

**THE STATES assembled on Wednesday,  
20th November 2002 at 9.30 a.m. under  
the Presidency of the Bailiff,  
Sir Philip Bailhache.**

All members were present with the exception of -

Senator Corrie Stein - out of the Island  
Senator Terence Augustine Le Sueur - ill  
Philip Francis Ozouf, Connétable of St. Saviour- out of the Island  
Shirley Margaret Baudains, Deputy of St. Helier- out of the Island  
Robin Charles Hacquoil, Deputy of St. Peter- out of the Island

Prayers

**Draft Telecommunications (Transfer) (Jersey) Regulations 200- P.204/2002  
Comments: P.204/2002 Com.**

THE STATES commenced consideration of the draft Telecommunications (Transfer) (Jersey) Regulations 200-P.204/2002, and adopted the preamble.

Members present voted as follows -

**“Pour” (37)**

**Senators**

Horsfall, Le Maistre, Bailhache, Syvret, Norman, Kinnard.

**Connétables**

Grouville, St. Martin, St. Ouen, St. Brelade, St. Lawrence, St. Mary, St. John, St. Peter, St. Cler  
Trinity.

**Deputies**

H. Baudains(C), St. Mary, Trinity, Duhamel(S), Routier(H), Breckon(S), Grouville, Huet(H), St. Marti  
St. John, Le Main(H), Dubras(L), St. Ouen, G. Baudains(C), Dorey(H), Troy(B), Voisin(L), Scott War  
(S), Ozouf(H), Fox(H), Bridge(H).

**“Contre” (0)**

Regulations 1 to 18 and Schedules 1 to 3 were adopted.

THE STATES, in pursuance of Articles 32, 33, 36 - 39, 41, 43, 46 and 65 of the Telecommunications (Jersey) Law 2002, made Regulations entitled the Telecommunications (Transfer) (Jersey) Regulations 2002.

Senator Christopher Gerard Pellow Lakeman declared an interest and withdrew from the Chamber prior to the consideration of this item.

**Draft Telecommunications (Jersey) Law 2002 (Appointed Day) (No. 2) Act 200- P.196/2002**

THE STATES, in pursuance of Article 68 of the Telecommunications (Jersey) Law 2002, made an Act entitled the Telecommunications (Jersey) Law 2002 (Appointed Day) (No. 2) Act 2002.

Senator Christopher Gerard Pellow Lakeman declared an interest and withdrew from the Chamber prior to the consideration of this item.

**Machinery of Government: departmental structure - allocation and monitoring of public sector manpower numbers - P.192/2002, Comments - P.192/2002 Com. and Com. (2).**

THE STATES, adopting a proposition of the Policy and Resources Committee, referred to their Act dated 24th July 2002 in which they approved the departmental structure for the ministerial system of government, together with the transitional arrangements for the period leading up to the introduction of the ministerial system, and -

agreed that responsibility for the functions currently exercised by the Human Resources Committee in relation to the allocation and monitoring of public sector manpower numbers should be transferred from the Human Resources Committee to the Finance and Economics Committee with effect from 12th December 2002.

**Machinery of Government: structure of the Executive - P.191/2002  
Comments P.191/2002 Com., Com. (2) and Com. (3).  
Amendments P.191/2002 Amd. and Amd.Com.**

THE STATES commenced consideration of a proposition of the Policy and Resources Committee on the Machinery of Government: structure of the Executive, and adopted an amendment of Senator Stuart Syvret that -

at the end of sub-paragraph (ii), the words “except that paragraph 2.5 of the Appendix shall be deleted and subsequent paragraphs renumbered accordingly” should be inserted.

Members present voted as follows -

**“Pour” (22)**

**Senators**

Le Maistre, Bailhache, Syvret, Kinnard.

**Connétables**

Grouville, St. Martin, St. Lawrence, St. Mary, St. John, St. Peter, Trinity.

**Deputies**

Duhamel(S), Breckon(S), Huet(H), St. Martin, St. Ouen, G. Baudains(C), Dorey(H), Troy(B)  
Le Hérissier(S), Martin(H), Southern(H).

**“Contre” (20)**

**Senators**

Horsfall, Norman, Walker.

**Connétables**

St. Ouen, St. Clement, St. Helier.

**Deputies**

H. Baudains(C), Trinity, Routier(H), Layzell(B), Grouville, St. John, Vibert(B), Dubras(L), Voisin(L), Scott Warren(S), Farnham(S), Ozouf(H), Fox(H), Bridge(H).

