

**THE STATES assembled on Wednesday
4th July 2007, at 09.30 a.m. under
the Presidency of the Deputy Bailiff,
Mr. Michael Cameron St. John Birt Esquire.**

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

Senator Stuart Syvret – ill
Senator Frank Harrison Walker – en défaut (défaut raised at 9.48 a.m.)
Senator Wendy Kinnard – absent on States business
Connétable Philip Francis Ozouf of St. Saviour– ill
Connétable Kenneth Alan Le Brun of St. Mary– en défaut (défaut raised at 10.11 a.m.)
Deputy Peter Nicholas Troy of St. Brelade– en défaut (défaut raised at 11.03 a.m.)
Deputy John Benjamin Fox of St. Helier– excused
Deputy Sean Seamus Patrick Augustine Power of St. Brelade– absent on States business

Prayers

Notification of lodged propositions

Winter Fuel Payment.
Lodged: 4th July 2007.
Council of Ministers.

P.89/2007.

Draft States of Jersey (Amendment No. 3) Law 200 P.60/2007

THE STATES subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the States of Jersey (Amendment No. 3) Law 200.

Public Elections: reduction in voting age to 16 – P.63/2007

THE STATES, adopting a proposition of the Deputy of Grouville –

- (a) agreed that the age at which people become entitled to vote in public elections be reduced from 18 years of age to 16 years of age; and
- (b) charged the Privileges and Procedures Committee to bring to the Assembly for approval the necessary amendments to the Public Elections (Jersey) Law 2002 to give effect to this proposal in time for the 2008 Senatorial election.

Members present voted as follows –

POUR: 25

CONTRE: 21

ABSTAIN: 0

Senator T.A. Le Sueur
Senator P.F. Routier
Senator P.F.C. Ozouf
Senator F.E. Cohen
Connétable of St. Ouen

Senator L. Norman
Senator F.H. Walker
Senator T.J. Le Main
Senator B.E. Shenton
Senator J.L. Perchard

Connétable of St. Mary
Connétable of St. Clement
Connétable of St. Helier
Connétable of Grouville
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
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 P.J.D. Ryan (H)
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian
(L)
Deputy S. Pitman (H)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

Connétable of St. Peter
Connétable of Trinity
Connétable of St. Lawrence
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of St. Peter
Deputy G.W.J. de Faye (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity

Deputy K.C. Lewis (S)

Draft Distance Selling (Jersey) Law 200- P.66/2007

THE STATES commenced consideration of the Draft Distance Selling (Jersey) Law 200-, and adopted the principles.

Articles 1 to 18 and the Schedule were adopted.

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

Members present voted as follows –

POUR: 40

CONTRE: 0

ABSTAIN: 0

Senator L. Norman
Senator F.H. Walker
Senator P.F. Routier
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator J.L. Perchard
Connétable of St. Ouen
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. Brelade
Connétable of St. Martin
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 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 of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian
(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

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(c), Deputy Paul Vincent Francis Le Claire of St. Helier declared an interest but remained in the Chamber for the duration of the debate on the Draft Distance Selling (Jersey) Law 200-.

Change of Presidency

The States re-assembled after the lunch adjournment under the Presidency of the Bailiff. The Bailiff retired from the Chamber during consideration of the arrangement of public business for future meetings and the Greffier of the States, Mr. Michael Nelson de la Haye, presided for the remainder of the meeting.

Electoral Registration: link to population register – P.68/2007 Comments

THE STATES commenced consideration of a proposition of Deputy Geoffrey Peter Southern of St. Helier concerning the linkage of the electoral register to the population register, and rejected a proposition of Senator James Leslie Perchard that, in accordance with the provisions of Standing Order 85, the States should move to consideration of the next item of business on the Order Paper.

Members present voted as follows –

POUR: 12

Senator P.F. Routier
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator J.L. Perchard
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Martin

CONTRE: 30

Senator L. Norman
Senator T.A. Le Sueur
Senator F.E. Cohen
Connétable of St. Ouen
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Brelade
Connétable of St. John
Deputy A. Breckon (S)

ABSTAIN: 0

Deputy R.C. Duhamel (S)
Deputy P.N. Troy (B)
Deputy I.J. Gorst (C)

Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
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 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. Pitman (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy of St. Mary

THE STATES, following further consideration, rejected a proposition of Deputy Geoffrey Peter Southern of St. Helier that eligibility to register to vote in public elections should no longer be linked to length of residence in Jersey but should be an automatic entitlement to every resident as soon as he or she was registered in the population register to be created under the Migration Policy as approved by the States.

