THE STATES assembled on Tuesday 13th March 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 –

Connétable Philip Francis Ozouf of St. Saviour– absent due to illness Deputy Alan Breckon of St. Saviour- en défaut Deputy Peter Nicholas Troy of St. Brelade- en défaut (défaut raised 9.59 a.m.) Deputy Guy William John De Faye of St. Helier- en défaut (défaut raised 9.59 a.m.) Deputy Shona Pitman of St. Helier- en défaut (défaut raised 9.42 a.m.)

Prayers

Subordinate enactments tabled

The following enactments were tabled, namely –

Teachers' Superannuation (Administration) (Jersey) Order 2007. Chief Minister.	R&O.36/2007.
Tour de Bretagne (Jersey)Order 2007. Minister for Transport and Technical Services.	R&O.39/2007.
Misuse of Drugs (Addicts) (Amendment No. 5) (Jersey) Order 2007 <i>Minister for Health and Social Services</i> .	R&O.40/2007.

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Presented: 7th March 2007.

nents presented or laid	
Environmental Taxes: public consultation discussion paper. Presented: 28th February 2007. Minister for Planning and Environment.	R.15/2007.
Code of Conduct for elected members: Senator S. Syvret. Presented: 2nd March 2007. Privileges and Procedures Committee.	R.16/2007.
Land Transactions under Standing Order 168(3) – (a) Beau Sejour, Mont Millais, St. Helier, JE2 4RA– lease; (b) Flat 1, Claremont, Bagatelle Road, St. Saviour, JE2 7TX– lease. Presented: 5th March 2007. Minister for Treasury and Resources.	R.17/2007.
Fur products: petition (P.72/2006, as amended) – report to the States.	R.18/2007.

Council of Ministers.

Composition and Election of the States – summary of responses to consultation. R.19/2007.

Presented: 7th March 2007.

Privileges and Procedures Committee.

Survey on Electoral Reform in Jersey, 2007. R.20/2007.

Presented: 7th March 2007.

Privileges and Procedures Committee.

States of Jersey Complaints Board: report 2006. R.21/2007.

Presented: 12th March 2007.

Privileges and Procedures Committee.

Land Transactions under Standing Order 168(3) – R.22/2007.

(a) Fields 800, 800A and 801, rear of JCG Preparatory School, Claremont Road, St. Savjour: lease:

(b) Beau Sejour, Mont Millais, St. Helier, JE2 4RA:lease.

Presented: 12th March 2007.

Minister for Treasury and Resources.

Youth Service Five Year Strategic Plan 2007 – 2011. R.23/2007.

Presented: 12th March 2007.

Minister for Education, Sport and Culture.

Overseas Aid Commission. R.24/2007.

Presented: 13th March 2007. *Comptroller and Auditor-General.*

Jersey Telecom – privatisation S.R.5/2007.

Presented: 6th March 2007.

Economic Affairs Scrutiny Panel.

The GP Co-Operative Out-of-Hours Service. S.R.6/2007.

Presented: 8th March 2007.

Education and Home Affairs Scrutiny Panel.

Public Accounts Committee Report on the Battle of Flowers.

P.A.C.2/2007.

Presented: 1st March 2007. *Public Accounts Committee*.

Draft Employment (Minimum Wage) (Amendment No. 2) (Jersey) Regulations P.14/2007. Com.

200- (P.14/2007): comments. Presented: 13th March 2007.

Minister for Economic Development.

Notification of lodged propositions

Draft Customs and Excise (Amendment No. 4) (Jersey) Law 200 . P.32/2007.

Lodged: 2nd March 2007.

Minister for Home Affairs.

Tevielka, La Rue de la Haye du Puits, Grouville: proposedleed of arrangement. P.33/2007.

Lodged: 5th March 2007.

Minister for Treasury and Resources.

