

**THE STATES assembled on Tuesday  
19th June 2007, at 09.30 a.m. under  
the Presidency of the Bailiff,  
Sir Philip Bailhache.**

**His Excellency the Lieutenant Governor,  
Lieutenant-General Andrew Peter Ridgway, C.B., C.B.E.,  
was present.**

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

Senator Stuart Syvret – ill  
Senator Wendy Kinnard – en défaut (défaut raised at 9.37 a.m.)  
Connétable Philip Francis Ozouf of St. Saviour– ill  
Deputy Peter Nicholas Troy of St. Brelade– en défaut (défaut raised at 10.11 a.m.)  
Deputy John Benjamin Fox of St. Helier– excused  
Deputy Carolyn Fiona Labey of Grouville – en défaut  
Deputy Guy William John de Faye of St. Helier– en défaut (défaut raised at 9.40 a.m.)  
Deputy Ian Joseph Gorst of St. Clement – en défaut.

Prayers

**Documents presented or laid**

Land Transactions under Standing Order 168(3) – land at Mont du Boulevard, St. Aubin, St. Brelade– acquisition by the Public. Presented: 13th June 2007. <i>Minister for Treasury and Resources.</i>	R.57/2007.
Births, Marriages and Deaths in 2006: statement. Presented: 15th June 2007. <i>Minister for Home Affairs.</i>	R.58/2007.
Land Transactions under Standing Order 168(3) – (a) No. 3 Howard Davis Farm, La Route de la Trinité, Trinity lease; (b) Sydney Crill Park, La Grande Route de la Côte, St. Clement proposed sale of public land to house No. 52. Presented: 18th June 2007. <i>Minister for Treasury and Resources.</i>	R.59/2007.
Freedom of Information (Jersey) Law: second consultation. Presented: 18th June 2007. <i>Privileges and Procedures Committee.</i>	R.60/2007.
States of Jersey Law 2005: delegation of functions – transfer of monies from the Social Security Fund to the Social Security Reserve Fund. Presented: 19th June 2007. <i>Minister for Social Security.</i>	R.61/2007.
Review of the Social Housing Property Plan 2007–2016. Presented: 18th June 2007.	S.R.12/2007.

*Health, Social Security and Housing Scrutiny Panel.*

Public Accounts Committee: Review of the Comptroller and Auditor General's Reports on Jersey Financial Services Commission and Overseas Aid and Notes on States' Aggregate Expenditure. P.A.C.3/2007.  
Presented: 7th June 2007.  
*Public Accounts Committee.*

**Notification of lodged propositions**

Draft High Hedges (Jersey) Law 200- (P.51/2007): Amendments. P.51/2007.  
Lodged: 19th June 2007. Amd.  
*Deputy A.J.H. Maclean of St. Helier.*

Registration of political parties (P.73/2007): amendments. P.73/2007. Amd.  
Lodged: 14th June 2007.  
*Deputy G.P. Southern of St. Helier.*

Code of Practice for Scrutiny Panels and the Public Accounts Committee (P.77/2007): amendment. P.77/2007. Amd.  
Lodged: 19th June 2007.  
*Chairmen's Committee.*

Draft Amendment (No. 7) of the Standing Orders of the States of Jersey. P.80/2007.  
Lodged: 7th June 2007.  
*Deputy G.P. Southern of St. Helier.*

Fields 848, 851 and 853, Bel Royal, St. Lawrence: Committee of Inquiry – appointment of members. P.81/2007.  
Lodged: 13th June 2007.  
*Connétable of St. Lawrence.*

Draft Main Roads (Classification) (Amendment No. 28) (Jersey) Act 200. P.82/2007.  
Lodged: 14th June 2007.  
*Minister for Transport and Technical Services.*

Draft Health Care (Registration) (Amendment No. 3) (Jersey) Regulations 200. P.83/2007.  
Lodged: 14th June 2007.  
*Minister for Health and Social Services.*

Retail Strategy: Impact Assessment. P.84/2007.  
Lodged: 18th June 2007.  
*Economic Affairs Scrutiny Panel.*

Environment Scrutiny Panel: Vote of No Confidence. P.85/2007.  
Lodged: 19th June 2007.  
*Deputy G.C.L. Baudains of St. Clement.*

**Withdrawal of lodged propositions**

THE STATES noted that, in accordance with Standing Order 34(1), the Minister for Treasury and Resources had informed the Greffier of the States that the following proposition had been withdrawn –

JT Group Limited (“Jersey Telecom”): proposed sale. P.28/2007.