THE STATES adopted an amendment of Senator Stuart Syvret that at the end of sub-paragraph (iii), there be inserted the words -

“except that in paragraph 3.1 of the Appendix after the words ‘circulated for’ there be inserted the word ‘public’, and after the word ‘consultation,’ there be inserted the words ‘subjected to the States scrutiny function’.

Members present voted as follows -

**“Pour” (45)**

**Senators**

Horsfall, Le Maistre, Quérée, Bailhache, Syvret, Norman, Walker, Kinnard, Le Claire, Lakeman.

**Connétables**

St. Martin, St. Ouen, St. Brelade, St. Lawrence, St. Mary, St. John, St. Peter, St. Clement, St. H Trinity.

**Deputies**

H. Baudains(C), St. Mary, Trinity, Duhamel(S), Routier(H), Layzell(B), Breckon(S), Huet(H), St. Marti St. John, Le Main(H), Vibert(B), Dubras(L), St. Ouen, G. Baudains(C), Dorey(H), Troy(B), Scott War (S), Farnham(S), Le Hérisssier(S), Ozouf(H), Fox(H), Bridge(H), Martin(H), Southern(H).

**“Contre” (1)**

**Deputy**

Voisin(L).

The Deputy of Grouville declared an interest and withdrew from the Chamber prior to consideration of this amendment.

THE STATES rejected an amendment of Senator Stuart Syvret that -

in paragraph 3.2 of the Appendix after the words ‘Ministers and’ the remainder of paragraph be deleted and the following words be substituted ‘will have responsibility for organising its agenda and place and time of meetings, which shall be done in co-operation with the Ministers.’

Members present voted as follows -

**“Pour” (21)**

**Senators**

Le Maistre, Bailhache, Syvret, Kinnard, Le Claire.

**Connétables**

St. Martin, St. Brelade, St. Mary.

**Deputies**

Duhamel(S), Breckon(S), Huet(H), St. Martin, St. John, Vibert(B), St. Ouen, G. Baudains(C), Troy(I) Le Hérisssier(S), Bridge(H), Martin(H), Southern(H).

**“Contre” (25)**

**Senators**

Horsfall, Qu  r  e, Norman, Walker, Lakeman.

**Conn  tables**

St. Ouen, St. Lawrence, St. John, St. Peter, St. Clement, St. Helier, Trinity.

**Deputies**

H. Baudains(C), St. Mary, Trinity, Routier(H), Layzell(B), Le Main(H), Dubras(L), Dorey(H), Voisin(L), Scott Warren(S), Farnham(S), Ozouf(H), Fox(H),

The Deputy of Grouville declared an interest and withdrew from the Chamber prior to consideration of this amendment.

THE STATES rejected amendments of Senator Stuart Syvret that -

in paragraph 3.3 of the Appendix, in the fourth bullet point, after the words ‘Council meetings’ there be inserted the words ‘although the States Greffe shall be responsible for the recording and retention of the official Minutes of Council decisions, to which all members of the States shall have access’;

and that

at the end of paragraph 3.4 of the Appendix there be inserted the words ‘The States Greffe shall have responsibility for the recording and retention of corporate management board minutes, to which all members of the States shall have access’.

Members present voted as follows -

**“Pour” (14)**

**Senators**

Le Maistre, Syvret, Kinnard, Le Claire.

**Conn  tables**

St. Martin, St. Mary.

**Deputies**

Duhamel(S), Breckon(S), St. Martin, St. John, G. Baudains(C), Troy(B), Martin(H), Southern(H).

**“Contre” (33)**

**Senators**

Horsfall, Qu  r  e, Bailhache, Norman, Walker, Lakeman.

**Conn  tables**

St. Ouen, St. Saviour, St. Brelade, St. Lawrence, St. John, St. Peter, St. Clement, St. Helier, Trinity.

**Deputies**

H. Baudains(C), St. Mary, Trinity, Routier(H), Layzell(B), Huet(H), Le Main(H), Vibert(B), Dubras(L), St. Ouen, Dorey(H), Voisin(L), Scott Warren(S), Farnham(S), Le H  rissier(S), Ozouf(H), Fox(H), Bridg

(H).

The Deputy of Grouville declared an interest and withdrew from the Chamber prior to consideration of this amendment.

