

**THE STATES assembled on Tuesday
4th December 2007, at 09.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

**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 9.43 a.m.)
Senator Wendy Kinnard – en défaut
Senator Frederick Ellyer Cohen – en défaut (défaut raised at 9.39 a.m.)
Senator James Leslie Perchard – en défaut
Connétable Geoffrey William Fisher of St. Lawrence– en défaut
Deputy Jacqueline Jeanette Huet of St. Helier– en défaut (défaut raised at 9.39 a.m.)
Deputy Geoffrey Peter Southern of St. Helier– en défaut (défaut raised at 9.35 a.m.)
Deputy Shona Pitman of St. Helier– en défaut (défaut raised at 9.39 a.m.)

Prayers

Subordinate enactments tabled

The following enactments were tabled, namely –

Airport Dues (Tariff) (Amendment No. 2) (Jersey) Order 2007. <i>Minister for Economic Development.</i>	R&O.161/2007.
Motor Cars (Driving Instruction) (Amendment No. 18) (Jersey) Order 2007. <i>Minister for Transport and Technical Services.</i>	R&O.166/2007.
Motor Vehicles (Driving Licences) (Amendment No. 8) (Jersey) Order 2007. <i>Minister for Transport and Technical Services.</i>	R&O.167/2007.
Motor Vehicles (Construction and Use) (Amendment No. 10) (Jersey) Order 2007. <i>Minister for Transport and Technical Services.</i>	R&O.168/2007.
Motor Vehicle Registration (General Provisions) (Amendment No. 16) (Jersey) Order 2007. <i>Minister for Transport and Technical Services.</i>	R&O.169/2007.
Motor Traffic (Public Service Vehicles) (Fees) (No. 2) (Jersey) Order 2007. <i>Minister for Transport and Technical Services.</i>	R&O.170/2007.
Diseases of Animals (Foot and Mouth – Restrictions No. 8) (Jersey) Order 2007. <i>Minister for Transport and Technical Services.</i>	R&O.171/2007.
Employment (Minimum Wage) (Amendment) (Jersey) Order 2007. <i>Minister for Social Security.</i>	R&O.172/2007.

Documents presented or laid

Draft Amendment (No. 8) of the Standing Orders of the States of Jersey (P.162/2007): comments. Presented: 3rd December 2007. <i>Privileges and Procedures Committee.</i>	P.162/2007. Com.
Budget 2008 (P.164/2007): amendment (P.164/2007 Amd.)– comments. Presented: 3rd December 2007. <i>Minister for Treasury and Resources.</i>	P.164/2007. Amd.Com.
Budget 2008 (P.164/2007): second amendment (P.164/2007 Amd.(2))– comments. Presented: 3rd December 2007. <i>Minister for Treasury and Resources.</i>	P.164/2007. Amd.(2)Com.
Budget 2008 (P.164/2007): third amendment (P.164/2007 Amd.(3))– comments. Presented: 3rd December 2007. <i>Minister for Treasury and Resources.</i>	P.164/2007. Amd.(3)Com.
Flu pandemic funding (P.176/2007): comments. Presented: 3rd December 2007. <i>Minister for Health and Social Services.</i>	P.176/2007. Com.
Land Transactions under Standing Order 168(3) – 12 Les Cloches, Le Squez Road, St. Clement– sale. Presented: 26th November 2007. <i>Minister for Treasury and Resources.</i>	R.108/2007.
States of Jersey Law 2005: delegation of functions – Transport and Technical Services. Presented: 29th November 2007. <i>Minister for Transport and Technical Services.</i>	R.109/2007.
Design of Homes (S.R.15/2007): response of the Minister for Planning and Environment. Presented: 3rd December 2007. <i>Minister for Planning and Environment.</i>	S.R.15/2007. Res.

Notification of lodged propositions

Employment Tribunal: appointment of members. Lodged: 27th November 2007. <i>Minister for Social Security.</i>	P.180/2007.
Budget 2008 (P.164/2007): fourth amendment. Lodged: 3rd December 2007. <i>Minister for Treasury and Resources.</i>	P.164/2007. Amd.(4)
Draft Income Support (Amendment) (Jersey) Regulations 200-. Lodged: 4th December 2007. <i>Minister for Social Security.</i>	P.182/2007.
Draft States of Jersey (Amendment No. 5) Law 200-. Lodged: 4th December 2007.	P.183/2007.

Privileges and Procedures Committee.

Draft Connétables (Jersey) Law 200-. P.184/2007.
Lodged: 4th December 2007.
Privileges and Procedures Committee.

Draft Connétables (Jersey) Law 200- (P.184/2007): amendments. P.184/2007.
Lodged: 4th December 2007. Amd.
Deputy I.J. Gorst of St. Clement.

Draft Employment Relations (Registration) (Jersey) Regulations 200-. P.186/2007.
Lodged: 4th December 2007.
Minister for Social Security.

Establishment of a Working Party to examine the operation of Third Party P.187/2007.
Planning Appeals.
Lodged: 4th December 2007.
Deputy C.J. Scott Warren of St. Saviour.