Lodged: 20th February 2007.  
*Minister for Treasury and Resources.*

### **Education and Home Affairs Scrutiny Panel – appointment of Chairman**

In accordance with the provisions of Standing Order 120(1), the following nominations were made –

Deputy Deidre Wendy Mezbourian of St. Lawrence was nominated by Deputy Alan Breckon of St. Saviour.

The Deputy of St. Martin was nominated by Deputy Roy George Le Hérissier of St. Saviour.

In accordance with Standing Order 120(3), each candidate made a speech and was questioned prior to a ballot being held.

THE STATES, having proceeded to a secret ballot, were informed of the following results by the Bailiff –

Deputy Deidre Wendy Mezbourian of St. Lawrence	41 votes
The Deputy of St. Martin	7 votes

The Bailiff declared that Deputy Deidre Wendy Mezbourian of St. Lawrence had been duly appointed as the Chairman of the Education and Home Affairs Scrutiny Panel.

### **Written Questions**

*(see Official Report)*

The Minister for Health and Social Services tabled an answer to a question asked by the Deputy of St. Ouer regarding the Departmental headcount as at 31st December 2006.

The Chief Minister tabled an answer to a question asked by the Deputy of St. Ouen regarding statistics on staff vacancies.

The Minister for Treasury and Resources tabled an answer to a question asked by the Deputy of St. Ouer regarding statistics on staff vacancies.

The Minister for Economic Development tabled an answer to a question asked by the Deputy of St. Ouer regarding statistics on staff vacancies.

The Minister for Education, Sport and Culture tabled an answer to a question asked by the Deputy of St. Ouer regarding statistics on staff vacancies.

The Minister for Health and Social Services tabled an answer to a question asked by the Deputy of St. Ouer regarding statistics on staff vacancies.

The Minister for Home Affairs tabled an answer to a question asked by the Deputy of St. Ouen regarding statistics on staff vacancies.

The Minister for Housing tabled an answer to a question asked by the Deputy of St. Ouen regarding statistics on staff vacancies.

The Minister for Planning and Environment tabled an answer to a question asked by the Deputy of St. Ouer regarding statistics on staff vacancies.

The Minister for Social Security tabled an answer to a question asked by the Deputy of St. Ouen regarding statistics on staff vacancies.

The Minister for Transport and Technical Services tabled an answer to a question asked by the Deputy of St. Ouen regarding statistics on staff vacancies.

The Chief Minister tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the Jersey Community Relations Trust.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the issue of Scrutiny Panels obtaining access to the legal advice received by Ministers.

The Vice-Chairman of the Education and Home Affairs Scrutiny Panel tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the 'Cooper' opinion relating to the role of Centeniers.

The Minister for Home Affairs tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the legal opinion on certain Articles of the Human Rights (Jersey) Law 2000.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the post of Procurement and Contracts Manager.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the moderation of his powers.

The Chief Minister tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the system of Green and White Papers.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the purpose of an external examination of the Department.

The Chief Minister tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the Succession and Career Management Policy.

### **Oral Questions**

*(see Official Report)*

Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Planning and Environment regarding the recreation of Les Jardins de la Mer when La Route de la Liberation was sunk.

Deputy G.C.L. Baudains of St. Clement asked a question of the Chairman of the Environment Scrutiny Panel regarding the Minutes of a meeting held on 16th February 2007.

Deputy J.A. Martin of St. Helier asked a question of the Chief Minister regarding a breakdown of the latest population figure.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Minister for Economic Development regarding plans to introduce a Financial Services Ombudsman.

Deputy J.A. Martin of St. Helier asked a question of the Chief Minister regarding the minutes of the Council of Ministers, the Migration Working Party and the Corporate Management Board.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding private equity companies registered in Jersey.

Senator B.E. Shenton asked a question of the Minister for Planning and Environment regarding the Castle Quay development and the Minister's overall concept for the Waterfront.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding alternatives to the Regulation of Undertakings and Development Law charge for raising revenue from non-Jersey owned companies under the zero/ten tax proposals.

Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Treasury and Resources regarding “Vulture Funds” operating in or through Jersey.

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Planning and Environment regarding the staff currently employed in the meteorological section of his Department.

The Deputy of St. Martin asked a question of the Chief Minister regarding the Human Rights’ compliancy of the Loi (1864) réglant la Procédure Criminelle, Criminal Procedure (Connétables and Centeniers) (Jersey) Law 1996 and the Magistrate’s Court (Miscellaneous Provisions) (Jersey) Law 1949.

