

**THE STATES assembled on Tuesday,
28th February 2006 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

All members were present at roll call with the exception of –

Senator Ben Edward Shenton – en défaut

Deputy Celia Joyce Scott Warren of St. Saviour- excused (arrived in the Chamber at 10.20 a.m.)

Prayers read by the Greffier of the States

Subordinate enactments tabled

The following enactments were tabled, namely –

Employment (Minimum Wage) (Amendment) (Jersey) Order 2006. R&O 20/2006.
Minister for Social Security.

Road Racing (Karts) (Jersey) Order 2006. R&O 21/2006.
Minister for Home Affairs.

Documents presented or laid

Land Transactions under Standing Order 168(3) – Broadcasting House, Rouge Bouillon, St. Helier– R.20/2006.
(a) Mr. Benjamin Davies– 1 Year Lease;
(b) Miss Tracie Ward – 1 Year Lease;
(c) Saxon Bennett Ltd. – 1 Year Lease;
(d) Mr. Timothy Evans– 11 Month Lease.
Presented: 16th February 2006.
Minister for Treasury and Resources.

States of Jersey Law 2005: delegation of functions – signature of leases. R.21/2006.
Presented: 22nd February 2006.
Minister for Treasury and Resources.

Cigarette lighter refill canisters: sale to minors (P.218/2005): comments. P.218/2005.
Presented: 28th February 2006. Com
Minister for Home Affairs.

Notification of lodged propositions

Draft Postal Services (Transfer) (Jersey) Regulations 200- (P.9/2006): amendment. P.9/2006.
Lodged: 28th February 2006. Amd.
Minister for Treasury and Resources.

Health and Safety Tribunal: appointment of member. P.14/2006.
Lodged: 16th February 2006.
Minister for Social Security.

Draft States of Jersey (Powers, Privileges and Immunities) (Scrutiny panels, PAC and PPC) (Jersey) Regulations 200-. Lodged: 21st February 2006. <i>Privileges and Procedures Committee.</i>	P.15/2006.
Establishment of a Citizen's Panel: approval by States Assembly. Lodged: 21st February 2006. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.16/2006.
Political activities by States employees. Lodged: 24th February 2006. <i>Council of Ministers.</i>	P.17/2006.
Jersey Appointments Commission: appointment of Chairman and members. Lodged: 24th February 2006. <i>Chief Minister.</i>	P.18/2006.
Draft Housing (General Provisions) (Amendment No. 23) (Jersey) Regulations 200-. Lodged: 28th February 2006. <i>Minister for Housing.</i>	P.19/2006.
Bailiff's Consultative Panel. Lodged: 28th February 2006. <i>Privileges and Procedures Committee.</i>	P.20/2006.
Draft Restriction on Smoking (Vending Machines) (Jersey) Regulations 200-. Lodged: 28th February 2006. <i>Minister for Health and Social Services.</i>	P.21/2006.
Draft Restriction on Smoking (Public Transport) (Amendment) (Jersey) Regulations 200-. Lodged: 28th February 2006. <i>Minister for Health and Social Services.</i>	P.22/2006.
Draft Restriction on Smoking (Sales of Cigarettes to Children) (Amendment No. 2) (Jersey) Regulations 200-. Lodged: 28th February 2006. <i>Minister for Health and Social Services.</i>	P.23/2006.
Sea Transport: revised policy. Lodged: 28th February 2006 (<i>and referred to the Minister for Economic Development</i>) <i>Deputy J.B. Fox of St. Helier.</i>	P.24/2006.

Withdrawal of lodged propositions

THE STATES noted that, in accordance with Standing Order 34(1), the proposer of the following proposition lodged "au Greffe" had informed the Greffier of the States that it was to be withdrawn –

Private hospital development: Scrutiny Review. Lodged: 6th October 2005. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.221/2005.
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Written Questions

(see [Official Report](#))

The Minister for Home Affairs tabled an answer to a question asked by Deputy J.B. Fox of St. Helier regarding the introduction of legislation to facilitate civil asset recovery.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding ferry links with the United Kingdom and France.

The Chairman of the Privileges and Procedures Committee tabled an answer to a question asked by Deputy R.G. Le Hérisssier of St. Saviour regarding the Committee's proposals relating to the future composition of the States.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the sale of the Aquila Youth Club site.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the possible restructuring of Housing rents into a banding system.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the abolition of the economic benefit test.

