

**THE STATES assembled on Wednesday  
16th March 2005, at 9.30 a.m. under  
the Presidency of the Bailiff,  
Sir Philip Bailhache.**

All members were present with the exception of –

Senator Richard Joseph Shenton – ill  
John Baudains Germain, Connétable of St. Martin– ill  
Thomas John du Feu, Connétable of St. Peter– out of the Island  
Geoffrey William Fisher, Connétable of St. Lawrence– out of the Island  
Maurice François Dubras, Deputy of St. Lawrence– out of the Island  
Jeremy Laurence Dorey, Deputy of St. Helier– ill  
Celia Joyce Scott Warren, Deputy of St. Saviour– out of the Island  
Lyndon John Farnham, Deputy of St. Saviour– out of the Island  
Sarah Craig Ferguson, Deputy of St. Brelade– out of the Island

Prayers

**Jersey Tourism: relocation and lease of new office accommodation – P.22/2005  
Comments; SR3/2005**

THE STATES resumed consideration of a proposition of Senator Edward Philip Vibert that the proposition of the Economic Development Committee concerning Jersey Tourism: relocation and lease of new office accommodation, (P.22/2005 lodged “au Greffe” on 1st March 2005), be referred back.

THE STATES, following consideration, rejected the proposition.

Members present voted as follows –

**POUR: 17**

Senator J.A. Le Maistre  
Senator S. Syvret  
Senator W. Kinnard  
Senator P.V.F. Le Claire  
Senator E.P. Vibert  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy of St. Martin  
Deputy G.C.L. Baudains (C)  
Deputy P.N. Troy (B)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy J.A. Bernstein (B)  
Deputy of Grouville  
Deputy of St. Peter  
Deputy J.A. Hilton (H)  
Deputy G.W.J de Faye (H)

**CONTRE: 24**

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  
Connétable of St. Ouen  
Connétable of St. Saviour  
Connétable of St. Brelade  
Connétable of St. Mary  
Connétable of St. Clement  
Connétable of St. Helier  
Connétable of Trinity  
Connétable of Grouville  
Deputy of Trinity  
Deputy J.J. Huet (H)  
Deputy T.J. Le Main (H)  
Deputy F.G. Voisin (L)  
Deputy R.G. Le Hérissier (S)  
Deputy J-A. Bridge (H)  
Deputy of St. Mary  
Deputy of St. Ouen  
Deputy P.J.D. Ryan (H)  
Deputy M.A. Taylor (C)

**ABSTAIN: 0**

THE STATES, following further consideration of the proposition of the Economic Development Committee concerning Jersey Tourism: relocation and lease of new office accommodation, rejected a proposition of the Deputy of St. Peter that, in accordance with Standing Order 26A(1), the question be now put, the Bailiff having exercised his casting vote, in accordance with convention, against the proposition in view of there being an equality of votes.

Members present voted as follows –

**POUR: 19**

Senator W. Kinnard  
Senator E.P. Vibert  
Connétable of St. Saviour  
Connétable of St. Brelade  
Connétable of St. Mary  
Connétable of St. Clement  
Connétable of Trinity  
Connétable of Grouville  
Connétable of St. John  
Deputy of Trinity  
Deputy of St. Martin  
Deputy of St. John  
Deputy G.C.L. Baudains (C)  
Deputy P.N. Troy (B)  
Deputy R.G. Le Hérisssier (S)  
Deputy of St. Mary  
Deputy P.J.D. Ryan (H)  
Deputy of St. Peter  
Deputy J.A. Hilton (H)

**CONTRE: 19**

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  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy T.J. Le Main (H)  
Deputy F.G. Voisin (L)  
Deputy J-A. Bridge (H)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy J.A. Bernstein (B)  
Deputy of St. Ouen  
Deputy M.A. Taylor (C)  
Deputy of Grouville  
Deputy G.W.J de Faye (H)

**ABSTAIN: 1**

Senator P.V.F. Le Claire

THE STATES, following further consideration of the proposition of the Economic Development Committee concerning Jersey Tourism; relocation and lease of new office accommodation, adopted a proposition of the Deputy of St. John that, in accordance with Standing Order 26A(1), the question be now put.