Annual Business Plan 2007: Property Plan. P.34/2007. Lodged: 5th March 2007. Chief Minister. Draft Financial Services Commission (Amendment No. 4) (Jersey) Law 200. P.35/2007. Lodged: 6th March 2007. Minister for Economic Development. Le Squez Redevelopment Phase 1b: redefinition of boundaries. P.36/2007. Lodged: 6th March 2007. Minister for Housing. Draft Goods and Services Tax (Jersey) Law 200-. P.37/2007. Lodged: 6th March 2007. Minister for Treasury and Resources Draft Sea Fisheries (Les Minquiers) (Jersey) Regulations 200-. P.38/2007. Lodged: 9th March 2007. Minister for Economic Development. Draft Sea Fisheries (Trawling, Netting and Dredging) (Amendment No. 2) (Jersey) P.39/2007. Regulations 200-. Lodged: 9th March 2007. Minister for Economic Development. President of Chairmen's Committee: vote of no confidence. P.40/2007. Lodged: 12th March 2007. Deputy S.C. Ferguson of St. Brelade. Planning Applications Panel: appointment of members. P.41/2007. Lodged: 12th March 2007. Minister for Planning and Environment. Draft Public Employees (Contributory Retirement Scheme) (General) (Amendment P.42/2007. No. 9) (Jersey) Regulations 200. Lodged: 12th March 2007. Chief Minister. Senator S. Syvret: expression of disapproval for conduct. P.43/2007. Lodged: 13th March 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 proposer of the following proposition lodged "au Greffe" had informed the Greffier of the States that it had been withdrawn –

Public Elections: reduction in voting age to 16.

Lodged: 5th December 2006.

Deputy P.V.F. Le Claire of St. Helier.

P.166/2006.

THE STATES noted the resignation of Deputy Sean Seamus Patrick Augustine Power of St. Brelade from the Environment Scrutiny Panel.

Written Questions

(see Official Report)

The Chief Minister tabled an answer to a question asked by Deputy D.W. Mezbourian of St. Lawrence regarding staff suspensions as a result of disciplinary infractions up to the end of 2006.

The Chief Minister tabled an answer to a question asked by Deputy D.W. Mezbourian of St. Lawrence concerning the employment of 'j' category employees during the period 2000 to 2006.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy S.S.P.A. Power of St. Brelade regarding the potential for compensation to be paid by the new operator of the amphibious service to Elizabeth Castle in view of the proposed closure of the Castle until 1st June 2007.

The Chairman of the Environment Scrutiny Panel tabled an answer to a question asked by Deputy G.C.L Baudains of St. Clement in relation to waste disposal issues.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier ir connexion with the concrete degradation at Convent Court.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Heliel regarding the payment of benefits and Long Term Incapacity Allowance.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier concerning teachers' pay awards.

Oral Questions

(see Official Report)

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Chairman of the Privileges and Procedure Committee regarding lessons learnt from the outcome of recent investigations into the letter written by Senator Syvret.

Deputy D.W. Mezbourian of St. Lawrence asked a question of the Chief Minister regarding the number of additional people taking up residence in the Island consequential to the States employing 'j' category staff.

Deputy R.G. Le Hérissierof St. Saviourasked a question of the Minister for Health and Social Services regarding the availability of his response to the Scrutiny Report entitled 'Overdale – the closure of Leoville and McKinstry wards'.

Deputy J.A. Martin of St. Helier asked a question of the Minister for Treasury and Resources regarding his response to the recommendations contained within Scrutiny Report "Jersey Telecom: Privatisation" (SR5/2007).

Deputy G.P. Southern of St. Helier asked a question of the Minister for Economic Development regarding the tendering and selection process adopted for the new Jersey Tourism website contract.

Senator B.E. Shenton asked a question of the Minister for Planning and Environment regarding the free parking offered to staff within his Department.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding the EU's Savings Directive.

Senator B.E. Shenton asked a question of the Minister for Economic Development regarding the subsidy paid to

BMI in respect of the Heathrow route.

Deputy S.S.P.A. Power of St. Brelade asked a question of the Deputy of Grouville, Assistant Minister for Education, Sport and Culture, regarding the amphibious vehicle service to Elizabeth Castle.

Deputy J.A. Martin of St. Helier asked a question of the Chairman of Privileges and Procedures Committee regarding the findings of the recent MORI poll.

Deputy G.C.L. Baudains of St. Clement asked a question of the Minister for Transport and Technical Services regarding the timescale involved in safely shutting down the types of incinerators being considered as a replacement for Bellozanne.

Deputy S.S.P.A. Power of St. Brelade asked a question of the Deputy of Grouville, Assistant Minister for Education, Sport and Culture regarding the contract period for the new operator of the proposed amphibious vehicles at Elizabeth Castle.

Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Health and Social Services regarding anonymous blood testing for H.I.V and Hepatitis C.

Oral Questions without notice

(see Official Report)

The Minister for Economic Development answered questions without notice from members.

The Chief Minister answered questions without notice from members.

