THE STATES assembled on Monday 16th July 2007, at 09.30 a.m. under the Presidency of the Greffier of the States, Mr. Michael Nelson de la Haye

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

Senator Frank Harrison Walker – absent on States business Senator Terence John Le Main– en défaut (défaut raised at 9.38 a.m.) Connétable Philip Francis Ozouf of St. Saviour– ill Connétable Geoffrey William Fisher of St. Lawrence– en défaut Connétable Silvanus Arthur Yates of St. Martin– excused Deputy Guy William John de Faye of St. Helier– en défaut (défaut raised at 9.59 a.m.) Deputy Ian Joseph Gorst of St. Clement– en défaut

Prayers read by the Deputy Greffier of the States

Senator S. Syvret – welcome back

The Presiding Officer, on behalf of members, welcomed Senator Stuart Syvret back to the Assembly after a period of absence through ill-health.

Subordinate enactments tabled

The following enactments were tabled, namely -

Battle of Flowers (Jersey) Order 2007. Minister for Transport and Technical Services.	R&O.84/2007.
Road Racing (Hill Climbs and Sprint) (No. 3) (Jersey) Order 2007. Minister for Transport and Technical Services.	R&O.85/2007.
Road Traffic (Disabled Persons) (Parking) (Amendment No. 6) (Jersey) Order 2007. Minister for Transport and Technical Services.	R&O.86/2007.
Road Traffic (St. Helier) (Amendment No. 21) (Jersey) Order 2007. Minister for Transport and Technical Services.	R&O.87/2007.
Documents presented or laid	
Composition of the States: revised structure and referendum (P.75/2007) – second amendment (P.75/2007 Amd.(2))– comments. Presented: 16th July 2007. <i>Privileges and Procedures Committee</i> .	P.75/2007. Amd. (2). Com.
Composition of the States: revised structure and referendum $(P.75/2007)$ – third amendments $(P.75/2007 \text{ Amd.}(3))$ – comments.	P.75/2007. Amd. (3). Com.

Presented: 16th July 2007.

Privileges and Procedures Committee.

Code of Practice on Public Access to Official Information: Annual Report for 2006.	R.65/2007.
Presented: 6th July 2007. Privileges and Procedures Committee.	
Data Protection (Jersey) Law 2005: Annual Report for 2006. Presented: 9th July 2007. <i>Chief Minister</i> .	R.66/2007.
Land Transactions under Standing Order 168(3) – Fields 853, 864 and 865, Trinity: sale of land. Presented: 12th July 2007. <i>Minister for Treasury and Resources</i> .	R.67/2007.
Jersey Child Care Trust: Report and Financial Statements at 31st December 2006. Presented: 16th July 2007. <i>Minister for Education, Sport and Culture.</i>	R.68/2007.
Social Security Department: Report and Accounts for 2006. Presented: 16th July 2007. <i>Minister for Social Security</i> .	R.69/2007.
Employment Tribunal Member: extension of appointment. Presented: 16th July 2007. <i>Minister for Social Security</i> .	R.70/2007.
Jersey Council for Safety and Health at Work: Report and Financial Statements for the year ended 31st December 2006. Presented: 16th July 2007. <i>Minister for Social Security</i> .	R.71/2007.
Notification of lodged propositions	
Winter Fuel Payment (P.89/2007): amendment. Lodged: 16th July 2007. <i>Council of Ministers</i> .	P.89/2007. Amd.
Draft Income Support (Jersey) Regulations 200 Lodged: 12th July 2007. <i>Minister for Social Security</i> .	P.90/2007.
Draft Income Support (Special Payments) (Jersey) Regulations 200 Lodged: 12th July 2007. <i>Minister for Social Security</i> .	P.91/2007.
Chief Minister election: advance notice of intention to stand. Lodged: 13th July 2007. Deputy S. Pitman of St. Helier.	P.92/2007.
Annual Business Plan 2008. Lodged: 17th July 2007. Chief Minister.	P.93/2007.

