

**THE STATES assembled on Wednesday,
22nd November 2006 at 9.30 a.m. under
the Presidency of Michael Cameron St. John Birt, Esquire,
Deputy Bailiff.**

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

Senator Wendy Kinnard – en défaut (défaut raised at 09.40 a.m.)
Senator Terence Augustine Le Sueur– en défaut
Senator Terence John Le Main– en défaut
Connétable Kenneth Priaulx Vibert of St. Ouen– excused (arrived in the Chamber at 10.13 a.m.)
Connétable John Le Sueur Gallichan of Trinity– ill
Connétable Daniel John Murphy – en défaut
Deputy Peter Nicholas Troy of St. Brelade– en défaut (défaut raised at 12.13 a.m.)
Deputy Geoffrey Peter Southern – en défaut (défaut raised at 09.36 a.m.)
Deputy Juliette Gallichan of St Mary – ill

Prayers read by the Greffier of the States

Wireless Telegraphy Act 2006: extension to Jersey – P.117/2006

The States, in pursuance of Article 31(1)(b) of the States of Jersey Law 2005, agreed that a request be made to the Privy Council for the making of an Order in Council that would extend to Jersey, with appropriate modifications and adaptations, the provisions of the Wireless Telegraphy Act 2006 as summarised in the report of the Chief Minister dated 26th September 2006.

Le MaraisLow Rise Redevelopment Phase 2: redefinition of boundaries – P.121/2006

THE STATES, adopting a proposition of the Minister for Housing –

- (a) agreed that the Public should enter into contracts or deeds of arrangement with the owners of various properties forming parts of the north-western, northern and north-eastern boundaries of Le MaraisEstate, St. Clement in order to redefine those boundaries prior to the redevelopment of the site, with the Public being responsible for any costs associated with enclosing any of the boundaries and all resultant legal fees; and
- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contracts on behalf of the Public of the Island.

Draft Family Allowances (Jersey) Regulations 200- – P.123/2006

THE STATES commenced consideration of the draft Family Allowances (Jersey) Regulations 200- and adopted the principles.

Regulations 1 to 3 were adopted.

Members present voted as follows –

POUR: 35
Senator S. Syvret

CONTRE: 3
Deputy J.A. Martin (H)

ABSTAIN: 0

Senator F.H. Walker
Senator W. Kinnard
Senator P.F. Routier
Senator P.F.C. Ozouf
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Connétable of St. Lawrence
Connétable of St. John
Connétable of St. Brelade
Connétable of St. Martin
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 Hérissier (S)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
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 K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)

Deputy G.P. Southern (H)
Deputy S. Pitman (H)

THE STATES, in pursuance of Article 6 of the Family Allowances (Jersey) Law 1972, made Regulations entitled the Family Allowances (Jersey) Regulations 2006.

Draft Bankruptcy (Désastre) (Pensions) (Jersey) Regulations 200- – P.124/2006

THE STATES, in pursuance of Article 8A of the Bankruptcy (Désastre) (Jersey) Law 1990, made Regulations entitled the Bankruptcy (Désastre) (Pensions) (Jersey) Regulations 2006.

Draft Administrative Decisions (Review) (Amendment No. 2) (Jersey) Law 2006 (Appointed Day) Act 200- – P.127/2006

THE STATES, in pursuance of Article 12(2) of the Administrative Decisions (Review) (Amendment No. 2) (Jersey) Law 2006, made an Act entitled the Administrative Decisions (Review) (Amendment No. 2) (Jersey) Law 2006 (Appointed Day) Act 2006.

Draft Human Rights (Jersey) Law 2000 (Appointed Day) Act 200- – P.140/2006

THE STATES, in pursuance of Article 18(2) of the Human Rights (Jersey) Law 2000, made an Act entitled the Human Rights (Jersey) Law 2000 (Appointed Day) Act 2006.

Members present voted as follows –

POUR: 44

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
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
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 St. Lawrence
Connétable of St. John
Connétable of St. Brelade
Connétable of St. Martin
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy of St. Martin
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 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 D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S.S.P.A. 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)

CONTRE: 1

Deputy G.C.L. Baudains (C)

ABSTAIN: 0

Committee of Inquiry: mobile telecommunications – P.144/2006
Comments

THE STATES commenced consideration of a proposition of Deputy Patrick John Dennis Ryan of St. Helier requesting the States to –

- (a) establish a Committee of Inquiry in accordance with Standing Order 146 in order to investigate –
 - (i) the health risks associated with the emissions from mobile network antennae and dishes;
 - (ii) the environmental impact of the proliferation of multiple network infrastructures; andto report to the States thereon within a period of 6 months from the establishment of the Committee;
- (b) request the Minister for Planning and Environment to suspend consideration of all new and existing planning applications involving the mobile telecommunications network infrastructure pending the results of this investigation.