Personal statements

(see Official Report)

Deputy Paul Vincent Francis Le Claire of St. Helier made a statement concerning the withdrawal of hi proposition 'Public Elections: reduction in voting age to 16' (P.166/2006, lodged au Greffe on 5th December 2006).

Statements on a matter of official responsibility

(see Official Report)

The Chairman of the Privileges and Procedures Committee made a statement about the work of the Machinery of Government Review Sub-Committee.

The Minister for Economic Development made a statement regarding the introduction of GST price marking.

Draft F.B. Playing Fields (Sports Hall) (Jersey) Law 200- P.9/2007

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the F.B. Playing Fields (Sports Hall) (Jersey) Law 200-.

Draft Shops (Sunday Trading) (No. 9) (Jersey) Regulations 200 P.10/2007

THE STATES, in pursuance of Article 6 of the Shops (Sunday Trading) (Jersey) Law 1960, made Regulations entitled the Shops (Sunday Trading) (No. 9) (Jersey) Regulations 2007.

Draft Police Procedures and Criminal Evidence (Jersey) Law 2003 (Appointed Day) (No. 4) Act 200 P.17/2007

THE STATES, in pursuance of Article 114(2) of the Police Procedures and Criminal Evidence (Jersey) Law 2003 made an Act entitled the Police Procedures and Criminal Evidence (Jersey) Law 2003 (Appointed Day) (No. 4) Act 2007.

Minimum Wage Level P.23/2007

THE STATES rejected a proposition of Deputy Geoffrey Peter Southern of St. Helier-

- (a) that the Employment (Jersey) Law 2003 be amended to provide that the minimum wage shall be such hourly rate as may from time to time be determined by the States, and
- (b) that the Minister for Social Security be requested to take the necessary action.

Members present voted as follows –

POUR: 14 CONTRE: 35 ABSTAIN: 0

Senator S. Syvret
Senator W. Kinnard
Senator B.E. Shenton
Connétable of St. Martin
Deputy of St. Martin
Deputy C.J. Scott Warren (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian
(L)

Deputy S. Pitman (H) Deputy of St. John Senator L. Norman Senator T.A. Le Sueur Senator P.F. Routier Senator M.E. Vibert Senator P.F.C. Ozouf Senator T.J. Le Main Senator F.E. Cohen Senator J.L. Perchard Connétable of St. Ouen Connétable of St. Mary Connétable of St. Peter Connétable of St. Clement

Connétable of St. Helier Connétable of Trinity

Connétable of St. Lawrence Connétable of Grouville Connétable of St. Brelade Connétable of St. John Deputy R.C. Duhamel (S) Deputy J.J. Huet (H)

Deputy G.C.L. Baudains (C)

Deputy P.N. Troy (B)

Deputy R.G. Le Hérissier (S)

Deputy J.B. Fox (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 J.A.N. Le Fondré (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

Minimum Wage: Youth Rate P.25/2007

THE STATES, adopting a proposition of Deputy Geoffrey Peter Southern of St. Helier, agreed-

- (a) that the Employment (Minimum Wage) (Jersey) Regulations 2004 be amended to restrict the payment of different hourly rates than those that applied to other employees who qualified for the minimum wage to trainees only;
- (b) that the Minister for Social Security be requested to take the appropriate action.

Members present voted as follows –

POUR: 29 CONTRE: 22 ABSTAIN: 0

Senator S. Syvret Senator W. Kinnard Senator B.E. Shenton Connétable of St. Mary Connétable of St. Clement Connétable of St. Helier Connétable of Trinity Deputy R.C. Duhamel (S) Deputy of St. Martin Deputy G.C.L. Baudains (C) Deputy C.J. Scott Warren (S) Deputy R.G. Le Hérissier (S) Deputy J.B. Fox (H) Deputy J.A. Martin (H) Deputy G.P. Southern (H) 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

Senator L. Norman Senator F.H. Walker Senator T.A. Le Sueur Senator P.F. Routier Senator M.E. Vibert Senator P.F.C. Ozouf Senator T.J. Le Main Senator F.E. Cohen Senator J.L. Perchard Connétable of St. Ouen Connétable of St. Peter Connétable of St. Lawrence Connétable of Grouville Connétable of St. Brelade Connétable of St. Martin Connétable of St. John Deputy J.J. Huet (H) Deputy P.N. Troy (B) Deputy S.C. Ferguson (B) Deputy J.A.N. Le Fondré (L)

Deputy I.J. Gorst (C) Deputy of St. Mary

Draft Employment (Minimum Wage) (Amendment No. 2) (Jersey) Regulations 200 P.14/2007. Comments

THE STATES commenced consideration of the Draft Employment (Minimum Wage) (Amendment No. 2) (Jersey) Regulations 200- and adopted the principles.