Oral Questions

(see [Official Report](#))

Deputy J.A. Martin of St. Helier asked a question of the Minister for Economic Development regarding policies relating to the fulfilment industry.

The Connétable of St. Helier asked a question of the Chief Minister regarding the process leading up to the recent appointment of staff in the Communications Unit.

The Deputy of St. Martin asked a question of the Minister for Treasury and Resources regarding the preparation of legislation relating to stamp duty on share transfer properties.

The Deputy of St. Mary asked a question of the Minister for Planning and Environment regarding the number of new domestic developments connected to tight tanks in the last five years.

Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Economic Development regarding the Agreement with Condor Ltd. for the period 1st January 2002 to 31st December 2006.

Deputy R.G. Le Hérisssier of St. Saviour asked a question of the Minister for Education, Sport and Culture regarding formal channels to enable the Minister and his Department to be aware of the training needs of the finance industry.

The Connétable of St. Helier asked a question of the Minister for Education, Sport and Culture regarding the response to the consultation process on nursery care provision.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Economic Development regarding funding to implement the Economic Growth Plan.

Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Economic Development regarding the Service Level Agreements for ferry operators on the southbound route.

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Transport and Technical

Services regarding the roadworks at the Dicq, St. Clement.

The Deputy of St. Mary asked a question of the Minister for Transport and Technical Services regarding the number of domestic households currently connected to tight tanks and charges for emptying tight tanks.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Minister for Economic Development regarding the recent inquiry carried out by the Jersey Competition Regulatory Authority into the potato marketing sector.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding a letter dated 24th February 2006 relating to the minimum wage.

Oral Questions without notice

[*\(see Official Report\)*](#)

The Minister for Housing answered questions without notice from members.

The Minister for Planning and Environment answered questions without notice from members.

Implementation of the Tobacco Strategy – statement

[*\(see Official Report\)*](#)

The Minister for Health and Social Services made a statement regarding the implementation of the Tobacco Strategy.

Owners' signatures on planning applications – statement

[*\(see Official Report\)*](#)

The Minister for Planning and Environment made a statement regarding owners' signatures on planning applications.

Cigarette lighter refill canisters: sale to minors – P.218/2005

THE STATES, adopting a proposition of Deputy Geoffrey Peter Southern of St. Helier–

- (a) agreed, in principle, that it should become an offence for any person to sell cigarette lighter refill canisters containing butane, or a substance with butane as a constituent part, to any person under the age of eighteen years; and,
- (b) requested the Minister for Economic Development Committee, in consultation with the Minister for Home Affairs as appropriate, to bring forward for approval the necessary legislation to give effect to the proposal.

Members present voted as follows –

POUR: 50

CONTRE: 0

ABSTAIN: 0

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 T.J. Le Main
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Martin
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. John
Connétable of St. Brelade
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 P.N. Troy (B)
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 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 G.W.J. de Faye (H)
Deputy J.A. Le Fondré (L)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S. Power (B)
Deputy S. Pitman (H)
Deputy A.J.H. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

Draft Public Elections (Amendment) (Jersey) Regulations 200- P.2/2006

THE STATES, in pursuance of Articles 7 and 72 of the Public Elections (Jersey) Law 2002, made Regulations entitled the Public Elections (Amendment) (Jersey) Regulations 2006.

Draft Public Elections (Jersey) Law 2002 (Appointed Day) (No. 2) Act 200 P.1/2006

THE STATES, in pursuance of Article 74(2) of the Public Elections (Jersey) Law 2002, made an Act entitled the

Public Elections (Jersey) Law 2002 (Appointed Day) (No. 2) Act 2006.

Law Revision Board: appointment of members – P.12/2006

THE STATES, adopting a proposition of the Minister for Treasury and Resources and in accordance with Article 2(1)(a) of the Law Revision (Jersey) Law 2003, appointed the Deputy of St. Martin and Deputy Gerard Clifford Lemmens Baudains of St. Clement as members of the Law Revision Board.

Agent of the Impôts: appointment – P.10/2006

The Bailiff, in accordance with Article 4(2) of the Customs and Excise (Jersey) Law 1999, and Standing Order No. 82(1), ordered the withdrawal of strangers and the closing of the doors of the Chamber in order that the appointment of the Agent of the Impôts be debated in camera.

