

**THE STATES assembled on Tuesday
17th July 2008, 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 – en défaut (défaut raised at 10.56 a.m.)
Senator Frank Harrison Walker – en défaut (défaut raised at 9.35 a.m.)
Senator Wendy Kinnard – en défaut (défaut raised at 9.35 a.m.)
Senator Philip Francis Cyril Ozouf – en défaut (défaut raised at 9.41 a.m.)
Senator Ben Edward Shenton – en défaut
Connétable Alan Simon Crowcroft of St. Helier– en défaut (défaut raised at 11.31 a.m.)
Connétable Geoffrey William Fisher of St. Lawrence– en défaut
Connétable Graeme Frank Butcher of St. John– en défaut (défaut raised at 10.44 a.m.)
Deputy Peter Nicholas Troy of St. Brelade– en défaut (défaut raised at 9.41 a.m.)
Deputy Shona Pitman of St. Helier– en défaut (défaut raised at 10.08 a.m.)

Prayers read by the Greffier of the States

Draft Public Elections (Expenditure and Donations) (Jersey) Regulations 200 P.82/2008

THE STATES commenced consideration of the Draft Public Elections (Expenditure and Donations) (Jersey) Regulations 200- and rejected a proposition of Senator James Leslie Perchard that, in accordance with Standing Order 84, the proposition should be put to the vote.

Members present voted as follows –

POUR: 17

Senator F.H. Walker
Senator P.F.C. Ozouf
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Deputy of St. Martin

Deputy P.N. Troy (B)

Deputy of St. Peter
Deputy of Trinity
Deputy S. Pitman (H)
Deputy of St. John

CONTRE: 28

Senator S. Syvret
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren
(S)
Deputy R.G. Le Hérissier
(S)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of Grouville
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

ABSTAIN: 0

(L)
Deputy S.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. Mary

THE STATES adopted the principles.

Members present voted as follows –

POUR: 41

Senator S. Syvret
Senator L. Norman
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
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 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 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 K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

CONTRE: 5

Connétable of Grouville
Connétable of St. Brelade
Deputy J.J. Huet (H)
Deputy G.P. Southern (H)
Deputy G.W.J. de Faye (H)

ABSTAIN: 0

THE STATES, having been informed that the relevant scrutiny panel had indicated that it wished to scrutinise

the draft legislation, agreed that the Second Reading of the Draft Public Elections (Expenditure and Donations) (Jersey) Regulations 200- should be deferred until its meeting of 8th September 2008.

In accordance with Standing Order 106(1)(b), the Deputy of St. John declared an interest but remained in the Chamber for the duration of the debate.

Draft Food Costs (Offset of Average GST) Bonus (Jersey) Regulations 200- P.90/2008

THE STATES commenced consideration of the Draft Food Costs (Offset of Average GST) Bonus (Jersey) Regulations 200- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 to 8 and the Schedules.

THE STATES rejected a proposition of Deputy Patrick John Dennis Ryan of St. Helier that, in accordance with Standing Order 85, the Assembly move to consideration of the next item on the Order Paper.

Members present voted as follows –

POUR: 6

Connétable of St. Martin
Deputy J.J. Huet (H)
Deputy G.C.L. Baudains (C)
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. John

CONTRE: 37

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 F.E. Cohen
Senator J.L. Perchard
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 A. Breckon (S)
Deputy of St. Martin
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 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 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)

ABSTAIN: 0

Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)

THE STATES, in pursuance of the Order in Council dated 28th March 1771, made Regulations entitled the Food Costs (Offset of Average GST) Bonus (Jersey) Regulations 2008.

Members present voted as follows –

POUR: 36

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 F.E. Cohen
Senator J.L. Perchard
Connétable of St. Clement
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
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.B. Fox (H)
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 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 I.J. Gorst (C)
Deputy of St. Mary

CONTRE: 7

Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy G.C.L. Baudains
(C)
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy S. Pitman (H)
Deputy of St. John

ABSTAIN: 0

Brompton Villa, Belize House and Belize Cottage/Store, Great Union Road, St. Helier: proposed Deed of Arrangement P.92/2008

THE STATES, adopting a proposition of the Minister for Treasury and Resources –

- (a) agreed that a deed of arrangement should be passed between the public as the owner of “Brompton Villa”, Mr. Christopher Clifford as the owner of “Belize House” and Hebden

Limited as the owner of “Belize Cottage and store”, Great Union Road, St. Helier (as shown on Drawing No. 951/14 D1), to agree the boundary between the public property and the two adjoining private properties, with Hebden Limited and/or its predecessor in title to bear the public’s costs in connection with passing the contract before the Royal Court; and

- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contracts on behalf of the public.