THE STATES rejected a proposition of Deputy Robert Charles Duhamel of St. Saviour asking the States to agree to request the relevant scrutiny panel to consider having the proposition referred to it, in accordance with Standing Order 79(2).

Members present voted as follows –

POUR: 15

Senator B.E. Shenton
Connétable of St. Mary
Connétable of St. Lawrence
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of Grouville
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy D.W. Mezbourian
(L)
Deputy S. Pitman (H)
Deputy I.J. Gorst (C)

CONTRE: 31

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
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Peter

Connétable of St. Clement
Connétable of St. Helier
Connétable of St. John
Connétable of St. Brelade
Connétable of St. Martin
Deputy J.J. Huet (H)
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 of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy A.J.H. Maclean (H)
Deputy K.C. Lewis (S)

ABSTAIN: 1

Deputy P.J.D. Ryan (H)

THE STATES, after further consideration, and in accordance with the provisions of Standing Order 69(4), agreed to allow Deputy Patrick John Dennis Ryan of St. Helier to withdraw the proposition.

Members present voted as follows –

POUR: 36

Senator S. Syvret
Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator P.F.C. Ozouf
Senator B.E. Shenton
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 St. John
Connétable of St. Brelade
Connétable of St. Martin
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 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 A.J.H. Maclean (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)

CONTRE: 9

Senator P.F. Routier
Senator M.E. Vibert
Senator F.E. Cohen
Senator J.L. Perchard
Deputy J.J. Huet (H)
Deputy G.C.L. Baudains (C)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy G.W.J. de Faye (H)

ABSTAIN: 0

Jersey Overseas Aid Commission: appointment of Non-States Commissioner – P.146/2006

THE STATES, in accordance with clause 7.4 of the Constitution of the Jersey Overseas Aid Commission as set out in Schedule 1 to the Jersey Overseas Aid Commission (Jersey) Law 2005, appointed Mr. Peter Le Seilleur as a Non-States Commissioner for a period of 3 years from 29th November 2006.

Arrangement of public business for future meetings

THE STATES, being of the opinion that the following matter related to a matter of such urgency and importance that it would be prejudicial to Jersey to delay its debate, adopted a proposition of the Chief Minister that, in accordance with Standing Order 26(7), it be subject to a reduced minimum lodging period of 2 weeks in order that it be considered at the next meeting on 5th December 2006 –

Draft European Communities (Accessions) (Jersey) Regulations 200-. P.158/2006.
Lodged: 21st November 2006.
Chief Minister.

THE STATES agreed the following arrangement of public business for future meetings proposed, as amended, by the Chairman of the Privileges and Procedures Committee in accordance with the provisions of Standing Order 88 (3) –

5th December 2006

Budget 2007. P.130/2006
Lodged: 24th October 2006.
Minister for Treasury and Resources.

Draft Finance (Jersey) Law 200-. P.131/2006
Lodged: 24th October 2006.
Minister for Treasury and Resources.

Draft Income Tax (Amendment No. 26) (Jersey) Law 200. P.132/2006
Lodged: 24th October 2006.
Minister for Treasury and Resources.

Draft Income Tax (Amendment No. 26) (Jersey) Law 200 (P.132/2006): P.132/2006.
amendment. Amd.
Lodged: 21st November 2006.
Minister for Economic Development.

Stabilisation Fund: rescindment. P.154/2006.
Lodged: 21st November 2006.
Deputy G.P. Southern of St. Helier.

Establishment of a Stabilisation Fund and Policy for Strategic Reserve. P.133/2006
Lodged: 24th October 2006.
Minister for Treasury and Resources.

Draft The Law Society of Jersey Law 2005 (Appointed Day) Act 200-. P.115/2006.
Lodged: 25th September 2006.
Chief Minister.

Draft States of Jersey (Transfer of Functions No. 2) (Planning and Environment to Economic Development) (Jersey) Regulations 200. P.125/2006.
Lodged: 18th October 2006.
Chief Minister.

Draft Health Insurance (Medical Benefit) (Amendment) (Jersey) Regulations 200-. P.129/2006
Lodged: 24th October 2006.
Minister for Social Security.

Draft Public Employees (Contributory Retirement Scheme) (New Members) P.136/2006.
(Amendment No. 11) (Jersey) Regulations 200.