Members present voted as follows –

**POUR: 22**

Senator W. Kinnard  
Senator T.A. Le Sueur  
Senator E.P. Vibert  
Connétable of St. Brelade  
Connétable of St. Clement  
Connétable of Trinity  
Connétable of Grouville  
Connétable of St. John  
Deputy of Trinity  
Deputy R.C. Duhamel (S)  
Deputy of St. Martin  
Deputy of St. John  
Deputy P.N. Troy (B)  
Deputy F.G. Voisin (L)  
Deputy R.G. Le Hérisssier (S)  
Deputy J-A. Bridge (H)  
Deputy J.A. Bernstein (B)  
Deputy of St. Mary  
Deputy of St. Ouen  
Deputy M.A. Taylor (C)  
Deputy of St. Peter

**CONTRE: 13**

Senator S. Syvret  
Senator L. Norman  
Senator F.H. Walker  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Deputy A. Breckon (S)  
Deputy T.J. Le Main (H)  
Deputy G.C.L. Baudains (C)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy P.J.D. Ryan (H)  
Deputy G.W.J de Faye (H)

**ABSTAIN: 1**

Senator P.V.F. Le Claire

Deputy J.A. Hilton (H)

THE STATES adopted a proposition of the President of the Economic Development Committee, that, in accordance with Standing Order 46(1), strangers do withdraw, in order that conclusion of the consideration of the proposition of the Economic Development Committee concerning Jersey Tourism: relocation and lease of new office accommodation, be conducted in camera.

THE STATES, having concluded consideration of the proposition in camera, proceeded to vote in public assembly, and adopting a proposition of the Economic Development Committee –

- (a) approved the lease by the public from Islands Development Limited of a newly constructed office building on a site near the junction of The Esplanade and Castle Street, St. Helier (shown for identification purposes on Drawing No. 101 Rev. B), comprising approximately 6,650 square feet office space; with the lease to be concluded upon completion of the fitting-out and for a period of 21 years, on a tenant's full repairing and insuring basis; at a commencing rental of £109,300.00 per annum subject to review at a level of 2.5% per annum after 3 and 6 years, with open market review after 9 years and every 3 years thereafter, on condition that the public would be entitled to break the lease after 9 years to coincide with the initial open market rent review; with the relocation of Jersey Tourism into the new offices to be carried out at nil expense to the Public with each party being responsible for their respective legal and professional costs in connection with the proposed letting;
- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contract in connection with the lease; and,
- (c) authorised the Treasurer of the States to make any payment on behalf of the public as it became due.

Members present voted as follows –

**POUR: 31**

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  
Connétable of St. Ouen  
  
Connétable of St. Saviour  
Connétable of St. Brelade  
Connétable of St. Mary  
Connétable of St. Clement  
Connétable of St. Helier  
Connétable of Trinity  
Connétable of Grouville  
Connétable of St. John  
Deputy of Trinity  
Deputy J.J. Huet (H)  
Deputy of St. Martin  
Deputy of St. John  
Deputy T.J. Le Main (H)  
Deputy P.N. Troy (B)  
Deputy F.G. Voisin (L)  
Deputy J-A. Bridge (H)  
Deputy J.A. Bernstein (B)  
Deputy of St. Mary  
Deputy of St. Ouen  
Deputy P.J.D. Ryan (H)  
Deputy M.A. Taylor (C)

**CONTRE: 10**

Senator S. Syvret  
Senator P.V.F. Le Claire  
Senator E.P. Vibert  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy G.C.L. Baudains (C)  
Deputy R.G. Le Hérissier (S)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy J.A. Hilton (H)

**ABSTAIN: 0**

Deputy of Grouville  
Deputy of St. Peter  
Deputy G.W.J de Faye (H)

### **Change in Presidency**

The Bailiff retired from the Chair during consideration of the proposition of the Economic Development Committee concerning Jersey Tourism: relocation and lease of new office accommodation, (P.22/2005 lodged "au Greffe" on 1st March 2005), and the meeting continued under the presidency of Mr. Michael Nelson de l Haye, Greffier of the States.

### **Draft Jersey Overseas Aid Commission (Jersey) Law 200- P.14/2005 Comments and Amendments**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Jersey Overseas Aid Commission (Jersey) Law 200-, as amended by the following amendments to the Schedules detailed below presented by the Overseas Aid Committee, (P.14/2004 Amd. lodged "au Greffe" on 1st March 2005) –

#### **SCHEDULE 1, CLAUSE 5 –**

*Omit clause 5.1 and substitute the following –*

“5.1 The Commission shall consist of –

- (a) a Chairman;
- (b) 2 States Commissioners; and
- (c) 3 Non-States Commissioners.

5.2 A person shall not be appointed as –

- (a) the Chairman or a States Commissioner unless he or she is an elected member of the States;  
or
- (b) a Non-States Commissioner unless he or she is not an elected member of the States.

5.3 A person shall not be appointed as a Commissioner if –

- (a) he or she is an employee or agent of the Commission; or
- (b) he or she holds an honorary office with the Commission.”.

*Renumber the existing clauses 5.2, 5.3 and 5.4 accordingly.*

#### **SCHEDULE 1, CLAUSE 6.4 –**

*Insert after paragraph (e) the following –*

- “(f) if he or she becomes an employee or agent of the Commission or becomes the holder of an honorary office with the Commission;”.