Tevielka, La Rue de la Haye du Puits, Grouville: proposed Deed of Arrangement for southwest boundary P.93/2008

THE STATES, adopting a proposition of the Minister for Treasury and Resources –

- (a) agreed that a deed of arrangement should be passed between the public, as owner of “Tevielka”, La Rue de la Haye du Puits, Grouville, and the prospective owner(s) of number “Le Parterre” and Mr. Wayne Bradley Meiring as owner of number 2 “Le Parterre” in order to agree the southwest boundary of “Tevielka”, La Rue de la Haye du Puits, Grouville, and the properties as shown on Drawing No. 1413/08/105 with each party responsible for their own legal costs in respect of passing contract before the Royal Court; and
- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contracts on behalf of the public.

Draft Companies (Amendment No. 9) (Jersey) Law 2008 (Appointed Day) Act 200 P.109/2008

THE STATES, in pursuance of Article 32(3) of the Companies (Amendment No. 9) (Jersey) Law 2008, made an Act entitled the Companies (Amendment No. 9) (Jersey) Law 2008 (Appointed Day) Act 2008.

Draft Referendum (Adoption of Central European Time) (Jersey) Act 200- P.110/2008

THE STATES, in pursuance of Article 1(1) of the Referendum (Jersey) Law 2002 made an Act entitled the Referendum (Adoption of Central European Time) (Jersey) Act 2008.

Change in Presidency

THE STATES re-assembled after the lunch adjournment under the Presidency of the Bailiff.

Draft Howard Davis Farm (Abrogation of Covenant) (Jersey) Law 200- P.95/2008

THE STATES commenced consideration of the Draft Howard Davis Farm (Abrogation of Covenant) (Jersey) Law 200- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Article 1.

THE STATES commenced consideration of Article 2 and the Schedule and adopted an amendment of Deputy Ian Joseph Gorst of St. Clement, that in clauses (a) and (b) of sub-paragraph (3) of paragraph 5 of the Schedule for the words “3 years” there should be substituted the words “2 years”.

Members present voted as follows –

POUR: 33

Senator F.H. Walker
Senator W. Kinnard

CONTRE: 1

Deputy J.J. Huet (H)

ABSTAIN: 3

Senator T.A. Le Sueur
Deputy G.W.J. de Faye (H)

Senator P.F. Routier

Deputy J.A.N. Le Fondré
(L)

Connétable of St. Mary
Connétable of St. Clement
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
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 P.V.F. Le Claire (H)
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 K.C. Lewis (S)
Deputy I.J. Gorst (C)

THE STATES adopted Article 2 and the Schedule as amended.

THE STATES, having adopted Articles 3 to 6, and subject to the sanction of Her Most Excellent Majesty in Council, made a Law entitled the Howard Davis Farm (Abrogation of Covenant) (Jersey) Law 200-.

In accordance with Standing Order 106(1)(a), Senators Philip Francis Cyril Ozouf and James Leslie Perchard declared an interest and withdrew from the Chamber for the duration of the debate.

Draft European Communities Legislation (Implementation) (Bovine Semen) (Jersey) Regulations 200-P.43/2008

THE STATES commenced consideration of the Draft European Communities Legislation (Implementation) (Bovine Semen) (Jersey) Regulations 200.

In accordance with Standing Order 106(1)(a), Senators Philip Francis Cyril Ozouf and James Leslie Perchard declared an interest and withdrew from the Chamber for the duration of the debate.

Statements on a matter of official responsibility

(see Official Report/Hansard)

H.M. Attorney General made a statement regarding retrospective prosecutions under the Draft Public Elections (Expenditure and Donations) (Jersey) Regulations 200.

Adjournment

THE STATES adjourned, having agreed to reconvene on Friday 18th July 2008 to continue consideration of the Draft European Communities Legislation (Implementation) (Bovine Semen) (Jersey) Regulations 200 and the outstanding items of public business.

THE STATES rose at 6.37 p.m.

M.N. DE LA HAYE

Greffier of the States