Members present voted as follows –

POUR: 6

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

CONTRE: 35

Senator L. Norman
Senator T.A. Le Sueur
Senator P.F. Routier
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. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Lawrence
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 P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen

ABSTAIN: 0

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 K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

Fields 848, 851 and 853, Bel Royal, St. Lawrence: Committee of Inquiry– appointment of members – P.81/2007

THE STATES commenced consideration of a proposition of the Connétable of St. Lawrence concerning the appointment of the members of the Committee of Inquiry into the development of Fields 848, 851 and 853, Bel Royal, St. Lawrence and adopted a proposition of Deputy Guy William John de Faye of St. Helier that, in accordance with the provisions of Standing Order 81, they conduct part of the debate in camera. The Bailiff, in accordance with the provisions of Standing Order 82, ordered all strangers to withdraw from the precincts of the States and the doors of the Chamber to be closed.

THE STATES, having concluded part of the debate in camera, and following further consideration in public assembly, adopted the proposition of the Connétable of St. Lawrence and referred to their Act dated 2nd May 2007 in which they agreed to approve the appointment of a Committee of Inquiry to investigate fully the circumstances relating to the development of Fields 848, 851 and 853, Bel Royal, St. Lawrence and–

- (a) appointed the following persons as members of the Committee of Inquiry –
 - (i) Mrs. Carol Elizabeth Canavan (Chairman);
 - (ii) Mr. David James Watkins;
 - (iii) Mr. Peter Dawson Cameron.
- (b) agreed that, in accordance with Standing Order 146(5)(b) and (c) –
 - (i) Mr. Watkins should, if required, preside in the absence of the Chairman; and
 - (ii) the quorum of the Committee should be 2.
- (c) agreed that, in addition to the terms of reference for the Committee of Inquiry approved by the States on 2nd May 2007, the following term of reference be added –

“to investigate the effectiveness of the planning process and the related conditional decision to grant planning permission and subsequent decisions taken by or on behalf of the Minister for Planning and Environment, in relation to securing adequate protection of trees on the site.”

Members present voted as follows –

POUR: 33

CONTRE: 4

ABSTAIN: 1

Senator L. Norman
Senator T.A. Le Sueur
Senator P.F. Routier
Senator T.J. Le Main
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy R.G. Le Hérisier (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 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. Pitman (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy of St. Mary

Deputy J.J. Huet (H)
Deputy C.J. Scott Warren (S)
Deputy G.W.J. de Faye (H)
Deputy I.J. Gorst (C)

Deputy G.C.L. Baudains
(C)

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(a), the Connétable of St. Peter declared an interest and withdrew from the Chamber for the duration of the debate.

Arrangement of public business for future meetings

THE STATES rejected a proposition of Deputy Gerard Clifford Lemmens Baudains of St. Clement that there should be an additional meeting on 10th July 2007.

THE STATES, adopting a proposition of the Chairman of the Privileges and Procedures Committee, and in accordance with the provisions of Standing Order 88(4)(b), agreed to meet on Monday 16th July 2007.

THE STATES rejected a proposition of Senator Philip Francis Cyril Ozouf that the following propositions should be deferred from 17th July 2007 until the second session –

Composition and Election of the States Assembly: election dates for Connétables. P.54/2007.
Lodged: 19th April 2007.
Comité des Connétables.

Composition and Election of the States Assembly: election dates for Connétables P.54/2007.

