

**THE STATES assembled on Thursday,  
22nd July 2004 at 9.30 a.m. under  
the Presidency of the Bailiff,  
Sir Philip Bailhache.**

All members were present with the exception of –

Senator Paul Vincent Francis Le Claire– out of the Island  
Senator Edward Philip Vibert– out of the Island  
John Baudains Germain, Connétable of St. Martin– ill  
Terence John Le Main, Deputy of St. Helier– out of the Island  
Celia Joyce Scott Warren, Deputy of St. Saviour– out of the Island  
Judith Ann Martin, Deputy of St. Helier– absent  
Julian Alexander Bernstein, Deputy of St. Brelade– out of the Island  
James Gordon Reed, Deputy of St. Ouen– absent  
Patrick John Ryan, Deputy of St. Helier– out of the Island

Prayers

**Public and political access to economic models – P.121/2004  
Comments – P.121/2004.Com.**

THE STATES commenced consideration of a proposition of Senator Stuart Syvret concerning public and political access to economic models, and, following discussion, granted leave to Senator Syvret to withdraw paragraph (b) of the proposition seeking asking them to agree that the Finance and Economics Committee be required to make available for public access at the Public Library computers equipped with any electronic models, produced at public expense.

THE STATES, adopting paragraph (a) of the proposition, agreed that the Finance and Economics Committee be required to make available to any States member who so requested a copy of any electronic models, produced at public expense, designed to assist in developing economic or taxation policies.

Members present voted as follows –

**POUR: 35**

Senator J.A. Le Maistre  
Senator S. Syvret  
Senator F.H. Walker  
Senator W. Kinnard  
Senator T.A. Le Sueur  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator R.J. Shenton  
Connétable of St. Ouen  
Connétable of St. Saviour  
Connétable of St. Brelade  
Connétable of St. Mary  
Connétable of St. Peter  
Connétable of St. Clement  
Connétable of Trinity  
Connétable of St. Lawrence

**CONTRE: 3**

Senator P.F.C. Ozouf  
Deputy of St. Mary  
Deputy G.W.J de Faye (H)

**ABSTAIN: 0**

Connétable of Grouville  
Connétable of St. John  
Deputy of Trinity  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy of St. Martin  
Deputy of St. John  
Deputy J.L. Dorey (H)  
Deputy P.N. Troy (B)  
Deputy R.G. Le Hérissier (S)  
Deputy J.B. Fox (H)  
Deputy J-A. Bridge (H)  
Deputy G.P. Southern (H)  
Deputy S.C. Ferguson (B)  
Deputy M.A. Taylor (C)  
Deputy of Grouville  
Deputy of St. Peter  
Deputy J.A. Hilton (H)

### **Change in Presidency**

The Bailiff retired from the Chair during consideration of the proposition of Senator Stuart Syvret concerning public and political access to economic models, (P.121/2004 lodged “au Greffe” on 22nd June 2004), and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States.

### **Minimum Wage: proposed rates – P.130/2004 Amendment – P.130/2004.Amd.**

THE STATES commenced consideration of a proposition of the Employment and Social Security Committee concerning minimum wage: proposed rates, and of an amendment presented by Deputy Geoffrey Peter Southern of St. Helier, that paragraph (c) be deleted, which amendment was subsequently lodged “au Greffe” by the Deputy of St. John.

Senator Stuart Syvret and Senator Frank Harrison Walker sought leave for a ruling from the Bailiff regarding the need for any member to declare a financial interest if engaged in a private business in which the proposed rates of minimum wage might apply to employees engaged by that business. The Bailiff ruled, under Standing Order 44 (1), that any such members should not be construed as having a direct pecuniary interest which was immediate and personal and not merely of a general and remote character, and accordingly such members had no need to declare a financial interest.

THE STATES, following further discussion, and in accordance with its decision of 26th May 2004, regarding the closure of a debate, adopted a proposition of the Deputy of St. John that the question be now put.