Deputy R.G. Le Hérisier of St. Saviour asked a question of the Chairman of the Privileges and Procedure Committee regarding the delay in introducing a Freedom of Information Law.

The Deputy of St. Martin asked a question of H.M. Attorney General seeking confirmation that the present arrangement, in which Centeniers presented cases in the Magistrates Court, was compliant with the Human Rights (Jersey) Law 2000.

#### **Oral Questions without notice**

*(see Official Report)*

The Minister for Transport and Technical Services answered questions without notice from members.

The Chief Minister answered questions without notice from members.

#### **Education and Home Affairs Scrutiny Panel – appointment of Panel members.**

In accordance with the provisions of Standing Order 125(1) Deputy Deidre Wendy Mezbourian of St. Lawrence Chairman of the Education and Home Affairs Scrutiny Panel, indicated that she wished to have a Panel of 3 members, including the Chairman, and nominated the Deputy of St. Mary and Deputy Shona Pitman of St. Helier

There being no other nominations, the Bailiff declared that the Deputy of St. Mary and Deputy Shona Pitman of St. Helier were duly elected as members of the Education and Home Affairs Scrutiny Panel.

#### **Statements on a matter of official responsibility**

*(see Official Report)*

The President of the Chairmen’s Committee made a statement concerning the review of the Social Housing Property Plan 2007–2016 undertaken by the Health, Social Security and Housing Scrutiny Panel.

#### **Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 4) (Jersey) Regulations 2007 P.57/2007**

THE STATES, in pursuance of Articles 2,6,8 and 29 of the Sea Fisheries (Jersey) Law 1994, and having consulted with and obtained the concurrence of the Secretary of State, made Regulations entitled the Sea Fisheries (Minimum Size Limits) (Amendment No. 4) (Jersey) Regulations 2007.

#### **Jersey Competition Regulatory Authority: re-appointment of Chairman – P.70/2007**

THE STATES, adopting a proposition of the Minister for Economic Development, and in accordance with Article 3(1)(a) of the Competition Regulatory Authority (Jersey) Law 2001, approved the re-appointment of the Rt. Hon. The Lord Kingsland as a member and non-executive Chairman of the Jersey Competition Regulatory Authority for a period of 3 years with effect from 21st July 2007.

### **Social Housing Property Plan 2007–2016 – P.6/2007**

THE STATES, adopting a proposition of Senator Frank Harrison Walker concerning the Social Housing Property Plan 2007-2016, agreed that the matter should be deferred from 3rd July 2007 and taken as the first item of business on the 17th July 2007.

### **Environment Scrutiny Panel: Vote of No Confidence – P.85/2007**

THE STATES rejected a proposition of Deputy Robert Charles Duhamel of St. Saviour that the consideration of the proposition of Deputy Gerard Clifford Lemmens Baudains of St. Clement concerning the vote of no confidence in the Environment Scrutiny Panel should be deferred until 17th July 2007.

Members present voted as follows –

#### **POUR: 16**

Senator B.E. Shenton  
Senator F.E. Cohen  
Senator J.L. Perchard  
Connétable of St. Mary  
Connétable of St. Peter  
Connétable of St. Helier  
Connétable of Grouville  
Connétable of St. Martin  
Deputy R.C. Duhamel (S)  
Deputy of St. Martin  
Deputy C.J. Scott Warren (S)  
Deputy J.A. Martin (H)  
Deputy J.A. Hilton (H)  
Deputy P.V.F. Le Claire (H)  
Deputy J.A.N. Le Fondré (L)  
Deputy S. Pitman (H)

#### **CONTRE: 27**

Senator L. Norman  
Senator W. Kinnard  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator T.J. Le Main  
Connétable of St. Ouen  
Connétable of St. Clement  
Connétable of Trinity  
Connétable of St. Lawrence  
Connétable of St. Brelade  
Connétable of St. John  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy G.C.L. Baudains (C)  
Deputy R.G. Le Hérisier (S)  
Deputy G.P. Southern (H)  
Deputy S.C. Ferguson (B)  
Deputy of St. Ouen  
Deputy P.J.D. Ryan (H)  
Deputy of St. Peter  
Deputy G.W.J. de Faye (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 of St. Mary

#### **ABSTAIN: 0**

### **Arrangement of public business for future meetings**

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) –

**3rd July 2007**

Environment Scrutiny Panel: Vote of No Confidence. P.85/2007.  
Lodged: 19th June 2007.  
*Deputy G.C.L. Baudains of St. Clement.*

