

**THE STATES assembled on Wednesday,  
20th July 2005 at 9.30 a.m. under the  
Presidency of Mr. Michael Nelson de la Haye,  
Greffier of the States.**

All members were present with the exception of –

Senator Leonard Norman – out of the Island  
Senator Frank Harrison Walker – ill  
Senator Wendy Kinnard – ill  
Senator Terence Augustine Le Sueur– out of the Island  
Senator Edward Philip Vibert– ill  
Jennifer-Anne Bridge, Deputy of St. Helier– not present.

Prayers read by the Deputy Greffier of the States

**Matters lodged**

The following matter was lodged “au Greffe” –

Speeding fines: allocation of funds to Parishes. P.156/2005.  
*Presented by the Deputy of St. Martin, and referred to the Finance and Economics  
and the Home Affairs Committees.*

**Arrangement of public business for the present meeting**

THE STATES agreed to defer consideration of the following matter set down for consideration at the present meeting, to a later date –

Field 571, La Rue du Puits Mahaut, Grouville: petition. P.147/2005  
Lodged: 12th July 2005.  
*Deputy of Grouville.*

Field 571, La Rue du Puits Mahaut, Grouville: petition (P.147/2005)– comments. P.147/2005.  
Presented: 19th July 2005. Com.  
*Environment and Public Services Committee.*

**Arrangement of public business for the next meeting on 13th September 2005**

THE STATES confirmed that the following matter lodged “au Greffe” would be considered at the next meeting on 13th September 2005 –

Field 571, La Rue du Puits Mahaut, Grouville: petition. P.147/2005  
Lodged: 12th July 2005.  
*Deputy of Grouville.*

Field 571, La Rue du Puits Mahaut, Grouville: petition (P.147/2005)– comments. P.147/2005.  
Presented: 19th July 2005. Com.  
*Environment and Public Services Committee.*

**Draft Shops (Sunday Trading) (Trial Arrangements) (Jersey) Regulations 200- P. 108/2005**  
*(re-issue)*

**Comments**

THE STATES commenced consideration of the Preamble to the Draft Shops (Sunday Trading) (Trial Arrangements) (Jersey) Regulations 200-, and, following consideration, Senator Michael Edward Vibert proposec that, in accordance with Standing Order 26, the matter be referred back to the Legislation Committee. The President ruled that the effect of such a proposition to refer the question back was to negative the question and it was therefore disallowed.

THE STATES rejected a proposition of Senator Michael Edward Vibert that, in accordance with Standing Order 27, the States move to the consideration of the next item on the Order Paper.

Members present voted as follows –

**POUR: 16**

Senator J.A. Le Maistre  
Senator P.V.F. Le Claire  
Senator M.E. Vibert  
Senator R.J. Shenton  
Connétable of St. Martin  
Connétable of St. Lawrence  
Deputy of Trinity  
Deputy of St. John  
Deputy J.L. Dorey (H)  
Deputy F.G. Voisin (L)  
Deputy C.J. Scott Warren (S)  
Deputy J.A. Bernstein (B)  
Deputy of St. Ouen  
Deputy M.A. Taylor (C)  
Deputy of Grouville  
Deputy of St. Peter

**CONTRE: 25**

Senator P.F.C. Ozouf  
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 R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy of St. Martin  
Deputy T.J. Le Main (H)  
Deputy M.F. Dubras (L)  
Deputy G.C.L. Baudains (C)  
Deputy P.N. Troy (B)  
Deputy R.G. Le Hérisier  
(S)  
Deputy J.B. Fox (H)  
Deputy J.A. Martin (H)  
Deputy S.C. Ferguson (B)  
Deputy of St. Mary  
Deputy P.J.D. Ryan (H)  
Deputy J.A. Hilton (H)  
Deputy G.W.J. de Faye (H)

**ABSTAIN: 0**

THE STATES, following further consideration of the Preamble to the Draft Shops (Sunday Trading) (Trial Arrangements) (Jersey) Regulations 200-, adopted a proposition of the Connétable of Grouville that, in accordance with Standing Order 26A(1), the question be now put.