Members present voted as follows –

#### **POUR: 24**

Senator J.A. Le Maistre  
Senator W. Kinnard  
Senator T.A. Le Sueur  
Senator R.J. Shenton  
Connétable of St. Ouen

#### **CONTRE: 13**

Senator S. Syvret  
Senator F.H. Walker  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator P.F.C. Ozouf

#### **ABSTAIN: 0**

Connétable of St. Brelade  
Connétable of St. Mary  
Connétable of St. Peter  
Connétable of Trinity  
Connétable of Grouville  
Connétable of St. John  
Deputy of Trinity  
Deputy of St. Martin  
Deputy of St. John  
Deputy M.F. Dubras (L)  
Deputy G.C.L. Baudains  
(C)  
Deputy J.L. Dorey (H)  
Deputy J.B. Fox (H)  
Deputy J-A. Bridge (H)  
Deputy S.C. Ferguson (B)  
Deputy of St. Mary  
Deputy M.A. Taylor (C)  
Deputy of St. Peter  
Deputy J.A. Hilton (H)

Connétable of St. Clement  
Connétable of St. Helier  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy P.N. Troy (B)  
Deputy G.P. Southern (H)  
Deputy G.W.J de Faye (H)

THE STATES rejected paragraph (c) of the proposition requesting them to approve the intention of the Employment and Social Security Committee to make Orders under Article 16(3) of the Employment (Jersey) Law 2003, fixing an hourly youth minimum wage rate of £3.82 for an employee between 16 and 18 years of age, i.e between school leaving age and up to, but not including, age 18.

Members present voted as follows –

**POUR: 15**

Senator J.A. Le Maistre  
Senator F.H. Walker  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Connétable of St. Brelade  
Connétable of St. Peter  
Connétable of Trinity  
Connétable of Grouville  
Deputy of St. John  
Deputy M.F. Dubras (L)  
Deputy J.L. Dorey (H)  
Deputy P.N. Troy (B)  
Deputy S.C. Ferguson (B)  
Deputy of St. Mary

**CONTRE: 25**

Senator S. Syvret  
Senator W. Kinnard  
Senator T.A. Le Sueur  
Senator R.J. Shenton  
Connétable of St. Ouen  
Connétable of St. Saviour  
Connétable of St. Mary  
Connétable of St. Clement  
Connétable of St. Helier  
Connétable of St. John  
Deputy of Trinity  
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 R.G. Le Hérissier (S)  
Deputy J.B. Fox (H)  
Deputy J-A. Bridge (H)  
Deputy G.P. Southern (H)  
Deputy M.A. Taylor (C)  
Deputy of Grouville  
Deputy of St. Peter

**ABSTAIN: 0**

Deputy J.A. Hilton (H)  
Deputy G.W.J de Faye (H)

THE STATES adopted paragraph (b) of the proposition requesting them to approve the intention of the Employment and Social Security Committee to make Orders under Article 16(3) of the Employment (Jersey) Law 2003, fixing an hourly trainee minimum wage rate of £3.82 for an employee of any age who was undertaking accredited training for a maximum period of one year, when in a new job, with a new employer, by written agreement.

Members present voted as follows –

**POUR: 38**

**CONTRE: 2**

**ABSTAIN: 0**

Senator J.A. Le Maistre  
Senator S. Syvret  
Senator F.H. Walker  
Senator T.A. Le Sueur  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Senator R.J. Shenton  
Connétable of St. Ouen  
Connétable of St. Saviour  
Connétable of St. Brelade  
Connétable of St. Mary  
Connétable of St. Peter  
Connétable of St. Clement  
Connétable of St. Helier  
Connétable of Trinity  
Connétable of Grouville  
Connétable of St. John  
Deputy of Trinity  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy of St. Martin  
Deputy of St. John  
Deputy M.F. Dubras (L)  
Deputy G.C.L. Baudains  
(C)  
Deputy J.L. Dorey (H)  
Deputy P.N. Troy (B)  
Deputy R.G. Le Hérisier (S)  
Deputy J.B. Fox (H)  
Deputy G.P. Southern (H)  
Deputy S.C. Ferguson (B)  
Deputy of St. Mary  
Deputy M.A. Taylor (C)  
Deputy of Grouville  
Deputy of St. Peter  
Deputy J.A. Hilton (H)  
Deputy G.W.J de Faye (H)

