de Bienfaisance de la Marine Marchande de Jersey (Repeals) (Jersey) Law 200-. Lodged: 8th September 2006.	P.106/2006.

Chief Minister.

Draft Data Protection (Appeals) (Jersey) Regulations 200-. P.108/2006.
Lodged: 12th September 2006.
Minister for Treasury and Resources.

7th November 2006

Provision of Pedestrian Crossings. P.60/2006.
Lodged: 23rd May 2006.
Connétable of St. Helier.

Provision of Pedestrian Crossings (P.60/2006): comments. P.60/2006.
Presented: 20th June 2006. Com.
Minister for Transport and Technical Services.

Draft Howard Davis Farm (Removal of Covenant) (Jersey) Law 200-. P.65/2006.
Lodged 30th May 2006.
Minister for Treasury and Resources.

Draft Housing (General Provisions) (Amendment No. 23) (Jersey) Regulations P.109/2006.
200-.
Lodged: 13th September 2006.
Minister for Housing.

Draft Rates (Apportionment) (Jersey) Regulations 200-. P.110/2006.
Lodged: 13th September 2006.
Comité des Connétables.

Draft Electronic Communications (Amendment) (Jersey) Law 200-. P.111/2006.
Lodged: 14th September 2006.
Minister for Economic Development.

21st November 2006

Howard Davis Farm, Trinity: part of Fields 562, 827 and 828 – sale of land. P.68/2006.
Lodged: 5th June 2006, *and referred to the Public Accounts Committee.*
Minister for Treasury and Resources.

Howard Davis Farm, Trinity: part of Fields 562, 827 and 828 – sale of land P.68/2006. Com.
(P.68/2006) – comments.
Presented: 8th August 2006.
Public Accounts Committee.

THE STATES rose at 11.40 a.m.

M.N. DE LA HAYE

Greffier of the States