THE STATES rejected an amendment of Senator Stuart Syvret that -

in paragraph 3.4 of the Appendix after the words 'departments of the executive.' the remainder of paragraph be deleted and substituted with the following words 'In this capacity the Chief Executive will co-operate with heads of departments to ensure the efficient management and implementation of Council of Ministers functions, responsibilities and decisions'.

Members present voted as follows -

**“Pour” (13)**

**Senators**

Le Maistre, Bailhache, Syvret, Kinnard, Le Claire.

**Deputies**

Duhamel(S), Breckon(S), Huet(H), St. John, St. Ouen, G. Baudains(C), Martin(H), Southern(H).

**“Contre” (34)**

**Senators**

Horsfall, Quérée, Norman, Walker, Lakeman.

**Connétables**

St. Martin, St. Ouen, St. Saviour, St. Brelade, St. Lawrence, St. Mary, St. John, St. Peter, St. Cle  
St. Helier, Trinity.

**Deputies**

H. Baudains(C), St. Mary, Trinity, Routier(H), Layzell(B), St. Martin, Le Main(H), Vibert(B), Dubras(I  
Dorey(H), Troy(B), Voisin(L), Scott Warren(S), Farnham(S), Le Hérissier(S), Ozouf(H), Fox(H), Bridg  
(H).

The Deputy of Grouville declared an interest and withdrew from the Chamber prior to consideration of this amendment.

THE STATES then adjourned consideration of the proposition of the Policy and Resources Committee and of the outstanding amendments of Senator Stuart Syvret.

**Connétable of St. Saviour - attendance**

The Connétable of St. Saviour, having returned to the Island, arrived in the Chamber during consideration of the amendments of Senator Stuart Syvret to the proposition of the Policy and Resources Committee concerning Machinery of Government: structure of the Executive, and was present for the remainder of the meeting.

**Draft Royal Bank of Canada (Jersey) Law 2000 (Appointed Day) (No. 2) Act 200 P.201/2002**

THE STATES, in pursuance of Article 1 of the Royal Bank of Canada (Jersey) Law 2000, made an Act entitled the Royal Bank of Canada (Jersey) Law 2000 (Appointed Day) (No. 2) Act 2002.

**Five Oaks Roundabout, St. Saviour: transfer of administration of land- P.207/2002.  
Comments - P.207/2002 Com. and Com.(2).**

THE STATES adopting a proposition of the Housing Committee -

- (a) approved the transfer of administration from the Housing Committee to the Public Services Committee of 325 square feet of land forming part of the site formerly known as Highbury House and Stranton, Five Oaks, St. Saviour, as shown as a thick black line on drawing No. 631/01/21 for the purpose of realigning the kerb to allow for the installation of a pedestrian refuge; and
- (b) authorised the Greffier of the States to sign the said drawing on behalf of the States.

**States Abattoir, La Collette, St. Helier: transfer of administration P.208/2002. Comments - P.208/2002 Com. and Com.(2).**

THE STATES adopting a proposition of the Agriculture and Fisheries Committee -

- (a) approved the transfer of administration from the Agriculture and Fisheries Committee to the Harbours and Airport Committee of an area of land totalling 16,083 square feet at the States Abattoir, La Collette, St. Helier (as shown boldedged on Drawing No. P 565 04), 13,004 square feet of which was to be used for boat parking, the remaining 3,079 square feet to be leased to the Jersey Electricity Company Limited;
- (b) agreed that, notwithstanding the transfer of administration, the annual rental income received by the Harbours and Airport Committee from the lease of the said land to the Jersey Electricity Company Limited should be transferred by that Committee to the Agriculture and Fisheries Committee.

**Draft Island Planning (Exempt Operations) (Jersey) Regulations 200- P.209/2002. (rissue)**

THE STATES, in pursuance of Article 5(2)(iv) of the Island Planning (Jersey) Law 1964, as amended, made Regulations entitled Island Planning (Exempt Operations) (Jersey) Regulations 2002.

**Adjournment**

THE STATES then adjourned, having adopted a proposition of Senator Jean Amy Le Maistre that the States should meet the following day, Thursday 21st November 2002 to resume consideration of the proposition of the Policy and Resources Committee concerning the Machinery of Government: structure of the Executive (P.191/2002 lodged "au Greffe" on 22nd October 2002) and associated amendments.

THE STATES rose at 5.40 p.m.

**M.N. DE LA HAYE**

*Greffier of the States.*