(P.54/2007) – comments. Presented: 4th June 2007. <i>Privileges and Procedures Committee.</i>	Com.
Composition of the States: revised structure and referendum. Lodged: 5th June 2007. <i>Privileges and Procedures Committee.</i>	P.75/2007.
Composition of the States: revised structure and referendum (P.75/2007) – amendment. Lodged: 5th June 2007. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.75/2007. Amd.
Composition of the States: revised structure and referendum (P.75/2007) – second amendment. Lodged: 3rd July 2007. <i>Deputy J.A.N. Le Fondré of St. Lawrence.</i>	P.75/2007. Amd.(2)
Composition of the States: revised structure and referendum (P.75/2007) – third amendments. Lodged: 3rd July 2007. <i>Deputy G.P. Southern of St. Helier.</i>	P.75/2007. Amd.(3)
Composition of the States: referendum. Lodged: 22nd June 2007. <i>Senator J.L. Perchard.</i>	P.86/2007.
Composition of the States: referendum (P.86/2007) – comments. Lodged: 3rd July 2007. <i>Privileges and Procedures Committee.</i>	P.86/2007. Com.

Members present voted as follows –

POUR: 10

Senator P.F.C. Ozouf
Senator J.L. Perchard
Connétable of St. Mary
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. John
Deputy G.W.J. de Faye (H)
Deputy D.W. Mezbourian
(L)
Deputy of St. John

CONTRE: 30

Senator L. Norman
Senator T.A. Le Sueur
Senator P.F. Routier
Senator T.J. Le Main
Connétable of St. Ouen
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Martin

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 C.J. Scott Warren
(S)
Deputy R.G. Le Hérisier (S)
Deputy J.A. Martin (H)

ABSTAIN: 0

Deputy G.P. Southern (H)
 Deputy S.C. Ferguson (B)
 Deputy of St. Ouen
 Deputy P.J.D. Ryan (H)
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy of St. Mary

THE STATES adopting a proposition of Deputy Judith Ann Martin of St. Helier, agreed that the meeting on 16th July 2007, should be treated as the start of the next meeting and the deadlines for submitting written and oral questions to the States Greffe brought forward accordingly.

THE STATES adopting a proposition of Senator Terence Augustine Le Sueur, agreed that Standing Order 26(1) be suspended in order to remove the minimum lodging periods applicable to the matters originally scheduled for debate on 17th July 2007, in order that they could be considered on 16th July 2007.

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) –

16th July 2007

Draft Price and Charge Indicators (Jersey) Law 200-. Lodged: 5th June 2007. <i>Minister for Economic Development.</i>	P.76/2007.
Social Housing Property Plan 2007–2016. Lodged: 16th January 2007. <i>Minister for Housing.</i>	P.6/2007.
Draft Community Provisions (Wire Transfers) (Jersey) Regulations 200-. Lodged: 24th May 2007. <i>Minister for Treasury and Resources.</i>	P.71/2007.
Draft Unlawful Public Entertainments (Jersey) Regulations 200-. Lodged: 31st May 2007. <i>Minister for Home Affairs.</i>	P.72/2007.
Registration of political parties. Lodged: 5th June 2007. <i>Privileges and Procedures Committee.</i>	P.73/2007.
Registration of political parties (P.73/2007): amendments. Lodged: 14th June 2007. <i>Deputy G.P. Southern of St. Helier.</i>	P.73/2007. Amd.
Registration of Political Parties (P.73/2007): amendment (P.73/2007 Amd.)– comments. Presented: 3rd July 2007. <i>Privileges and Procedures Committee.</i>	P.73/2007. Amd.Com.