Senator W. Kinnard  
Deputy J-A. Bridge (H)

THE STATES adopted paragraph (a) of the proposition, amended as a consequence of having rejected paragraph (c), requesting them to approve the intention of the Employment and Social Security Committee to

make Orders under Article 16(3) of the Employment (Jersey) Law 2003, fixing an hourly minimum wage rate of £5.08, to apply to all employees over school leaving age, except when the trainee rate was paid.

Members present voted as follows –

**POUR: 40**

**CONTRE: 0**

**ABSTAIN: 0**

Senator J.A. Le Maistre  
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 R.J. Shenton  
Connétable of St. Ouen  
Connétable of St. Saviour  
Connétable of St. Brelade  
Connétable of St. Mary  
Connétable of St. Peter  
Connétable of St. Clement  
Connétable of St. Helier  
Connétable of Trinity  
Connétable of Grouville  
Connétable of St. John  
Deputy of Trinity  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy of St. Martin  
Deputy of St. John  
Deputy M.F. Dubras (L)  
Deputy G.C.L. Baudains  
(C)  
Deputy J.L. Dorey (H)  
Deputy P.N. Troy (B)  
Deputy R.G. Le Hérissier (S)  
Deputy J.B. Fox (H)  
Deputy J-A. Bridge (H)  
Deputy G.P. Southern (H)  
Deputy S.C. Ferguson (B)  
Deputy of St. Mary  
Deputy M.A. Taylor (C)  
Deputy of Grouville  
Deputy of St. Peter  
Deputy J.A. Hilton (H)  
Deputy G.W.J de Faye (H)

Deputy Lyndon John Farnham of St. Saviour declared an interest and withdrew from the Chamber during consideration of the proposition.

**Change in Presidency**

The Bailiff returned to the Chamber during consideration of the proposition of the Employment and Social Security Committee concerning minimum wage: proposed rates, (P.130/2004 lodged “au Greffe” on 6th July 2004), and the meeting continued under his presidency.

**Draft Employment (Minimum Wage) (Jersey) Regulations 200- P.131/2004**

THE STATES, in pursuance of Articles 17, 18 and 104 of the Employment (Jersey) Law 2003, made Regulations entitled Employment (Minimum Wage) (Jersey) Regulations 2004.

Members present voted as follows –

**POUR: 36**

**CONTRE: 0**

**ABSTAIN: 0**

Senator J.A. Le Maistre  
Senator L. Norman  
Senator F.H. Walker  
Senator W. Kinnard  
Senator T.A. Le Sueur  
Senator P.F. Routier  
Senator P.F.C. Ozouf  
Senator R.J. Shenton  
Connétable of St. Ouen  
Connétable of St. Saviour  
Connétable of St. Brelade  
Connétable of St. Mary  
Connétable of St. Peter  
Connétable of St. Clement  
Connétable of St. Helier  
Connétable of Trinity  
Connétable of Grouville  
Connétable of St. John  
Deputy of Trinity  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy of St. Martin  
Deputy of St. John  
Deputy M.F. Dubras (L)  
Deputy G.C.L. Baudains  
(C)  
Deputy J.L. Dorey (H)  
Deputy P.N. Troy (B)  
Deputy R.G. Le Hérisier (S)  
Deputy J-A. Bridge (H)  
Deputy G.P. Southern (H)  
Deputy S.C. Ferguson (B)  
Deputy of St. Mary  
Deputy M.A. Taylor (C)  
Deputy of St. Peter  
Deputy J.A. Hilton (H)  
Deputy G.W.J de Faye (H)