Draft High Hedges (Jersey) Law 200-. P.51/2007.  
Lodged: 13th April 2007.  
*Minister for Planning and Environment.*

Draft High Hedges (Jersey) Law 200- (P.51/2007): Amendments. P.51/2007.  
Lodged: 19th June 2007. Amd.  
*Deputy A.J.H. Maclean of St. Helier.*

Draft States of Jersey (Amendment No. 3) Law 200. P.60/2007.  
Lodged: 10th May 2007.  
*Privileges and Procedures Committee.*

Public Elections: reduction in voting age to 16. P.63/2007.  
Lodged: 15th May 2007.  
*Deputy of Grouville.*

Draft Distance Selling (Jersey) Law 200-. P.66/2007.  
Lodged: 16th May 2007.  
*Minister for Economic Development.*

Electoral Registration: link to population register. P.68/2007.  
Lodged: 22nd May 2007.  
*Deputy G.P. Southern of St. Helier.*

Fields 848, 851 and 853, Bel Royal, St. Lawrence: Committee of Inquiry– P.81/2007.  
appointment of members.  
Lodged: 13th June 2007.  
*Connétable of St. Lawrence.*

Draft Main Roads (Classification) (Amendment No. 28) (Jersey) Act 200. P.82/2007.  
Lodged: 14th June 2007.  
*Minister for Transport and Technical Services.*

**17th July 2007**

Social Housing Property Plan 2007–2016. P.6/2007.  
Lodged: 16th January 2007.  
*Minister for Housing.*

School milk and milk at a reduced rate: continued provision. P.45/2007.  
Lodged: 27th March 2007.  
*Deputy G.P. Southern of St. Helier.*

Draft Community Provisions (Wire Transfers) (Jersey) Regulations 200-. P.71/2007.  
Lodged: 24th May 2007.

*Minister for Treasury and Resources.*

Draft Unlawful Public Entertainments (Jersey) Regulations 200-. P.72/2007.  
Lodged: 31st May 2007.  
*Minister for Home Affairs.*

Registration of political parties. P.73/2007.  
Lodged: 5th June 2007.  
*Privileges and Procedures Committee.*

Registration of political parties (P.73/2007): amendments. P.73/2007. Amd.  
Lodged: 14th June 2007.  
*Deputy G.P. Southern of St. Helier.*

Draft States of Jersey (Powers, Privileges and Immunities) (Committees of Inquiry) P.74/2007.  
(Jersey) Regulations 200-.  
Lodged: 5th June 2007.  
*Privileges and Procedures Committee.*

Composition of the States: revised structure and referendum. P.75/2007.  
Lodged: 5th June 2007.  
*Privileges and Procedures Committee.*

Composition of the States: revised structure and referendum (P.75/2007) – P.75/2007. Amd.  
amendment.  
Lodged: 5th June 2007.  
*Deputy G.C.L. Baudains of St. Clement.*

Composition and Election of the States Assembly: election dates for Connétables. P.54/2007.  
Lodged: 19th April 2007.  
*Comité des Connétables.*

Composition and Election of the States Assembly: election dates for Connétables P.54/2007. Com.  
(P.54/2007) – comments.  
Presented: 4th June 2007.  
*Privileges and Procedures Committee.*

Draft Price and Charge Indicators (Jersey) Law 200-. P.76/2007.  
Lodged: 5th June 2007.  
*Minister for Economic Development.*

Code of Practice for Scrutiny Panels and the Public Accounts Committee. P.77/2007.  
Lodged: 5th June 2007.  
*Chairmen's Committee.*

Code of Practice for Scrutiny Panels and the Public Accounts Committee P.77/2007. Amd.  
(P.77/2007): amendment.  
Lodged: 19th June 2007.  
*Chairmen's Committee.*

La Carrière redevelopment and rock face stabilisation works. P.78/2007.  
Lodged: 5th June 2007.  
*Minister for Housing.*

**11th September 2007**



Draft Amendment (No. 7) of the Standing Orders of the States of Jersey. P.80/2007.  
Lodged: 7th June 2007.  
*Deputy G.P. Southern of St. Helier.*

Draft Health Care (Registration) (Amendment No. 3) (Jersey) Regulations 200. P.83/2007.  
Lodged: 14th June 2007.  
*Minister for Health and Social Services.*

**25th September 2007**

Retail Strategy: Impact Assessment. P.84/2007.  
Lodged: 18th June 2007.  
*Economic Affairs Scrutiny Panel.*

THE STATES rose at 1.07 p.m.

**M.N. DE LA HAYE**

*Greffier of the States*