Members present voted as follows –

**POUR: 19**

Senator R.J. Shenton  
Connétable of St. Martin  
Connétable of St. Clement

**CONTRE: 17**

Senator S. Syvret  
Senator P.F.C. Ozouf  
Connétable of St. Ouen

**ABSTAIN: 0**

Connétable of St. Lawrence  
Connétable of Grouville  
Connétable of St. John  
Deputy of Trinity  
Deputy R.C. Duhamel (S)  
Deputy of St. John  
Deputy T.J. Le Main (H)  
  
Deputy J.L. Dorey  
Deputy F.G. Voisin (L)  
Deputy R.G. Le Hérisssier (S)  
Deputy J.B. Fox (H)  
Deputy J.A. Bernstein (B)  
Deputy S.C. Ferguson (B)  
Deputy of St. Mary  
Deputy of St. Peter  
Deputy J.A. Hilton (H)

Connétable of St. Peter  
Connétable of St. Helier  
Connétable of Trinity  
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 J.A. Martin (H)  
Deputy of St. Ouen  
Deputy P.J.D. Ryan (H)  
Deputy M.A. Taylor (C)  
Deputy of Grouville  
Deputy G.W.J. de Faye (H)

THE STATES rejected the Preamble.

Members present voted as follows on the Preamble –

**POUR: 10**

Senator P.F.C. Ozouf  
Connétable of St. Clement  
Connétable of Grouville  
Deputy R.C. Duhamel (S)  
Deputy of St. Martin  
Deputy G.C.L. Baudains (C)  
Deputy P.N. Troy (B)  
Deputy of St. Mary  
Deputy P.J.D. Ryan (H)  
Deputy G.W.J. de Faye (H)

**CONTRE: 32**

Senator S. Syvret  
Senator P.V.F. Le Claire  
Senator M.E. Vibert  
Senator R.J. Shenton  
Connétable of St. Martin  
Connétable of St. Ouen  
Connétable of St. Saviour  
Connétable of St. Brelade  
Connétable of St. Peter  
Connétable of St. Helier  
Connétable of Trinity  
Connétable of St. Lawrence  
Connétable of St. John  
Deputy of Trinity  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy of St. John  
Deputy T.J. Le Main (H)  
Deputy J.L. Dorey (H)  
Deputy F.G. Voisin (L)  
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 J.A. Bernstein (B)  
Deputy S.C. Ferguson (B)  
Deputy of St. Ouen  
Deputy M.A. Taylor (C)  
Deputy of Grouville  
Deputy of St. Peter  
Deputy J.A. Hilton (H)

**ABSTAIN: 0**

Senator Paul Francis Routier and Deputy Lyndon John Farnham of St. Saviour both declared an interest and withdrew from the Chamber prior to the consideration of this matter.

**Units 1 and 2, L’Avenue Le Bas, La Rue des Prés Trading Estate re-assignment of leases –P.104/2005  
Comments**

THE STATES commenced consideration of a proposition of the Committee for Postal Administration concerning Units 1 and 2, L’Avenue Le Bas, La Rue des Prés Trading Estate re-assignment of leases, and, following consideration, adopted a proposition of Deputy Gerard Clifford Lemmens Baudains of St. Clement that, in accordance with Standing Order 26A(1), the question be now put.

Members present voted as follows –

**POUR: 21**

Senator J.A. Le Maistre  
Senator P.F. Routier  
Senator R.J. Shenton  
Connétable of St. Martin  
Connétable of St. Brelade  
Connétable of St. Mary  
Connétable of St. Peter  
Connétable of Trinity  
  
Connétable of St. Lawrence  
Connétable of Grouville  
Connétable of St. John  
Deputy of Trinity  
Deputy R.C. Duhamel (S)  
Deputy of St. Martin  
Deputy T.J. Le Main (H)  
Deputy G.C.L. Baudains (C)  
Deputy J.B. Fox (H)  
Deputy S.C. Ferguson (B)  
Deputy M.A. Taylor (C)  
Deputy of St. Peter  
Deputy J.A. Hilton (H)

**CONTRE: 17**

Senator S. Syvret  
Senator M.E. Vibert  
Connétable of St. Clement  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy J.L. Dorey (H)  
Deputy P.N. Troy (B)  
Deputy F.G. Voisin (L)  
Deputy C.J. Scott Warren (S)  
Deputy R.G. Le Hérisier (S)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy of St. Mary  
Deputy of St. Ouen  
Deputy P.J.D. Ryan (H)  
Deputy of Grouville  
Deputy G.W.J. de Faye (H)