Registration of Political Parties (P.73/2007): second amendments. Lodged: 3rd July 2007. <i>Senator F.E. Cohen.</i>	P.73/2007. Amd.(2)
Registration of Political Parties (P.73/2007): third amendments. Lodged: 3rd July 2007. <i>Privileges and Procedures Committee.</i>	P.73/2007. Amd.(3)
Draft States of Jersey (Powers, Privileges and Immunities) (Committees of Inquiry) (Jersey) Regulations 200-. Lodged: 5th June 2007. <i>Privileges and Procedures Committee.</i>	P.74/2007.
Composition of the States: revised structure and referendum. Lodged: 5th June 2007. <i>Privileges and Procedures Committee.</i>	P.75/2007.
Composition of the States: revised structure and referendum (P.75/2007) – amendment. Lodged: 5th June 2007. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.75/2007. Amd.
Composition of the States: revised structure and referendum (P.75/2007) – second amendment. Lodged: 3rd July 2007. <i>Deputy J.A.N. Le Fondré of St. Lawrence.</i>	P.75/2007. Amd.(2)
Composition of the States: revised structure and referendum (P.75/2007) – third amendments. Lodged: 3rd July 2007. <i>Deputy G.P. Southern of St. Helier.</i>	P.75/2007. Amd.(3)
Composition of the States: referendum. Lodged: 22nd June 2007. <i>Senator J.L. Perchard.</i>	P.86/2007.
Composition of the States: referendum (P.86/2007) – comments. Lodged: 3rd July 2007. <i>Privileges and Procedures Committee.</i>	P.86/2007. Com.
Composition and Election of the States Assembly: election dates for Connétables. Lodged: 19th April 2007. <i>Comité des Connétables.</i>	P.54/2007.
Composition and Election of the States Assembly: election dates for Connétables (P.54/2007) – comments. Presented: 4th June 2007. <i>Privileges and Procedures Committee.</i>	P.54/2007. Com.
Code of Practice for Scrutiny Panels and the Public Accounts Committee. Lodged: 5th June 2007. <i>Chairmen’s Committee.</i>	P.77/2007.
Code of Practice for Scrutiny Panels and the Public Accounts Committee (P.77/2007): comments. Presented: 3rd July 2007.	P.77/2007. Com.

H.M. Attorney General.

Code of Practice for Scrutiny Panels and the Public Accounts Committee (P.77/2007): amendment. P.77/2007.
Lodged: 19th June 2007. Amd.
Chairmen's Committee.

Code of Practice for Scrutiny Panels and the Public Accounts Committee (P.77/2007): second amendments. P.77/2007.
Lodged: 3rd July 2007. Amd.(2)
Council of Ministers.

Code of Practice for Scrutiny Panels and the Public Accounts Committee (P.77/2007): third amendments. P.77/2007.
Lodged: 3rd July 2007. Amd.(3)
Chairmen's Committee.

La Carrière redevelopment and rock face stabilisation works. P.78/2007.
Lodged: 5th June 2007.
Minister for Housing.

Draft Financial Services (Amendment of Law) (Jersey) Regulations 200-. P.79/2007.
Lodged 5th June 2007.
Minister for Economic Development.

Jersey Financial Services Commission: appointment of Commissioner. P.88/2007.
Lodged: 3rd July 2007.
Minister for Economic Development.

11th September 2007

School Milk and Milk at a Reduced rate: continued provision. P.45/2007.
Lodged: 27th March 2007.
Deputy G.P. Southern of St. Helier.

School Milk and Milk at a Reduced Rate: continued provision (P.45/2007) – amendment. P.45/2007.
Lodged: 3rd July 2007. Amd.
Council of Ministers.

Draft Amendment (No. 7) of the Standing Orders of the States of Jersey. P.80/2007.
Lodged: 7th June 2007.
Deputy G.P. Southern of St. Helier.

Draft Amendment (No. 7) of the Standing Orders of the States of Jersey (P.80/2007): comments. P.80/2007.
Presented: 29th June 2007. Com.
Privileges and Procedures Committee.

Draft Main Roads (Classification) (Amendment No. 28) (Jersey) Act 200. P.82/2007.
Lodged: 14th June 2007.
Minister for Transport and Technical Services.

Draft Health Care (Registration) (Amendment No. 3) (Jersey) Regulations 200. P.83/2007.
Lodged: 14th June 2007.
Minister for Health and Social Services.

Winter Fuel Payment.
Lodged: 4th July 2007.
Council of Ministers.

P.89/2007.

25th September 2007

Draft High Hedges (Jersey) Law 200-.
Lodged: 13th April 2007.
Minister for Planning and Environment.

P.51/2007.

Draft High Hedges (Jersey) Law 200- (P.51/2007): amendments.
Lodged: 19th June 2007.
Deputy A.J.H. Maclean of St. Helier.

P.51/2007.
Amd.

Retail Strategy: Impact Assessment.
Lodged: 18th June 2007.
Economic Affairs Scrutiny Panel.

P.84/2007.

Draft Road Traffic (No. 58) (Jersey) Regulations 200.
Lodged: 25th June 2007.
Minister for Transport and Technical Services.

P.87/2007.

THE STATES rose at 4.37 p.m.

A.H. HARRIS

Deputy Greffier of the States