

**THE STATES assembled on Thursday  
29th September 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 Jean Amy Le Maistre– out of the Island  
Senator Richard Joseph Shenton – ill  
John Baudains Germain, Connétable of St. Martin– out of the Island  
Alan Simon Crowcroft, Connétable of St. Helier– out of the Island  
Daniel Joseph Murphy, Connétable of Grouville – out of the Island  
Peter Nicholas Troy, Deputy of St. Brelade– ill  
Jennifer-Anne Bridge, Deputy of St. Helier– ill.

Prayers read by the Deputy Greffier of the States.

**Migration policy: political responsibility – P.168/2005  
Amendment**

THE STATES commenced consideration of a proposition of the Policy and Resources Committee concerning the Migration Policy: political responsibility, together with an amendment of the Deputy of St. Ouen, and following discussion, adopted a proposition of the Connétable of St. Saviour that, in accordance with Standing Order 26A(1), the question be now put on the amendment.

Members present voted as follows –

**POUR: 23**

Senator L. Norman  
Senator F.H. Walker  
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. Peter  
Connétable of St. Clement  
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 J.L. Dorey (H)  
Deputy J.B. Fox (H)  
Deputy J.A. Bernstein (B)  
Deputy S.C. Ferguson (B)  
Deputy P.J.D. Ryan (H)  
Deputy M.A. Taylor (C)

**CONTRE: 15**

Senator S. Syvret  
Senator W. Kinnard  
Senator P.F. Routier  
Senator M.E. Vibert  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy of St. John  
Deputy C.J. Scott Warren (S)  
Deputy L.J. Farnham (S)  
Deputy J.A. Martin (H)  
Deputy of St. Ouen  
Deputy of Grouville  
Deputy J.A. Hilton (H)  
Deputy G.W.J. de Faye (H)

**ABSTAIN: 0**

THE STATES rejected the amendment of the Deputy of St. Ouen that for the words“Policy and Resources”, where they appeared for the second time, there be substituted the word “Housing” and for the word “Chief” ,

there be substituted the word "Housing".

Members present voted as follows –

**POUR: 12**

Senator S. Syvret  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy of St. John  
Deputy G.C.L. Baudains (C)  
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 of Grouville  
Deputy G.W.J. de Faye (H)

**CONTRE: 29**

Senator L. Norman  
Senator F.H. Walker  
Senator W. Kinnard  
Senator T.A. Le Sueur  
Senator P.V.F. Le Claire  
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 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 C.J. Scott Warren (S)  
Deputy L.J. Farnham (S)  
Deputy J.B. Fox (H)  
Deputy P.J.D. Ryan (H)  
Deputy M.A. Taylor (C)  
Deputy of St. Peter  
Deputy J.A. Hilton (H)

**ABSTAIN: 0**

THE STATES, adopting a proposition of the Policy and Resources Committee, referred to their Act dated 22nd June 2005, in which they approved proposals relating to the monitoring and regulation of migration and agreed that the Policy and Resources Committee should bring forward for approval proposals on which Committee (or Minister) should have political responsibility for the population office, and agreed that this responsibility should lie with the Policy and Resources Committee (or the future Chief Minister).

Members present voted as follows –

**POUR: 32**

Senator L. Norman  
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  
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

**CONTRE: 8**

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

**ABSTAIN: 0**

Connétable of St. Lawrence  
 Connétable of St. John  
 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 C.J. Scott Warren (S)  
 Deputy L.J. Farnham (S)  
 Deputy J.B. Fox (H)  
 Deputy J.A. Bernstein (B)  
 Deputy S.C. Ferguson (B)  
 Deputy P.J.D. Ryan (H)  
 Deputy M.A. Taylor (C)  
 Deputy of St. Peter  
 Deputy J.A. Hilton  
 Deputy G.W.J. de Faye (H)

**Millennium Town Park: establishment of a Trust – P.169/2005**

**Comments**

THE STATES rejected a proposition of Deputy Robert Charles Duhamel of St. Saviour requesting that they–

- (a) agree that a trust incorporated by statute should be established for the purpose of holding land, raising funds, developing and operating the Millennium Town Park project; and,
- (b) charge the Policy and Resources Committee to present to the States for approval proposals for the constitution and membership of the trust following consultation with the States Committees involved and such other bodies as appropriate.

Members present voted as follows –

**POUR: 18**

Senator L. Norman  
 Connétable of St. Brelade  
 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 T.J. Le Main (H)  
 Deputy G.C.L. Baudains (C)  
 Deputy C.J. Scott Warren (S)  
 Deputy L.J. Farnham (S)  
 Deputy R.G. Le Hérisier (S)  
 Deputy J.B. Fox (H)  
 Deputy of St. Ouen  
 Deputy P.J.D. Ryan (H)  
 Deputy of St. Peter  
 Deputy G.W.J. de Faye (H)

**CONTRE: 20**

Senator S. Syvret  
 Senator W. Kinnard  
 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. Peter  
 Connétable of St. Clement  
 Connétable of Trinity  
 Connétable of St. John  
 Deputy J.L. Dorey (H)  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy J.A. Bernstein (B)  
 Deputy S.C. Ferguson (B)  
 Deputy M.A. Taylor (C)  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)

**ABSTAIN: 0**

**Jersey Employment Tribunal: appointment of member – P.163/2005**

THE STATES, adopting a proposition of the Employment and Social Security Committee appointed, in accordance with Regulation 3 of the Employment Tribunal (Jersey) Regulations 2005, and on the recommendation of the Jersey Appointments Commission, the following person as a member of the Jersey Employment Tribunal with effect from 1st October 2005, and for the period shown –

Mr. Timothy Langlois

3 years.