**ABSTAIN: 0**

THE STATES, adopting a proposition of the Committee for Postal Administration –

- (a) approved the assignment of a 21 year lease, expiring on 30th June 2016, currently between Mrs. F Parrington-Jackson as lessor and Jackson’s Garage Limited as lessee, to the Committee for Postal Administration, in respect of Unit 1, 46 L’Avenue Le Bas, Rue des Prés Trading Estate, St. Saviou Jersey of approximately 21,539 square feet at a passing rent of £199,144 per annum (provided that the assignor had agreed to providing 2 months rentfree immediately following assignment of the lease) and with rent reviews every 3 years to the greater of market value or the Jersey Cost of Living and with the next review being due on 1st July 2007;
- (b) approved the assignment of a 21 year lease, expiring on 31st December 2009, currently between Mrs. F Parrington-Jackson as lessor and St. Helier Garages Limited as lessee, to the Committee for Postal Administration, in respect of Unit 2, 46 L’Avenue Le Bas, Rue des Prés Trading Estate, St. Saviou Jersey of approximately 18,232 square feet at a passing rent of £150,000 per annum (provided that the assignor had agreed to providing 2 months rentfree immediately following assignment of the lease) and with rent reviews every 3 years to the greater of open market value or the Jersey Cost of Living and with

the next review being due on 1st January 2006;

- (c) authorised the Committee for Postal Administration, to pay –
- (i) the rents as they became due;
  - (ii) stamp duty amounting to approximately £18,000 relating to the registration with the Royal Court of the assignment of the lease in respect of Unit 1, 46 L’Avenue Le Bas, Rue des Prés Trading Estate St. Saviour, Jersey; and,
  - (iii) stamp duty amounting to approximately £4,500 relating to the registration with the Royal Court of the assignment of the lease in respect of Unit 2, 46 L’Avenue Le Bas, Rue des Prés Trading Estate St. Saviour, Jersey; and,
- (d) authorised the Attorney General and the Greffier of the States to pass the necessary contracts on behalf of the public.

Members present voted as follows –

**POUR: 42**

Senator J.A. Le Maistre  
Senator P.V.F. Le Claire  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Senator R.J. Shenton  
Connétable of St. Martin  
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  
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 T.J. Le Main (H)  
Deputy M.F. Dubras (L)  
Deputy G.C.L. Baudains (C)  
Deputy J.L. Dorey (H)  
Deputy P.N. Troy (B)  
Deputy F.G. Voisin (L)  
Deputy C.J. Scott Warren (S)  
Deputy R.G. Le Hérissier (S)  
Deputy J.B. Fox (H)  
Deputy J.A. Martin (H)  
Deputy J.A. Bernstein (B)  
Deputy S.C. Ferguson (B)  
Deputy of St. Mary

**CONTRE: 3**

Senator S. Syvret  
Deputy J.J. Huet (H)  
Deputy G.P. Southern (H)

**ABSTAIN: 0**

Deputy of St. Ouen  
Deputy P.J.D. Ryan (H)  
Deputy M.A. Taylor (C)  
Deputy of Grouville  
Deputy of St. Peter  
Deputy J.A. Hilton (H)  
Deputy G.W.J. de Faye (H)

### **Change in Presidency**

The Deputy Bailiff assumed the presidency after the lunch adjournment during consideration of the proposition of the Committee for Postal Administration concerning Units 1 and 2, L'Avenue Le Bas, La Rue des Pres Tradin Estate re-assignment of leases, (P.104/2005 lodged "au Greffe" on 7th June 2005), and the meeting continued under his presidency.

### **Draft Restriction on Smoking (Amendment) (Jersey) Law 200- P.111/2005 Amendment**

The States commenced consideration of the Draft Restriction on Smoking (Amendment) (Jersey) Law 200-, and adopted the Preamble.

THE STATES adopted Articles 1 to 4.

THE STATES commenced consideration of Article 5, and rejected an amendment of Deputy Jeremy Laurence Dorey of St. Helier that proposed Article 1A in Article 5 be deleted.