Written Questions

(see Official Report)

The Minister for Health and Social Services tabled an answer to a question asked by Deputy S.S.P.A. Power of St. Breladere regarding the cost of MRI scans.

The Chief Minister tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding climate change.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding shared equity schemes for Jersey.

The Minister for Housing tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding shared equity schemes for Jersey.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the promotion of independence as part of the Social Policy framework.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the proportion of States Social renting tenants paying by direct debit.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding special payments for those falling between the Income Support and Income Tax thresholds.

The Chairman of the Comité des Connétables tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the electoral register.

The Minister for Home Affairs tabled an answer to a question asked by Deputy S.S.P.A. Power of St. Brelade regarding the deportation of drug trafficking offenders.

The Minister for Home Affairs tabled an answer to a question asked by Deputy S.S.P.A. Power of St. Brelade regarding the removal of damaged vehicles from the scene of road traffic accidents.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the prevention of influenza.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the Percentage for Art policy.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding increases in public transport services since Liberation Station was opened.

Oral Questions

(see Official Report)

Deputy G.P. Southern of St. Helier asked a question of the Minister of Economic Development regarding the use of the provisions of the Regulations of Undertakings Law to protect the Island's skills and training base following the privatisation of Jersey Telecom.

Senator L. Norman asked a question of the Minister for Economic Development regarding his proposed timetable for the introduction of Price Marking Regulations.

Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Transport and Technical Services regarding the possible recommencement of the hopper bus service.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Assistant Minister for Home Affairs regarding succession planning within the Home Affairs Departments.

Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Treasury and Resources regarding the estimated annual cost of clothing a child.

The Deputy of St. Ouen asked a question of the Minister for Economic Development regarding the issue of telephone number portability between mobile phone operators.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Minister for Health and Social Services regarding Value for Money in respect of nursing care purchased from the private sector.

Deputy D.W. Mezbourian of St. Lawrence asked a question of the Chief Minister regarding the resolution of the current industrial dispute involving Ambulance crews.

Deputy J.A. Martin of St. Helier asked a question of the Minister for Economic Development regarding the terms of reference for the review of the Jersey Competition Regulatory Authority by the National Audit Office.

Deputy S.S.P.A. Power of St. Brelade asked a question of the Assistant Minister for Economic Development regarding the loss of public parking places at the end of the Albert Pier.

The Deputy of St. Martin asked a question of the Assistant Minister for Treasury and Resources regarding access to Field 690A.

The Deputy of St. Martin asked a question of the Assistant Minister for Home Affairs regarding the formal written arrangements in existence pertaining to allay any grievances from people detained and/or questioned and then subsequently exonerated from unsubstantiated allegations of crimes.

Senator L. Norman asked a question of the Minister for Economic Development regarding the resolution of the fishing dispute with Guernsey.

Deputy S.S.P.A. Power of St. Brelade asked a question of the Assistant Minister for Economic Development regarding the Jersey-Heathrow service operated by BMI.

The Deputy of St. Ouen asked a question of the Minister for Treasury and Resources regarding that the continuation of Jersey Telecom's 'Prime Talk' tariff for pensioners after the sale of that company.

Oral Questions without notice

(see Official Report)

The Minister for Social Security answered questions without notice from members.

The Chief Minister answered questions without notice from members.

Statements on a matter of official responsibility

(see Official Report)

The Chief Minister made a statement regarding the relocation of Mr. Andrew Williamson to the States Greffe.

The Minister for Transport and Technical Services made a statement regarding remedial action taken to ensure waste disposal facilities in the Island until a replacement for the Bellozanne incinerator was commissioned.

Withdrawal of lodged propositions

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

Inquiry by Mr. Andrew Williamson: removal of administrative involvement of the Chief Minister’s Department. P.177/2007.
Lodged: 20th November 2007.
Senator S. Syvret.

Budget 2008 – P.164/2007

THE STATES commenced consideration of a proposition of the Minister for Treasury and Resources concerning the 2008 Budget and, adopting an amendment by the Minister of Treasury and Resources, agreed that at the end of paragraph (a) of the proposition, after the words “as set out in the Budget Statement” there should be inserted the words –

“except that all income tax exemptions for the year of assessment 2008 shall be increased by 6.5% instead of the 3% increase originally proposed in the Budget Statement”.