THE STATES, having deliberated thereon in camera, proceeded to vote in public assembly and adopting a proposition of the Minister for Home Affairs and in accordance with Article 4 of the Customs and Excise (Jersey) Law 1999, approved the appointment of Mr. Michael Robinson as Agent of the Impôts with effect from 1st March 2006.

Arrangement of public business for future meetings

The Chairman of the Privileges and Procedures Committee proposed the following arrangement of public business for future meetings –

14th March 2006

Composting facilities. P.258/2005.

Lodged: 1st November 2005.

Deputy P.V.F. Le Claire of St. Helier, (formerly in the name of Senator P.V.F. Le Claire), and referred to the Ministers for Health and Social Services, Planning and Environment, and Transport and Technical Services, (formerly the Health and Social Services and the Environment and Public Services Committees).

Composting facilities (P.258/2005): comments. P.258/2005.

Presented: 19th December 2005.

Comité des Connétables.

Com.

Draft Employment Relations (Amendment) (Jersey) Law 200-. P.5/2006.

Lodged: 30th January 2006.

Deputy G.P. Southern of St. Helier.

Draft Employment Relations (Amendment) (Jersey) Law 200- (P.5/2006): P.5/2006. Com.

comments.

Presented: 8th February 2006.

Minister for Social Security.

Draft Postal Services (Transfer) (Jersey) Regulations 200-. P.9/2006.

Lodged: 31st January 2006.

Minister for Treasury and Resources.

Draft Postal Services (Transfer) (Jersey) Regulations 200- (P.2/2006): amendment. P.9/2006.

Lodged: 28th February 2006.

Minister for Treasury and Resources.

Amd.

Draft Postal Services (Jersey) Law 2004 (Appointed Day) (No. 2) Act 2004. P.8/2006.
Lodged: 31st January 2006.
Minister for Economic Development.

Health and Safety Tribunal: appointment of member. P.14/2006.
Lodged: 16th February 2006.
Minister for Social Security.

Establishment of a Citizen's Panel: approval by States Assembly. P.16/2006.
Lodged: 21st February 2006.
Deputy G.C.L. Baudains of St. Clement.

Jersey Appointments Commission: appointment of Chairman and members. P.18/2006.
Lodged: 24th February 2006.
Chief Minister.
(The Chief Minister had given notice that he will propose, in accordance with Standing Order 81, that the debate on this proposition be conducted 'in camera').

28th March 2006

Draft Sexual Offences (Jersey) Law 2005. P.196/2005.
Lodged: 13th September 2005.
Minister for Home Affairs, (formerly the Home Affairs Committee).
(debate suspended on 18.01.06 and remained such on 31.01.06 as item referred to Scrutiny under S.O. 79(i)).

Draft Employment (Amendment No. 2) (Jersey) Law 2005. P.270/2005.
Lodged: 15th November 2005.
Deputy G.P. Southern of St. Helier.

Draft Employment (Amendment No. 2) (Jersey) Law 2005 (P.270/2005): P.270/2005.
comments. Com.
Presented: 17th January 2006.
Minister for Social Security.

Draft Water Pollution (Amendment No. 2) (Jersey) Law 2005. P.11/2006.
Lodged: 2nd February 2006.
Minister for Planning and Environment.

Exclusivity of postal services within Jersey: termination of Agreement between the P.13/2006.
States of Jersey and the United Kingdom.
Lodged: 14th February 2006.
Minister for Economic Development.

Sea Transport: revised policy. P.24/2006.
Lodged: 28th February 2006.
Deputy J.B. Fox of St. Helier.

4th April 2006

Employment legislation: petition. P.214/2005.
Lodged: 4th October 2005.
Deputy G.P. Southern of St. Helier.

Employment legislation: petition (P.214/2005) – comments. P.214/2005.

Presented: 11th January 2006. Com.
Minister for Social Security.

Draft States of Jersey (Powers, Privileges and Immunities) (Scrutiny panels, PAC and PPC) (Jersey) Regulations 200-. P.15/2006.
Lodged: 21st February 2006.
Privileges and Procedures Committee.

25th April 2006

Political activities by States employees. P.17/2006.
Lodged: 24th February 2006.
Council of Ministers.

