

**THE STATES assembled on Wednesday
28th September 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– out of the Island
Daniel Joseph Murphy, Connétable of Grouville – out of the Island
Peter Nicholas Troy, Deputy of St. Brelade– ill.

Prayers read by the Acting Dean of Jersey.

Matters presented

The following matters were presented to the States –

Draft Standing Orders of the States of Jersey (P.162/2005): amendment (P.162/2005 Amd.)– comments. <i>Presented by the Privileges and Procedures Committee.</i>	P.162/2005. Amd.Com.
Draft Standing Orders of the States of Jersey (P.162/2005): second amendments (P.162/2005 Amd.(2))– comments. <i>Presented by the Privileges and Procedures Committee.</i>	P.162/2005. Amd.(2)Com.
Draft Standing Orders of the States of Jersey (P.162/2005): fourth amendments (P.162/2005 Amd.(4))– comments. <i>Presented by the Privileges and Procedures Committee.</i>	P.162/2005. Amd.(4)Com.

THE STATES ordered that the said reports be printed and distributed.

Arrangement of public business for the present meeting

THE STATES confirmed that the following matters lodged “au Greffe”, and set down for consideration at the present meeting, would be considered in the following order on or after 4th October 2005 –

Draft Standing Orders of the States of Jersey. Lodged: 9th August 2005. <i>Privileges and Procedures Committee.</i>	P.162/2005.
Draft Standing Orders of the States of Jersey (P.162/2005): amendment. Lodged: 13th September 2005. <i>Deputy J.L. Dorey of St. Helier.</i>	P.162/2005. Amd.
Draft Standing Orders of the States of Jersey (P.162/2005): amendment (P.162/2005 Amd.)– comments. Presented: 28th September 2005. <i>Privileges and Procedures Committee.</i>	P.162/2005. Amd.Com.

Draft Standing Orders of the States of Jersey (P.162/2005): second amendments. Lodged: 13th September 2005. <i>Deputy G.P. Southern of St. Helier.</i>	P.162/2005. Amd.(2) (<i>re-issue</i>)
Draft Standing Orders of the States of Jersey (P.162/2005): second amendments (P.162/2005 Amd.(2))– comments. Presented: 28th September 2005. <i>Privileges and Procedures Committee.</i>	P.162/2005. Amd.(2)Com.
Draft Standing Orders of the States of Jersey (P.162/2005): third amendments. Lodged: 13th September 2005. <i>Privileges and Procedures Committee.</i>	P.162/2005. Amd.(3)
Draft Standing Orders of the States of Jersey (P.162/2005): fourth amendments. Lodged: 20th September 2005. <i>Senator S. Syvret.</i>	P.162/2005. Amd.(4)
Draft Standing Orders of the States of Jersey (P.162/2005): fourth amendments (P.162/2005 Amd.(4))– comments. Presented: 28th September 2005. <i>Privileges and Procedures Committee.</i>	P.162/2005. Amd.(4)Com.
Strategic Travel and Transport Plan. Lodged: 30th August 2005. <i>Environment and Public Services Committee.</i>	P.174/2005.
Strategic Travel and Transport Plan (P.174/2005): comments. Presented: 27th September 2005. <i>Finance and Economics Committee.</i>	P.174/2005. Com.
Strategic Travel and Transport Plan (P.174/2005): amendment. Lodged: 13th September 2005. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.174/2005. Amd.
Strategic Travel and Transport Plan (P.174/2005): amendment (P.174/2005 Amd.) – comments. Presented: 27th September 2005. <i>Environment and Public Services Committee.</i>	P.174/2005. Amd.Com.
Strategic Travel and Transport Plan (P.174/2005): second amendment. Lodged: 20th September 2005. <i>Deputy M.F. Dubras of St. Lawrence.</i>	P.174/2005. Amd.(2)
Strategic Travel and Transport Plan (P.174/2005): second amendment (P.174/2005 Amd.(2))– comments. Presented: 27th September 2005. <i>Environment and Public Services Committee.</i>	P.174/2005. Amd.(2)Com.

**St. Helier Waterfront Development: height of buildings– P.158/2005
Comments**

THE STATES resumed consideration of a proposition of Deputy Alan Breckon of St. Saviour concerning the St. Helier Waterfront Development: height of buildings, and, following consideration, rejected a proposition by the Deputy of St. Martin that, in accordance with Standing Order 26A(1), the question be now put.

Members present voted as follows –

POUR: 20

Senator L. Norman
Senator T.A. Le Sueur
Senator P.F.C. Ozouf
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Brelade
Connétable of St. Mary
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Lawrence
Connétable of St. John
Deputy of St. Martin
Deputy T.J. Le Main (H)
Deputy M.F. Dubras (L)
Deputy G.C.L. Baudains (C)
Deputy R.G. Le Hérisier (S)
Deputy J.A. Bernstein (B)
Deputy S.C. Ferguson (B)
Deputy of St. Mary
Deputy M.A. Taylor (C)

CONTRE: 22

Senator J.A. Le Maistre
Senator S. Syvret
Senator F.H. Walker
Senator W. Kinnard
Senator P.F. Routier
Senator M.E. Vibert
Connétable of St. Peter
Connétable of St. Clement
Deputy of Trinity
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy of St. John
Deputy J.L. Dorey (H)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)

ABSTAIN: 0

THE STATES, following further consideration, rejected the proposition of Deputy Alan Breckon of St. Saviour that any new buildings on the St. Helier Waterfront should not exceed 6 storeys in height and that the Environment and Public Services Committee be requested to take account of this opinion when considering any applications for development in that area.