Members present voted as follows –

POUR: 37

CONTRE: 0

ABSTAIN: 0

Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier
Senator P.F.C. Ozouf
Senator T.J. Le Main
Connétable of St. Mary
Connétable of Trinity
Connétable of Grouville
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour

Deputy R.C. Duhamel (S)
 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 R.G. Le Hérisssier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (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 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.D. Maclean (H)
 Deputy of St. John
 Deputy I.J. Gorst (C)

THE STATES rejected an amendment of Deputy Alan Breckon of St. Saviour that at the end of paragraph (a) after the words “as set out in the Budget Statement” there should be inserted the words –

“except that the estimate of total taxation revenue shall be increased by £3.5 million by increasing the rates of stamp duty shown on page 25 of the Budget Statement for properties valued over£1,000,001 as follows –

Property Value (£)	Current Duty Rate (%)
0 – 50,000	0.50
50,001 – 300,000	1.50
300,001 – 500,000	2.00
500,001 – 700,000	2.50
700,001 – 1,000,000	3.00
1,000,001 – 2,000,000	4.00
>2,000,001	5.00

Members present voted as follows –

POUR: 8

Connétable of St. John
 Deputy R.C. Duhamel (S)
 Deputy A. Breckon (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Peter
 Deputy S. Pitman (H)

CONTRE: 31

Senator L. Norman
 Senator F.H. Walker
 Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator M.E. Vibert
 Senator T.J. Le Main
 Connétable of St. Ouen
 Connétable of St. Mary
 Connétable of St. Clement

ABSTAIN: 0

Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy J.J. Huet (H)
 Deputy of St. Martin
 Deputy C.J. Scott Warren (S)
 Deputy J.B. Fox (H)
 Deputy S.C. Ferguson (B)
 Deputy of St. Ouen
 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 A.J.D. Maclean (H)
 Deputy of St. John
 Deputy I.J. Gorst (C)
 Deputy of St. Mary

THE STATES rejected an amendment of Deputy Alan Breckon of St. Saviour that at the end of paragraph (a) after the words “as set out in the Budget Statement” there should be inserted the words –

“except that the estimate of total taxation revenue shall be increased by £3,000,000 by increasing the rates of stamp duty for probate or letters of administration as follows –

If the net value of the personal estate is sworn –	Proposed stamp duty
Not to exceed £10,000	£100
To be between £10,001 and £100,000	1%
To be between £100,001 and £500,000	1.5%
To be between £500,001 and £1,000,000	2%
To be between £1,000,001 and £5,000,000	3%
To be between £5,000,001 and £10,000,000	4%
To exceed £10,000,001	5%

Members present voted as follows –

POUR: 2

Deputy A. Breckon (S)
 Deputy S. Pitman (H)

CONTRE: 39

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 T.J. Le Main
 Connétable of St. Ouen
 Connétable of St. Mary
 Connétable of St. Clement
 Connétable of Trinity
 Connétable of Grouville

ABSTAIN: 0

Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy P.N. Troy (B)
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 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 A.J.D. Maclean (H)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

Declarations of interest

THE STATES, in accordance with the provisions of Standing Order 106(1)(a), noted that Senator Philip Francis Cyril Ozouf, Deputy Peter Nicholas Troy of St. Brelade and Deputy Alan John Henry Maclean of St. Helier ha declared an interest and withdrawn from the Chamber for the duration of the debate of the amendments of Deputy Alan Breckon of St. Saviour and that, in accordance with the provisions of Standing Order 106(1)(c), Senator Frank Harrison Walker and the Deputy of St. John had declared an interest but remained for the duration of the debate.

THE STATES, adopting an amendment of the Deputy of St. Ouen, agreed that in paragraph (b) of the propositior for the word “£25,000,000” there should be inserted the word “£38,000,000”.

Members present voted as follows –

POUR: 25

Senator L. Norman
Connétable of St. Mary
Connétable of St. Clement
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Deputy R.C. Duhamel (S)

CONTRE: 18

Senator F.H. Walker
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
Connétable of Trinity
Deputy P.N. Troy (B)

ABSTAIN: 0

Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy R.G. Le Hérisssier (S)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

Deputy C.J. Scott Warren (S)
Deputy J.B. Fox (H)
Deputy G.P. Southern (H)
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 S.S.P.A. Power (B)

THE STATES resumed consideration of the Budget 2008, as amended and –

- (a) approved the estimate of total taxation revenue in 2008 of £570,020,000 as set out in summary table A on page 30 of the Budget Statement, with the sum to be raised through existing taxation measures and the proposed changes to income tax, impôts duty, stamp duty and share transfer property tax for 2008 as set out in the Budget Statement, except that all income tax exemptions for the year of assessment 2008 shall be increased by 6.5% instead of the 3% increase originally proposed in the Budget Statement;
- (b) agreed that the sum of £38,000,000 should be transferred from the Consolidated Fund to the Stabilisation Fund in 2008 as soon as appropriate amendments to the Public Finances (Jersey) Law 2005 to allow the transfer to take place are in force.

Members present voted as follows –

POUR: 40

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 T.J. Le Main
Senator B.E. Shenton
Connétable of St. Mary
Connétable of St. Clement
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. John
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)

CONTRE: 3

Deputy A. Breckon (S)
Deputy G.P. Southern (H)
Deputy S. Pitman (H)

ABSTAIN: 0

Deputy J.A. Martin (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 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 I.J. Gorst (C)
Deputy of St. Mary

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 5th December 2007, in order to consider the outstanding items of public business.

THE STATES rose at 5.32 p.m.

M.N. DE LA HAYE

Greffier of the States