**U.N. convention on Wetlands of International Importance: designation of offshore reefs – P.103/2004**

THE STATES commenced consideration of a proposition of the Environment and Public Services Committee concerning the U.N. convention on Wetlands of International Importance: designation of offshore reefs, and, after discussion, the Bailiff, in accordance with Standing Order 26(1), disallowed a proposition of the Deputy of Trinity that the matter be referred back to the Environment and Public Services Committee. Following further discussion, the Connétable of Grouville sought leave to propose that the question be now put. The Bailiff ruled that, in accordance with a decision of the States of 26th May 2004, regarding the closure of a debate, the proposition of the Deputy of St. John was an infringement of the rights of the minority, and the proposition was disallowed.

THE STATES, after further discussion, and in accordance with its decision of 26th May 2004, regarding the closure of a debate, adopted a proposition of Senator Jean Amy Le Maistre that the question be now put.

Members present voted as follows –

**POUR: 27**

Senator J.A. Le Maistre  
Senator L. Norman  
Senator F.H. Walker  
Senator W. Kinnard  
Senator P.F. Routier  
Connétable of St. Ouen  
Connétable of St. Saviour  
Connétable of St. Brelade  
Connétable of St. Mary  
Connétable of St. Peter  
Connétable of St. Clement  
Connétable of St. Helier  
Connétable of Trinity  
Connétable of Grouville  
Connétable of St. John  
Deputy of Trinity  
Deputy R.C. Duhamel (S)  
Deputy of St. Martin  
Deputy M.F. Dubras (L)  
Deputy J.L. Dorey (H)  
Deputy P.N. Troy (B)  
Deputy L.J. Farnham (S)  
Deputy R.G. Le Hérissier (S)  
Deputy J.B. Fox (H)  
Deputy of St. Mary  
Deputy M.A. Taylor (C)  
Deputy of St. Peter

**CONTRE: 7**

Senator S. Syvret  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy of St. John  
Deputy G.W.J de Faye (H)

**ABSTAIN: 0**

THE STATES adopting a proposition of the Environment and Public Services Committee –

- (a) agreed that the areas of the shaded area on the Map attached to the proposition should be designated as Wetlands of International Importance under the terms of the Convention on Wetlands of International Importance, as amended, (“the Ramsar Convention”), which applied to Jersey; and authorised the Greffier of the States to sign the said Map;
- (b) charged the Environment and Public Services Committee to prepare a formal application under the terms of the Ramsar Convention for the designation of the areas and requested the Bailiff to transmit the application formally to the Secretary of State for Constitutional Affairs through the official channels; and,

- (c) charged those Committees of the States with administrative responsibilities for activities taking place in the area to be designated, (including the Economic Development, Environment and Public Services and Harbours and Airport Committees), to conduct their activities in that area in compliance with the conservation principles of the Ramsar Convention.

Members present voted as follows –

**POUR: 33**

Senator J.A. Le Maistre  
Senator S. Syvret  
Senator L. Norman  
Senator F.H. Walker  
Senator W. Kinnard  
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. Peter  
Connétable of St. Clement  
Connétable of St. Helier  
Connétable of Trinity  
Connétable of Grouville  
Connétable of St. John  
Deputy of Trinity  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy of St. Martin  
Deputy M.F. Dubras (L)  
Deputy J.L. Dorey (H)  
Deputy P.N. Troy (B)  
Deputy L.J. Farnham (S)  
Deputy R.G. Le Hérissier (S)  
Deputy J.B. Fox (H)  
Deputy S.C. Ferguson (B)  
Deputy of St. Mary  
Deputy M.A. Taylor (C)  
Deputy of St. Peter  
Deputy J.A. Hilton (H)

**CONTRE: 3**

Deputy R.C. Duhamel (S)  
Deputy of St. John  
Deputy G.W.J de Faye (H)

**ABSTAIN: 0**

THE STATES rose at 1.45 p.m.

**M.N. DE LA HAYE**

*Greffier of the States.*