Members present voted as follows –

POUR: 10

Senator J.A. Le Maistre
Senator S. Syvret
Senator P.V.F. Le Claire
Senator P.F. Routier
Connétable of St. Mary
Deputy A. Breckon (S)
Deputy G.C.L. Baudains (C)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)

CONTRE: 32

Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur
Senator M.E. Vibert
Senator P.F.C. Ozouf
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Brelade
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 J.J. Huet (H)
Deputy of St. Martin
Deputy T.J. Le Main (H)
Deputy M.F. Dubras (L)

ABSTAIN: 0

Deputy J.L. Dorey (H)
Deputy R.G. Le Hérisssier (S)
Deputy J-A. Bridge (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)
Deputy G.W.J. de Faye (H)

Goods and Services Tax: exempt or zero rated items – P.165/2005

THE STATES commenced consideration of a proposition of Senator Stuart Syvret and, following consideration, rejected paragraph (a) requesting that they refer to their Act dated 13th May 2005, in which they approved the introduction in 2008 of a broad based Goods and Services Tax (GST) at a rate of 3% fixed for 3 years, and to agree to vary that decision in order to exempt or zero rate basic foodstuffs.

Members present voted as follows –

POUR: 15

Senator J.A. Le Maistre
Senator S. Syvret
Senator W. Kinnard
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy of St. John
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 J.A. Bernstein (B)
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy J.A. Hilton (H)

CONTRE: 30

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. 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 of St. Martin
Deputy T.J. Le Main (H)
Deputy M.F. Dubras (L)
Deputy J.L. Dorey (H)
Deputy F.G. Voisin (L)
Deputy L.J. Farnham (S)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Mary
Deputy of St. Ouen
Deputy M.A. Taylor (C)
Deputy of St. Peter
Deputy G.W.J. de Faye (H)

ABSTAIN: 0

THE STATES rejected paragraph (b) requesting that they refer to their Act dated 13th May 2005, in which they approved the introduction in 2008 of a broad based Goods and Services Tax (GST) at a rate of 3% fixed for 3 years, and to agree to vary that decision in order to exempt or zero rate children's clothing.

Members present voted as follows –

POUR: 12

Senator J.A. Le Maistre
Senator S. Syvret
Senator W. Kinnard
Deputy A. Breckon (S)
Deputy of St. John
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy J.A. Bernstein (B)
Deputy of Grouville
Deputy J.A. Hilton (H)

CONTRE: 33

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. 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 J.J. Huet (H)
Deputy of St. Martin
Deputy T.J. Le Main (H)
Deputy M.F. Dubras (L)
Deputy J.L. Dorey (H)
Deputy F.G. Voisin (L)
Deputy L.J. Farnham (S)
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (H)
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 St. Peter
Deputy G.W.J. de Faye (H)

ABSTAIN: 0

THE STATES rejected paragraph (c) requesting that they refer to their Act dated 13th May 2005, in which they approved the introduction in 2008 of a broad based Goods and Services Tax (GST) at a rate of 3% fixed for 3 years, and to agree to vary that decision in order to exempt or zero rate medical services and products.

Members present voted as follows –

POUR: 17

Senator J.A. Le Maistre
Senator S. Syvret
Senator W. Kinnard
Connétable of St. Clement
Deputy A. Breckon (S)

CONTRE: 28

Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert

ABSTAIN: 0

Deputy of St. John
Deputy G.C.L. Baudains (C)
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 P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)

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 Trinity
Connétable of St. Lawrence
Connétable of St. John
Deputy of Trinity
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy T.J. Le Main (H)
Deputy M.F. Dubras (L)
Deputy J.L. Dorey (H)
Deputy F.G. Voisin (L)
Deputy L.J. Farnham (S)
Deputy S.C. Ferguson (B)
Deputy of St. Mary
Deputy of St. Ouen
Deputy M.A. Taylor (C)
Deputy G.W.J. de Faye (H)

THE STATES rejected paragraph (d) requesting that they refer to their Act dated 13th May 2005, in which they approved the introduction in 2008 of a broad based Goods and Services Tax (GST) at a rate of 3% fixed for 3 years, and to agree to vary that decision in order to exempt or zero rate books and newspapers.