Regulation 1 was adopted.

(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

Regulation 2 was withdrawn by the Minister for Social Security following the adoption by the States of the proposition of Deputy Geoffrey Peter Southern concerning the Minimum Wage: Youth Rate (P.25/2007).

Regulation 3 was adopted.

Regulation 4 was adopted, the States having agreed to delete the words 'or a student' from the substituted Regulation 9(2) as a consequential amendment following the adoption of P.25/2007.

Regulation 5 was adopted.

THE STATES decided to defer the Third Reading of the Draft Employment (Minimum Wage) (Amendment No. 2) (Jersey) Regulations 200 (P.14/2007) until 27th March 2007.

Planning Applications Panel: appointment of members. P.41/2007

THE STATES, having approved the request of the Minister for Planning and Environment, in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of the said matter, agreed to appoint, on the recommendation of the Minister for Planning and Environment and in accordance with Article 9C of the Planning and Building (Jersey) Law 2002, the following members of the States as members of the Planning Applications Panel with immediate effect and for a period of 3 years—

> Connétable Philip Francis Ozouf of St. Saviour as a full member; Deputy Sean Seamus Patrick Augustine Power of St. Brelade as a reserve member; Connétable John Le Sueur Gallichan of Trinity as a reserve member.

Members present voted as follows –

POUR: 40 CONTRE: 3 ABS

Senator S. Syvret

Deputy of Grouville

Connétable of Grouville

Senator L. Norman Senator F.H. Walker

Senator W. Kinnard

Senator T.A. Le Sueur

Senator M.E. Vibert

Senator B.E. Shenton

Senator F.E. Cohen

Senator J.L. Perchard

Connétable of St. Ouen

Connétable of St. Mary

Connétable of St. Peter

Connétable of St. Clement

Connétable of St. Helier

Connétable of St. Lawrence

Connétable of St. Brelade

Connétable of St. Martin

Connétable of St. John

Deputy R.C. Duhamel (S)

Deputy of St. Martin

Deputy G.C.L. Baudains (C)

Deputy C.J. Scott Warren (S)

Deputy R.G. Le Hérissier (S)

Deputy J.B. Fox (H)

Deputy J.A. Martin (H)

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.N. Troy (B) Deputy S.S.P.A. Power

(B)

Deputy G.W.J. de Faye (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. Pitman (H) Deputy A.J.H. Maclean (H) Deputy K.C. Lewis (S) Deputy of St. John Deputy I.J. Gorst (C) Deputy of St. Mary

Former Jersey College for Girls: proposed sale. P.30/2007

THE STATES noted that Deputy Robert Charles Duhamel of St. Saviour had informed the Greffier, in accordance with Standing Order 30(2), that his proposition relating to the sale of the former Jersey College for Girls (P.30/2007 lodged "au Greffe" on 27th February 2007) would be deferred from the present meeting to 27th March 2007.

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) -

27th March 2007

President of Chairmen's Committee: vote of no confidence. P.40/2007. Lodged: 12th March 2007. Deputy S.C. Ferguson of St. Brelade. Senator S. Syvret: expression of disapproval for conduct. P.43/2007. Lodged: 13th March 2007. Deputy G.C.L. Baudains of St. Clement. Draft Employment (Minimum Wage) (Amendment No. 2) (Jersey) Regulations P.14/2007. 200-. Lodged: 30th January 2007. Minister for Social Security. Former Jersey College for Girls: proposed sale. P.30/2007. Lodged: 27th February 2007. Deputy R.C. Duhamel of St. Saviour.

Draft Road Traffic (No. 57) (Jersey) Regulations 200.

P.161/2006.

Lodged: 1st December 2006.

Minister for Transport and Technical Services.

Draft Road Traffic (No. 57) (Jersey) Regulations 200 (P.161/2006): amendment. P.161/2006. Lodged: 23rd January 2007. Amd.

Minister for Transport and Technical Services.

