

**THE STATES assembled on Tuesday
26th February 2008, at 09.30 a.m. under
the Presidency of the Deputy Bailiff,
Mr. Michael Cameron St. John Birt Esquire.**

**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 –

Connétable Thomas John du Feu of St. Peter– ill
Deputy Peter Nicholas Troy of St. Brelade– en défaut (défaut raised at 9.38 a.m.)
Deputy John Alexander Nicholas Le Fondré of St. Lawrence– en défaut
Deputy Shona Pitman of St. Helier– en défaut (défaut raised at 9.40 a.m.)

Prayers

Subordinate enactments tabled

The following enactments were tabled, namely –

Road Racing (Karts) (Jersey) Order 2008. <i>Minister for Transport and Technical Services.</i>	R&O.24/2008.
Money Laundering (Amendment) (Jersey) Order 2008. <i>Minister for Treasury and Resources.</i>	R&O.26/2008.
Mental Health (Review Tribunal – Remuneration) (Jersey) Order 2008. <i>Minister for Health and Social Services.</i>	R&O.27/2008.
Collective Investment Funds (Unregulated Funds) (Jersey) Order 2008. <i>Minister for Economic Development.</i>	R&O.28/2008.
Control of Borrowing (Amendment No. 12) (Jersey) Order 2008 <i>Minister for Economic Development.</i>	R&O.29/2008.
Companies (General Provisions) (Amendment No. 2) (Jersey) Order 2008. <i>Minister for Economic Development.</i>	R&O.30/2008.
Animal Welfare (Licence Fee) (Jersey) Order 2008. <i>Minister for Planning and Environment.</i>	R&O.31/2008.
Animal Welfare (Poisons) (Amendment) (Jersey) Order 2008. <i>Minister for Planning and Environment.</i>	R&O.32/2008.
Planning and Building (Fees) (Jersey) Order 2008. <i>Minister for Planning and Environment.</i>	R&O.33/2008.

Documents presented or laid

Millennium Town Park: Funding from Strategic Reserve (P.1/2008) – comments. Presented: 26th February 2008. <i>Minister for Treasury and Resources.</i>	P.1/2008. Com.
Re-use and Recycling facilities: capital and revenue funding (P.7/2008) – comments. Presented: 22nd February 2008. <i>Minister for Transport and Technical Services.</i>	P.7/2008. Com.
Goods and Services Tax: restriction on amendment of 3% rate (P.19/2008) – comments. Presented: 21st February 2008. <i>Minister for Treasury and Resources.</i>	P.19/2008. Com.
Land Transactions under Standing Order 168(3) – (a) Mycroft Cottage, 7 Le Clos des Champs, La Route de Maufant, St. Saviour: Assisted House Purchase Property; (b) The Parsonage, St. Aubin, St. Brelade: new Lease from the Trustees of the Parsonage. Presented: 14th February 2008. <i>Minister for Treasury and Resources.</i>	R.15/2008.
Land Transactions under Standing Order 168(3) – Fields 330 and 331, La Rue de Crabbé, St. Mary, JE3 3AD- new lease. Presented: 26th February 2008. <i>Minister for Treasury and Resources.</i>	R.16/2008.
Review of Goods and Services Tax: De Minimis Waiver– Fourth Report (S.R.1/2008) – response of the Minister for Treasury and Resources. Presented: 26th February 2008. <i>Minister for Treasury and Resources.</i>	S.R.1/2008. Res.

Notification of lodged propositions

Draft Taxation (Land Transactions) (Jersey) Law 200- (P.185/2007): amendments. Lodged: 26th February 2008. <i>Minister for Treasury and Resources.</i>	P.185/2007. Amd.
Jersey Enterprise Board Limited: proposed establishment (P.194/2007) – third amendment. Lodged: 19th February 2008. <i>Public Accounts Committee.</i>	P.194/2007. Amd.(3)
Draft Goods and Services Tax (International Service Entities) (Jersey) Regulations 200- (P.10/2008): amendments. Lodged: 26th February 2008. <i>Minister for Treasury and Resources.</i>	P.10/2008. Amd.
Draft Price Indicators (Jersey) Regulations 200- (P.14/2008): second amendments. Lodged: 26th February 2008. <i>Minister for Economic Development.</i>	P.14/2008. Amd.(2)
Draft Goods and Services Tax (Amendment) (Jersey) Law 200- (P.17/2008): amendments.	P.17/2008. Amd.