**Draft Housing (Amendment No. 12) (Jersey) Law 200 P.175/2005**

THE STATES commenced consideration of the preamble to the draft Housing (Amendment No. 12) (Jersey) Law 200-, and granted leave to the Housing Committee, to defer further consideration of the matter pending legal advice.

**Draft Petroleum (Amendment No. 2) (Jersey) Law 200 P.164/2005**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Petroleum (Amendment No. 2) (Jersey) Law 200.

**Ecology Fund: appointment of Chairman and Trustees – P.192/2005**

THE STATES, adopting a proposition of the Environment and Public Services Committee, referred to their Act dated 26th March 1991, in which they approved the establishment of an Ecology Fund, and to their Act dated 28th March 1995, in which they agreed that the Chairman of the Trustees should be a member of the States, appointed by the States on the recommendation of the then Planning and Environment Committee and that there should be 5 Trustees appointed by the States on the nomination of the Committee, and

- (a) appointed the Connétable of St. John as Chairman of the Trustees of the Fund and Mr. Joh McGuinness, Mr. James Maxwell Allan, Mrs. Anna Van Oordt and Ms. Christine Garnier as Trustee of the Fund;
- (b) referred to the above-mentioned Act dated 26th March 1991, in which they approved the establishment of the Ecology Fund and agreed inter alia, that there should be 5 Trustees of the fund, appointed by the States on the nomination of the Committee, and that the Trustees should report annually to the Committee and the States on the progress and outcome of schemes supported by the Fund and their future plans; and agreed, in the interests of simplifying States business, that the future management of the Ecology Trust Fund, including the receipt of annual reports and the appointment of Trustees should be undertaken by the Environment and Public Services Committee [\[MF1\]](#) (and by the future Minister for Planning and Environment) and that these matters would not therefore be brought to the States in the future; and,
- (c) referred to the above-mentioned Act dated 28th March 1995, in which they agreed that the Chairman of the Trustees should be a member of the States, appointed by the States on the recommendation of the Committee, and agreed that the Chairman of the Ecology Fund should in future continue to be a member of the States but be appointed by the Environment and Public Services Committee (and by the future Minister for Planning and Environment) and not by the States.

**Draft Sea Fisheries (Trawling, Netting and Dredging) (Amendment) (Jersey) Regulations 200-P.157/2005**

THE STATES, in pursuance of Articles 2, 4, 5 and 29 of the Sea Fisheries (Jersey) Law 1994, having consulted with and obtained the concurrence of the Secretary of State whose concurrence would be obtained, made Regulations entitled the Sea Fisheries (Trawling, Netting and Dredging) (Amendment) (Jersey) Regulations 2005.

**Jersey Financial Services Commission: appointment of Commissioners – P.171/2005**

THE President, in accordance with Article 3(2) of the Financial Services Commission (Jersey) Law 1998, and Standing Order No. 46(2), ordered the withdrawal of Strangers and the closing of the doors of the Chamber in order that the appointment of Commissioners of the Jersey Financial Services Commission be debated in camera.

THE STATES, having deliberated thereon in camera, proceeded to vote in public assembly and adopting a proposition of the Economic Development Committee, and in pursuance of Article 3 of the Financial Services Commission (Jersey) Law 1998 –

- (a) re-appointed the undermentioned persons as Commissioners of the Jersey Financial Services Commission with effect from 1st December 2005 to 30th November 2008 –

Mr. Michael Henry Clapham;  
Mr. Scott Jamieson Dobbie CBE;  
Mr. Andrew Winckler;

- (b) appointed the undermentioned person as a Commissioner of the Jersey Financial Services Commission with effect from 1st December 2005 to 30th November 2008;

Mr. John Averty.

Members present voted as follows –

**POUR: 26**

**CONTRE: 5**

**ABSTAIN: 0**

Senator L. Norman  
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. Clement  
Connétable of Trinity  
Connétable of St. John  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy of St. Martin  
Deputy F.G. Voisin (L)  
Deputy C.J. Scott Warren (S)  
Deputy L.J. Farnham (S)  
Deputy R.G. Le Hérisssier (S)  
Deputy J.B. Fox  
Deputy J.A. Martin (H)  
Deputy J.A. Bernstein (B)  
Deputy S.C. Ferguson (B)  
Deputy of St. Ouen  
Deputy P.J.D. Ryan (H)  
Deputy M.A. Taylor (C)  
Deputy of St. Peter  
Deputy J.A. Hilton (H)

Connétable of St. Peter  
Deputy J.J. Huet (H)  
Deputy of St. John  
Deputy G.C.L. Baudains (C)  
Deputy G.W.J. de Faye (H)

## **Adjournment**

THE STATES then adjourned, having agreed to reconvene on Tuesday 4th October 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.*

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[\[MF1\]](#) Minister for Environment and Planning?