Members present voted as follows on the amendment –

#### **POUR: 8**

Connétable of St. Martin  
Connétable of St. Saviour  
Connétable of St. Brelade  
Connétable of Grouville  
Deputy G.C.L. Baudains (C)  
Deputy J.L. Dorey (H)  
Deputy of St. Ouen  
Deputy G.W.J. de Faye

#### **CONTRE: 37**

Senator J.A. Le Maistre  
Senator S. Syvret  
Senator P.V.F. Le Claire  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Senator R.J. Shenton  
Connétable of St. Ouen  
Connétable of St. Mary  
Connétable of St. Peter  
Connétable of St. Clement  
Connétable of Trinity  
Connétable of St. Lawrence  
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 T.J. Le Main (H)  
Deputy M.F. Dubras (L)  
Deputy P.N. Troy (B)  
Deputy F.G. Voisin (L)

#### **ABSTAIN: 0**

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 J.A. Bernstein (B)  
Deputy S.C. Ferguson (B)  
Deputy of St. Mary  
Deputy P.J.D. Ryan (H)  
Deputy M.A. Taylor (C)  
Deputy of Grouville  
Deputy of St. Peter  
Deputy J.A. Hilton (H)

THE STATES noted that following the rejection of the amendment, other consequential amendments lodged by Deputy Jeremy Laurence Dorey of St. Helier were deemed to have been withdrawn.

THE STATES adopted Article 5.

Members present voted as follows –

**POUR: 38**

Senator J.A. Le Maistre  
Senator S. Syvret  
Senator P.F.V. Le Claire  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Senator R.J. Shenton  
Connétable of St. Martin  
Connétable of St. Saviour  
Connétable of St. Mary  
Connétable of St. Peter  
Connétable of St. Clement  
Connétable of Trinity  
Connétable of St. Lawrence  
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 T.J. Le Main (H)  
Deputy M.F. Dubras (L)  
Deputy P.N. Troy (H)  
Deputy F.G. Voisin (L)  
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 J.A. Bernstein (B)  
Deputy S.C. Ferguson (B)  
Deputy of St. Mary  
Deputy P.J.D. Ryan (H)

**CONTRE: 3**

Deputy G.C.L. Baudains (C)  
Deputy J.L. Dorey (H)  
Deputy of St. Ouen

**ABSTAIN: 1**

Connétable of Grouville

Deputy M.A. Taylor (C)  
Deputy of Grouville  
Deputy of St. Peter  
Deputy J.A. Hilton (H)  
Deputy G.W.J. de Faye (H)

THE STATES adopted Articles 6 to 9.

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

Members present voted as follows –

**POUR: 37**

Senator J.A. Le Maistre  
Senator S. Syvret  
Senator P.F.V. Le Claire  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Senator R.J. Shenton  
Connétable of St. Martin  
Connétable of St. Saviour  
Connétable of St. Mary  
Connétable of St. Peter  
Connétable of St. Clement  
Connétable of Trinity  
Connétable of St. Lawrence  
Connétable of St. John  
Deputy of Trinity  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy of St. Martin  
Deputy T.J. Le Main (H)  
Deputy M.F. Dubras (L)  
Deputy P.N. Troy (H)  
Deputy F.G. Voisin (L)  
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 J.A. Bernstein (B)  
Deputy S.C. Ferguson (B)  
Deputy of St. Mary  
Deputy of St. Ouen  
Deputy P.J.D. Ryan (H)  
Deputy M.A. Taylor (C)  
Deputy of Grouville  
Deputy of St. Peter  
Deputy J.A. Hilton (H)

**CONTRE: 2**

Deputy G.C.L. Baudains (C)  
Deputy G.W.L. de Faye (H)

**ABSTAIN: 1**

Connétable of Grouville

**Restriction on smoking in closed workplaces – P.126/2005**  
**Comments**



THE STATES, adopting a proposition of the Health and Social Services Committee –

- (a) agreed, in principle, that smoking should be prohibited in enclosed workplaces; and
- (b) charged the Health and Social Services Committee to consult on the detail of the Law and then to bring forward for approval the appropriate legislation to give legal effect to the decision contained in paragraph (a).

Members present voted as follows –

**POUR: 32**

Senator J.A. Le Maistre  
Senator S. Syvret  
Senator P.V.F. Le Claire  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Senator R.J. Shenton  
Connétable of St. Martin  
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  
Connétable of Grouville  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy of St. Martin  
Deputy T.J. Le Main (H)  
Deputy P.N. Troy (H)  
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 P.J.D. Ryan (H)  
Deputy M.A. Taylor (C)  
Deputy of Grouville  
Deputy of St. Peter

**CONTRE: 4**

Deputy G.C.L. Baudains (C)  
Deputy J.L. Dorey (H)  
Deputy F.G. Voisin (L)  
Deputy G.W.J. de Faye (H)

**ABSTAIN: 0**

THE STATES rose at 6.17 p.m.

**A.H. HARRIS**

*Deputy Greffier of the States.*