Lodged: 26th February 2008. <i>Minister for Treasury and Resources.</i>	
Draft Proceeds of Crime (Supervisory Bodies) (Jersey) Law 200-. Lodged: 18th February 2008. <i>Minister for Economic Development.</i>	P.29/2008.
Appointments Commission: re-appointment of member. Lodged: 19th February 2008. <i>Chief Minister.</i>	P.30/2008.
Draft Customs and Excise (Amendment No. 5) (Jersey) Law 200. Lodged: 19th February 2008. <i>Minister for Treasury and Resources.</i>	P.31/2008.
Census of Island's population. Lodged: 26th February 2008. <i>Deputy of Grouville.</i>	P.32/2008.
Rezoning of sites in the Green and Countryside Zones and Island Plan Review. Lodged: 26th February 2008. <i>Deputy of Grouville.</i>	P.33/2008.
Draft Health Implementation (Jersey) Law 200-. Lodged: 26th February 2008. <i>Minister for Health and Social Services.</i>	P.34/2008.
Committee of Inquiry into the operation of Third Party Planning Appeals. Lodged: 26th February 2008. <i>Deputy C.J. Scott Warren of St. Saviour.</i>	P.35/2008.

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 had been withdrawn –

Jersey Enterprise Board Limited: proposed establishment (P.194/2007) – second amendment. Lodged: 19th February 2008. <i>Public Accounts Committee.</i>	P.194/2007. Amd.(2)
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Written Questions

(see Official Report/Hansard)

The Minister for Housing tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding housing qualifications.

The Chairman of the Executive Committee of the Commonwealth Parliamentary Association tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding attendance at Commonwealth Parliamentary Association events.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding targets for public sector wage increases.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact of growing the economy by increasing the number of workers in the financial services sector.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the demand for 3 bedroom houses.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the Employment Relations (Jersey) Law 2007.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the 'Jersey Homebuy' scheme.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding increasing supply in the housing market.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the 'Jersey Homebuy' scheme.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding housing maintenance.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the index linking of pensions.

The Chairman of the Privileges and Procedures Committee tabled an answer to a question from Deputy R.G. Le Hérisier of St. Saviour regarding the 'What is Scrutiny?' conference.

The Chief Minister tabled an answer to a question from Deputy R.G. Le Hérisier of St. Saviour regarding Channel Islander status.

The Chief Minister tabled an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding the Jersey Law Commission's report on the Jersey Law of Charities.

The Minister for Social Security tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the cost of prescriptions from pharmacies.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the cost of prescriptions at the General Hospital.

Oral Questions

(see Official Report/Hansard)

Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding breaches of the minimum wage legislation.

The Connétable of St. Helier asked a question of the Minister for Home Affairs regarding the possible introduction of compulsory rear seat belt legislation.

Deputy P.V.F. Le Claire of St Helier asked a question of the Minister for Treasury and Resources regarding the potential purchase of confidential client details by foreign Governments to identify tax evasion.

The Connétable of St. Helier asked a question of the Minister for Education, Sport and Culture regarding the range of day time activities provided by his Department for children over the age of 12

during school holidays.

Deputy R.G. Le Hérisier of St. Saviour asked a question of the Minister for Planning and Environment regarding the operation of Island Plan Policy C16 on agricultural sheds.

The Connétable of Grouville asked a question of the Minister for Economic Development regarding the cost of a forthcoming briefing at the Radisson Hotel.

The Deputy of St. Martin asked a question of the Minister for Home Affairs regarding a review of the Rehabilitation of Offenders Law.

Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Education, Sport and Culture regarding the future use of the former Fort Regent swimming pool.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Education, Sport and Culture regarding the number of students, whose first language was not English, currently being taught in the Island's primary and secondary schools.

Deputy R.G. Le Hérisier of St. Saviour asked a question of the Minister for Economic Development regarding the effect of high postal charges on small internet businesses or voluntary groups.

Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Home Affairs regarding the banning of so-called legal drugs Spice and Salvia.

The Deputy of St. Martin asked a question of the Minister for Housing regarding the purchase of residential property for speculative purposes.

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Health and Social Services answered questions without notice from members.

The Chief Minister answered questions without notice from members.

Statements on a matter of official responsibility

(see Official Report/Hansard)

The Chief Minister made a statement about child abuse allegations in the Island.

THE STATES adopting a proposition of Senator Philip Francis Cyril Ozouf, agreed that the 10 minute question period allowed in accordance with Standing Order 68(3) following a statement on a matter of official responsibility, should be extended to allow further questions to be asked of the Chief Minister.

Draft Public Elections (Amendment No. 3) (Jersey) Law 200 P.2/2008

THE STATES commenced consideration of the Draft Public Elections (Amendment No. 3) (Jersey) Law 200 and rejected the principles.

Members present voted as follows –

POUR: 14

CONTRE: 31

ABSTAIN: 0

Senator T.A. Le Sueur

Senator L. Norman

Senator P.F.C. Ozouf
Senator F.E. Cohen
Connétable of St. Helier
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy P.V.F. Le Claire (H)
Deputy S. Pitman (H)
Deputy A.J.D. Maclean (H)

Senator F.H. Walker
Senator P.F. Routier
Senator M.E. Vibert
Senator T.J. Le Main
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Deputy J.J. Huet (H)
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren (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 D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. Mary

Re-use and Recycling facilities: capital and revenue funding P.7/2008

THE STATES rejected a proposition of Deputy John Benjamin Fox of St. Helier that the Council of Ministers should be requested to –

- (a) re-prioritise the current capital programme to bring forward in the 2009 Annual Business Plan allocated funding for a permanent Re-use and Recycling Centre in 2009 (currently scheduled for 2011);
- (b) re-prioritise the current capital programme to bring forward in the 2009 Annual Business Plan allocated funding for an additional permanent Re-use and Recycling Centre in the east of the Island in 2009;
- (c) make provision in the 2009 States Business Plan and beyond for the revenue required to operate such facilities upon completion.

Members present voted as follows –

POUR: 16

Senator L. Norman
Senator P.F. Routier
Senator P.F.C. Ozouf

CONTRE: 19

Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur

ABSTAIN: 6

Connétable of Trinity
Connétable of St. Saviour
Deputy G.C.L. Baudains

Senator J.L. Perchard
Connétable of St. Mary
Connétable of St. Helier
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy C.J. Scott Warren (S)
Deputy J.B. Fox (H)
Deputy G.P. Southern (H)
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy of St. John

Senator T.J. Le Main
Senator B.E. Shenton
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Deputy of St. Martin
Deputy R.G. Le Hérisssier (S)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy D.W. Mezbourian
(L)
Deputy S.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)
Deputy I.J. Gorst (C)

(C)
Deputy of St. Peter
Deputy of Trinity
Deputy of St. Mary

Declaration of interest

Senator Frederick Ellyer Cohen, in accordance with the provisions of Standing Order 106(b), declared an interest in this matter in view of his responsibility as Minister for Planning and Environment, but remained in the Chamber for the duration of the debate.

Waterfront Skateboard and Youth and Community Centre P.8/2008

THE STATES commenced consideration of a proposition of Deputy John Benjamin Fox of St. Helier concerning the provision of a Waterfront Skateboard and Youth and Community Centre.

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 27th February 2008 to continue the consideration of the proposition of Deputy James Benjamin Fox of St. Helier entitled 'Waterfront Skateboard and Youth and Community Centre' (P.8/2008) and the outstanding items of public business.

THE STATES rose at 5.33 p.m.

M.N. DE LA HAYE

Greffier of the States