Lodged: 24th October 2006. <i>Chief Minister.</i>	
Draft Public Employees (Contributory Retirement Scheme) (Existing Members) (Amendment No. 8) (Jersey) Regulations 200. Lodged: 24th October 2006. <i>Chief Minister.</i>	P.137/2006.
Draft Amendment (No. 31) to the Tariff of Harbour and Light Dues. Lodged: 24th October 2006. <i>Minister for Economic Development.</i>	P.138/2006.
Draft Amendment (No. 31) to the Tariff of Harbour and Light Dues (P.138/2006): comments. Presented: 7th November 2006. <i>Minister for Treasury and Resources.</i>	P.138/2006. Com.
Draft Harbours (Amendment No. 40) (Jersey) Regulations 200. Lodged: 24th October 2006. <i>Minister for Economic Development.</i>	P.139/2006.
Draft Harbours (Amendment No. 40) (Jersey) Regulations 200 (P.139/2006): comments. Presented: 7th November 2006. <i>Minister for Treasury and Resources.</i>	P.139/2006. Com.
Data Protection Commissioner: appointment. Lodged: 1st November 2006. <i>Minister for Treasury and Resources.</i>	P.142/2006.
Data Protection Tribunal: appointment. Lodged: 1st November 2006. <i>Minister for Treasury and Resources.</i>	P.143/2006.
Public Employees Contributory Retirement Scheme Committee of Management: membership. Lodged: 20th November 2006. <i>Chief Minister.</i>	P.153/2006.
Draft Regulation of Investigatory Powers (Jersey) Law 2005 (Appointed Day) Act 200-. Lodged: 21st November 2006. <i>Minister for Home Affairs.</i>	P.155/2006.
Draft Planning and Building (Jersey) Law 2002 (Appointed Day) (No. 2) Act 200. Lodged: 21st November 2006. <i>Minister for Planning and Environment.</i>	P.157/2006.
Draft European Communities (Accessions) (Jersey) Regulations 200-. Lodged: 21st November 2006. <i>Chief Minister.</i>	P.158/2006.

16th January 2007

Draft States of Jersey (Amendment No. 3) Law 200. Lodged: 20th October 2006.	P.126/2006.
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Privileges and Procedures Committee.

Draft Employment (Amendment No. 2) (Jersey) Law 200. P.128/2006.
Lodged: 20th October 2006.
Deputy G.P. Southern of St. Helier.

Draft Employment (Amendment No. 3) (Jersey) Law 200. P.134/2006
Lodged: 24th October 2006.
Minister for Social Security.

Draft Employment Tribunal (Amendment) (Jersey) Regulations 200-. P.135/2006
Lodged: 24th October 2006.
Minister for Social Security.

Draft Highway Encroachments (Amendment No. 2) (Jersey) Regulations 200. P.141/2006.
Lodged: 31st October 2006.
Minister for Transport and Technical Services.

Draft Sea Fisheries (Miscellaneous Provisions) (Amendment No. 4) (Jersey) P.147/2006.
Regulations 200-.
Lodged: 10th November 2006.
Minister for Planning and Environment.

Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 3) (Jersey) P.148/2006.
Regulations 200-.
Lodged: 10th November 2006.
Minister for Planning and Environment.

Draft Sea Fisheries (Log Books and Landing Declarations) (Jersey) Regulations P.149/2006.
200-.
Lodged: 10th November 2006.
Minister for Planning and Environment.

Draft Restriction on Smoking (Vending Machines) (Amendment) (Jersey) P.150/2006.
Regulations 200-.
Lodged: 14th November 2006.
Minister for Health and Social Services.

Draft Crime (Disorderly Conduct and Harassment) (Jersey) Law 200-. P.151/2006.
Lodged: 14th November 2006.
Minister for Home Affairs.

Draft Planning and Building (Amendment No. 4) (Jersey) Law 200. P.156/2006.
Lodged: 21st November 2006.
Minister for Planning and Environment.

30th January 2007

Composition and Election of the States Assembly: proposed reform. P.145/2006.
Lodged: 3rd November 2006.
Senator B.E. Shenton.

Fulfilment Industry Policy. P.152/2006.
Lodged: 17th November 2006.
Economic Affairs Scrutiny Panel.

Change in Presidency

The Deputy Bailiff retired from the Chair during consideration of the draft Human Rights (Jersey) Law 2000 (Appointed Day) Act 200- and the meeting continued under the presidency of the Bailiff.

THE STATES rose at 3.23 p.m.

M.N. DE LA HAYE

Greffier of the States

Re-issue Note

These Minutes have been re-issued to correct the voting record on page 411 relating to the withdrawal of P.144/2006.