Draft Housing (General Provisions) (Amendment No. 23) (Jersey) Regulations 200-. P.19/2006.
Lodged: 28th February 2006.
Minister for Housing.

Bailiff's Consultative Panel. P.20/2006.
Lodged: 28th February 2006.
Privileges and Procedures Committee.

Draft Restriction on Smoking (Vending Machines) (Jersey) Regulations 200-. P.21/2006.
Lodged: 28th February 2006.
Minister for Health and Social Services.

Draft Restriction on Smoking (Public Transport) (Amendment) (Jersey) Regulations 200-. P.22/2006.
Lodged: 28th February 2006.
Minister for Health and Social Services.

Draft Restriction on Smoking (Sales of Cigarettes to Children) (Amendment No. 2) (Jersey) Regulations 200-. P.23/2006.
Lodged: 28th February 2006.
Minister for Health and Social Services.

16th May 2006

Milk Subsidy for Delivery to Special Classes. P.145/2005.
Lodged: 5th July 2005.
Deputy G.P. Southern of St. Helier, and referred to the Ministers for Economic Development and Social Security, (formerly the Economic Development and the Employment and Social Security Committees).

Draft Taxation (United States of America) (Jersey) Regulations 200-. P.264/2005.
Lodged: 8th November 2005.
Chief Minister, (formerly the Policy and Resources Committee).

23rd May 2006

6th June 2006

Senators and Deputies: terms of office. P.227/2004.
Lodged: 14th December 2004.
Deputy A. Breckon.

(debate commenced and States adopted move to next item of public business on 1st Feb 2005)

Senators and Deputies: terms of office (P.227/2004) – comments. P.227/2004.
Presented: 18th January 2005. Com.
Presented by the Minister for Treasury and Resources, (formerly the Finance and Economics Committee).

Draft Water Resources (Jersey) Law 200-. P.206/2005.
Lodged: 27th September 2005.
Minister for Planning and Environment, (formerly the Environment and Public Services Committee).

Draft Water Resources (Jersey) Law 200- (P.206/2005): comments. P.206/2005.
Presented: 1st November 2005. Com.
Minister for Economic Development, (formerly the Economic Development Committee).

Draft Water Resources (Jersey) Law 200- (P.206/2005): amendment. P.206/2005.
Lodged: 25th October 2005. Amd.
Deputy R.C. Duhamel of St. Saviour.

Draft Water Resources (Jersey) Law 200- (P.206/2005): amendments P.206/2005.
(P.206/2005 Amd.)– comments. Amd.Com.
Presented: 22nd November 2005.
Minister for Planning and Environment, (formerly the Environment and Public Services Committee).

Draft Water Resources (Jersey) Law 200- (P.206/2005): second amendments. P.206/2005.
Lodged: 1st November 2005. Amd.(2)
Deputy P.N. Troy of St. Brelade.

Draft Water Resources (Jersey) Law 200- (P.206/2005): second amendments P.206/2005.
(P.206/2005 Amd.(2))– comments. Amd.(2) Com.
Presented: 29th November 2005.
Minister for Planning and Environment, (formerly the Environment and Public Services Committee).

Housing Trading Organisation: establishment. P.211/2005.
Lodged: 27th September 2005.
Minister for Housing, (formerly the Housing Committee).

20th June 2006

4th July 2006

18th July 2006

THE STATES adopted a proposition of the Minister for Social Security that the following matter be not debated on 14th March 2006 –

Draft Employment (Amendment No. 2) (Jersey) Law 200. P.270/2005.
Lodged: 15th November 2005.
Deputy G.P. Southern of St. Helier.

Draft Employment (Amendment No. 2) (Jersey) Law 200 (P.270/2005):
comments.
Presented: 17th January 2006.
Minister for Social Security.

P.270/2005.
Com.

Members present voted as follows –

POUR: 42

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
Senator T.J. Le Main
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Martin
Connétable of St. Ouen
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 Grouville
Connétable of St. John
Connétable of St. Brelade
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisier (S)
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 G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy J.N. Le Fondré (L)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S. Power (B)
Deputy A.J.H. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

CONTRE: 10

Senator S. Syvret
Senator W. Kinnard
Connétable of St. Helier
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S. Pitman (H)

ABSTAIN: 0

THE STATES rose at 12.25 p.m.

M.N. DE LA HAYE

Greffier of the States.