*Renumber the existing sub-clauses (f) and (g) accordingly.*

#### **SCHEDULE 1, CLAUSE 7 –**

*Omit clause 7.2 and substitute the following –*

“7.2 If the office of a States Commissioner becomes vacant the States shall, on the recommendation of the Chairman, appoint a person as a States Commissioner.”.

SCHEDULE 1, CLAUSE 7 –

*Omit clause 7.4 and substitute the following –*

“7.4 If the office of a Non-States Commissioner becomes vacant because the term of the office has expired, the States shall, on the recommendation of the Chairman, appoint as a Non-States Commissioner a person who has nominated himself or herself for appointment to the office.”.

SCHEDULE 1, CLAUSE 7 –

*Omit clause 7.6 and substitute the following –*

“7.6 If the office of a Non-States Commissioner becomes vacant otherwise than because the term of the office has expired, the States shall, on the recommendation of the Chairman, appoint as a Non-States Commissioner a person who has nominated himself or herself for appointment to the office.”.

SCHEDULE 1, CLAUSE 9.2 –

*Omit the words “unless he or she is an employee or agent of the Commission”.*

SCHEDULE 1, CLAUSE 10 –

*Substitute the following clause –*

**“10 Appointment and remuneration of staff, agents and honorary officers**

10.1 The Commission may employ the persons, and appoint the agents and honorary officers, that it considers necessary for carrying out its objects.

10.2 The Commission may make the arrangements it thinks fit concerning the remuneration, expenses, pensions and other conditions of the employees, agents and honorary officers of the Commission.”.

SCHEDULE 2, PARAGRAPH 2 –

*After sub-paragraph (3) insert the following sub-paragraph –*

“(4) A person shall not be appointed under sub-paragraph (2) or (3) as the Chairman Designate of the Commission or a Commissioner if at the time of the appointment he or she is an employee or agent of, or holds an honorary office with, the Overseas Aid Committee.”.

*Renumber the existing sub-paragraphs (4), (5), (6), (7) and (8), and alter the cross-reference in sub-paragraph (8), accordingly.*

**Social Security Tribunal: appointment of members – P.31/2005**

THE STATES, adopting a proposition of the Employment and Social Security Committee –

appointed, in accordance with the provisions of Article 1 and Schedule 4 of the Social Security (Jersey Law 1974, as amended, the following persons as Chairman and members of the Social Security Tribunal, for the period ending 31st December 2007 –

Advocate Charles Malcolm Bedford Thacker, Chairman  
Advocate Marion Whittaker  
Advocate Michael Clapham  
Mrs. Elizabeth Hambly  
Mrs. Margaret Le Marquand  
Mr. Nicholas Joseph Corbel.

#### **Family Allowances Tribunal: appointment of members – P.32/2005**

THE STATES, adopting a proposition of the Employment and Social Security Committee, appointed, in accordance with the provisions of Article 1 and Schedule 1 of the Family Allowances (Jersey) Law 1972, as amended, the following persons as Chairman and members of the Social Security Tribunal, for the period ending 31st December 2007 –

Advocate Alan Richard Binnington, Chairman  
Advocate Marion Whittaker  
Advocate Michael Clapham  
Mrs. Elizabeth Hambly  
Mrs. Margaret Le Marquand  
Mr. Nicholas Joseph Corbel.

#### **Control of Public Entertainment Panel: appointment of Chairman – P.35/2005**

THE STATES, adopting a proposition of the Education, Sport and Culture Committee, appointed Mrs. Susar Bone as Chairman of the Panel for the Control of Public Entertainment.

#### **Adjournment**

THE STATES then adjourned, having agreed to reconvene on Tuesday 22nd March 2005, in order to resume consideration of the outstanding matters of public business, and agreed that the following matter would be taken as the first item of public business –

Draft Employment Relations (Jersey) Law 200- Lodged: 1st February 2005. <i>Employment and Social Security Committee.</i>	P.19/2005.
Draft Employment Relations (Jersey) Law 200- (P.19/2005): comments. Presented: 8th March 2005. <i>Finance and Economics Committee.</i>	P.19/2005. Com.
Draft Employment Relations (Jersey) Law 200- (P.19/2005): amendments. Lodged: 1st March 2005. <i>Deputy G.P. Southern of St. Helier.</i>	P.19/2005. Amd.
Draft Employment Relations (Jersey) Law 200- (P.19/2005): amendments (P.19/2005 Amd.)– comments. Presented: 15th March 2005. <i>Employment and Social Security Committee.</i>	P.19/2005. Amd.Com.

THE STATES rose at 5.30 p.m.

**M.N. DE LA HAYE**

*Greffier of the States.*