Members present voted as follows –

POUR: 9

Senator S. Syvret
Senator W. Kinnard
Senator P.V.F. Le Claire
Deputy A. Breckon (S)
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy of Grouville

CONTRE: 37

Senator J.A. Le Maistre
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. 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 J.J. Huet (H)
Deputy of St. Martin
Deputy of St. John
Deputy T.J. Le Main (H)
Deputy M.F. Dubras (L)
Deputy J.L. Dorey (H)

ABSTAIN: 0

Deputy F.G. Voisin (L)
Deputy L.J. Farnham (S)
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (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 St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)

Changes in Presidency

The Bailiff retired from the Chair during consideration of the proposition of Senator Stuart Syvret concerning Goods and Services Tax: exempt or zero rated items, (P.165/2005 lodged “au Greffe” on 16th August 2005), and the meeting continued under the Presidency of Mr. Michael Nelson de la Haye, Greffier of the States.

The Deputy Bailiff assumed the presidency prior to members voting on the proposition of Senator Stuart Syvret concerning Goods and Services Tax: exempt or zero rated items, (P.165/2005 lodged “au Greffe” on 16th August 2005), and the meeting continued under his presidency.

Deputy Celia Joyce Scott Warren of St. Saviour- attendance

Deputy Celia Joyce Scott Warren of St. Saviour, having recovered from earlier illness, arrived in the Chamber during consideration of the proposition of Senator Stuart Syvret concerning Goods and Services Tax: exempt or zero rated items, (P.165/2005 lodged “au Greffe” on 16th August 2005), and was present for the remainder of the meeting.

Draft Licensing (Licence Fees) (Jersey) Regulations 200- P.173/2005 Comments

THE STATES, in pursuance of Article 11 of the Licensing (Jersey) Law 1974, made Regulations entitled the Licensing (Licence Fees) (Jersey) Regulations 2005.

Welcome to Mr. Christopher Swinson, Comptroller and Auditor General

The Deputy Bailiff, on behalf of all members, welcomed to the States Mr. Christopher Swinson, recently appointed Comptroller and Auditor General.

St. Helier Waterfront; telephone poll- Committee of Inquiry – P.167/2005

THE STATES commenced consideration of a proposition of Deputy Gerard Clifford Lemmens Baudains of St. Clement, concerning the St. Helier Waterfront: telephone poll- Committee of Inquiry, and, following consideration, rejected a proposition by Senator Leonard Norman that the States move to the consideration of the next item on the Order Paper, there being less than twenty members voting in support of the proposition as required under Standing Order 27(3).

Members present voted as follows –

POUR: 18

Senator L. Norman
 Senator F.H. Walker
 Senator T.A. Le Sueur
 Connétable of St. Ouen
 Connétable of St. Saviour
 Connétable of St. Brelade
 Connétable of St. Clement
 Connétable of Trinity
 Connétable of St. Lawrence
 Connétable of St. John
 Deputy T.J. Le Main (H)

 Deputy M.F. Dubras (L)
 Deputy F.G. Voisin (L)
 Deputy of St. Mary
 Deputy M.A. Taylor (C)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy G.W.J. de Faye (H)

CONTRE: 16

Senator J.A. Le Maistre
 Senator W. Kinnard
 Senator P.V.F. Le Claire
 Senator P.F.C. Ozouf
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy A. Breckon (S)
 Deputy of St. Martin
 Deputy of St. John
 Deputy G.C.L. Baudains (C)
 Deputy J.L. Dorey (H)
 Deputy C.J. Scott Warren (S)
 Deputy J.A. Martin (H)
 Deputy S.C. Ferguson (B)
 Deputy of St. Ouen
 Deputy of St. Peter

ABSTAIN: 2

Senator P.F. Routier
 Senator M.E. Vibert

THE STATES, following further consideration, adopted the proposition of Deputy Gerard Clifford Lemmens Baudains of St. Clement, and, in accordance with Article 36B of the States of Jersey Law 1966, approved the appointment of a Committee of Inquiry to investigate the circumstances surrounding the attempt to distort the result of the telephone poll on the St. Helier Waterfront development organised by the Jersey Evening Post on 5th August 2005.

Members present voted as follows –

POUR: 28

Senator J.A. Le Maistre
 Senator S. Syvret
 Senator F.H. Walker
 Senator W. Kinnard
 Senator P.V.F. Le Claire
 Senator P.F. Routier
 Senator M.E. Vibert
 Connétable of St. Ouen
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy A. Breckon (S)
 Deputy J.J. Huet (H)
 Deputy of St. Martin
 Deputy of St. John
 Deputy G.C.L. Baudains (C)
 Deputy C.J. Scott Warren (S)
 Deputy R.G. Le Hérissier (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

CONTRE: 14

Senator L. Norman
 Senator T.A. Le Sueur
 Senator P.F.C. Ozouf
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of Trinity
 Connétable of St. Lawrence
 Connétable of St. John
 Deputy of Trinity
 Deputy M.F. Dubras (L)
 Deputy J.L. Dorey (H)
 Deputy F.G. Voisin (L)
 Deputy M.A. Taylor (C)
 Deputy G.W.J. de Faye (H)

ABSTAIN: 0

Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)

Adjournment

THE STATES then adjourned, having agreed to reconvene the next day, Thursday 29th September 2005, in order to continue consideration of the outstanding matters of public business.

THE STATES rose at 5.45 p.m.

A.H. HARRIS

Deputy Greffier of the States.