Electoral Reform (paragraphs (a)(ii)-(v) and (b) only). Lodged: 11th January 2007. Deputy G.P. Southern of St. Helier.	P.4/2007.
Draft Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 3) (Jersey) Regulations 200 Lodged: 2nd February 2007. Minister for Economic Development.	P.15/2007.
Draft Prison (Amendment No. 6) (Jersey) Law 200. Lodged: 5th February 2007. Minister for Home Affairs.	P.18/2007.
Draft Regulation of Investigatory Powers (Amendment) (Jersey) Law 200 Lodged: 6th February 2007. Minister for Home Affairs.	P.19/2007.
Draft Centeniers (Terms of Office) (Jersey) Law 200 Lodged: 6th February 2007. Comité des Connétables.	P.20/2007.
Draft Règlements (200-) sur le tarif des honoraires des Jurés-Justiciers. Lodged: 8th February 2007. <i>Chief Minister</i> .	P.21/2007.
Draft Employment (Amendment No. 3) (Jersey) Law 200. Lodged: 13th February 2007. Minister for Social Security.	P.24/2007.
17th April 2007	
Draft Telecommunications (Public Pensions) (Jersey) Regulations 200 Lodged: 20th February 2007. Minister for Treasury and Resources.	P.27/2007.
JT Group Limited ("Jersey Telecom"): proposed sale. Lodged: 20th February 2007. Minister for Treasury and Resources.	P.28/2007.
Draft Housing (General Provisions) (Amendment No. 25) (Jersey) Regulations 200 Lodged: 27th February 2007. Minister for Housing.	P.31/2007.
Draft Customs and Excise (Amendment No. 4) (Jersey) Law 200. Lodged: 2nd March 2007. Minister for Home Affairs.	P.32/2007.
Tevielka, La Rue de la Haye du Puits, Grouville: proposedleed of arrangement. Lodged: 5th March 2007. Minister for Treasury and Resources.	P.33/2007.
Annual Business Plan 2007: Property Plan. Lodged: 5th March 2007. Chief Minister.	P.34/2007.

Draft Financial Services Commission (Amendment No. 4) (Jersey) Law 200. P.35/2007

Lodged: 6th March 2007.

Minister for Economic Development.

Le Squez Redevelopment Phase 1b: redefinition of boundaries. P.36/2007.

Lodged: 6th March 2007.

Minister for Housing.

Draft Goods and Services Tax (Jersey) Law 200-. P.37/2007

Lodged: 6th March 2007.

Minister for Treasury and Resources.

1st May 2007

Composition and Election of the States Assembly: proposed reform. P.145/2006.

Lodged: 3rd November 2006.

Senator B.E. Shenton.

Composition and Election of the States Assembly: proposed reform (P.145/2006): P.145/2006. amendments.

Lodged: 28th December 2006.

Deputy G.P. Southern of St. Helier.

Draft Sea Fisheries (Les Minquiers) (Jersey) Regulations 200-. P.38/2007.

Lodged: 9th March 2007.

Minister for Economic Development.

Draft Sea Fisheries (Trawling, Netting and Dredging) (Amendment No. 2) (Jersey) P.39/2007.

Regulations 200-.

Lodged: 9th March 2007.

Minister for Economic Development.

Draft Public Employees (Contributory Retirement Scheme) (General) (Amendment P.42/2007.

No. 9) (Jersey) Regulations 200.

Lodged: 12th March 2007.

Chief Minister.

15th May 2007

5th June 2007

Draft Water Resources (Jersey) Law 200- . P.26/2007.

P.6/2007.

Lodged: 19th February 2007.

Minister for Planning and Environment.

19th June 2007

Social Housing Property Plan 2007–2016.

Lodged: 16th January 2007.

Minister for Housing.

Electoral Reform P.4/2007 – withdrawal of paragraph (a)(i).

THE STATES noted that, in accordance with Standing Order 34(1), Deputy Geoffrey Peter Southern of St. Helie

had informed the Greffier of the States that paragraph (a)(i) of his proposition relating to Electoral Reform (P.4/2007 lodged "au Greffe" on 11th January 2007) had been withdrawn.

Composition and election of the States Assembly: options for change R.97/2006 in committee

THE STATES, on the proposition of the Chairman of the Privileges and Procedures Committee, then resolved to sit in committee, in order to discuss 'Composition and election of the States Assembly: options for change' (R.97/2006), presented by the Privileges and Procedures Committee on 11th December 2006, and other matters relating to the composition and election of the States Assembly.

Adjournment

THE STATES adjourned, and agreed to reconvene on Wednesday 14th March 2007 to continue the in committee discussion of 'Composition and election of the States Assembly: options for change' (R.97/2007).

THE STATES rose at 5.39 p.m.

M.N. DE LA HAYE

Greffier of the States