Withdrawal of lodged propositions

Minister for Economic Development.

THE STATES noted that, in accordance with Standing Order 34(1), the proposers of the following propositions lodged "au Greffe" had informed the Greffier of the States that they had been withdrawn –

Registration of Political Parties (P.73/2007): second amendments.P.73/2007. Amd.Lodged: 3rd July 2007.(2)Senator F.E. Cohen.P.76/2007.Draft Price and Charge Indicators (Jersey) Law 200-.P.76/2007.Lodged: 5th June 2007.P.76/2007.

Written Questions

(see Official Report)

The Chairman of the Privileges and Procedures Committee tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding the Freedom of Information Law.

The Minister for Home Affairs tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviou regarding the rationale for enacting the Unlawful Public Entertainment (Jersey) Regulations 2004.

The Minister for Economic Development tabled an answer to a question asked by Deputy R.G. Le Hérissier of St. Saviour regarding internet traders.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the absorption by retailers of the cost of GST.

The Minister for Home Affairs tabled an answer to a question asked by Senator B.E. Shenton regarding the lack of repatriation legislation in the Island.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the Castle Quay Development.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the tax revenue charged on profits made by Jersey's Financial Services sector.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the impact of income tax mortgage relief.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the taxation of private equity companies operating in Jersey.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the sale of three-bedroom States rental housing stock.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the impact of GST.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the reduction of the voting age to 16.

Oral Questions

(see Official Report)

Senator B.E. Shenton asked a question of the Minister for Social Security regarding plans to means-test the State pension.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding the loss of tax revenues through the takeover of Jersey-owned non-finance companies.

Deputy G.P. Southern of St. Helier asked a question of the Deputy Chief Minister regarding the employment of local school-leavers in the finance sector.

Deputy G.C.L. Baudains of St. Clement asked a question of the Chairman of the Environment Scrutiny Panel regarding the reviews currently being progressed by that Panel.

The Connétable of St. Helier asked a question of the Minister for Treasury and Resources regarding the possible deferral of the introduction of GST.

Senator L. Norman asked a question of the Minister for Economic Development regarding the introduction of GST without price marking legislation.

The Deputy of St. Martin asked a question of the Minister for Transport and Technical Services regarding the waiting list for Compulsory Basic Training courses.

Deputy D.W. Mezbourian of St. Lawrence asked a question of the Minister for Planning and Environment regarding planning conditions associated with the removal of the stairway at de Gruchy's Department Store.

Deputy D.W. Mezbourian of St. Lawrence asked a question of the Minister for Health and Social Services regarding his formal responses to S.R.1/2007 'Overdale: The Closure of Leoville and McKinstry Wards' and S.R.6/2007 'The GP Co-Operative Out-of-Hours Service'.

Senator L. Norman asked a question of the Minister for Treasury and Resources regarding the withdrawal of the Draft Price and Charge Indicators (Jersey) Law 200-.

Deputy K.C. Lewis of St. Saviour asked a question of the Deputy Chief Minister regarding the funding of the Winter Fuel Allowance.

Senator B.E. Shenton asked a question of Deputy A.J.H. Maclean of St. Helier, Assistant Minister for Economic Development regarding the future of the dairy industry.

Deputy R.G. Le Hérissier of St. Saviour asked a question of the Chairman of the Privileges and Procedure Committee regarding the effectiveness of the pre-election notices published by the Judicial Greffe.

Deputy J.A. Martin of St. Helier asked a question of the Chairman of the Comité des Connétables regarding the registration of voters aged 16 or over before the 2008 elections.

The Connétable of St. Helier asked a question of the Minister for Transport and Technical Services regarding the creation of a Residents' Parking Zone in the Cheapside area.

Deputy J.A. Martin of St. Helier asked a question of the Minister for Social Security regarding the impact of GST on the level of Income Support payments.

Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Social Security regarding the introductior of insurance for long-term residential care.

Oral Questions without notice

(see Official Report)

THE STATES agreed that the period of questions without notice to the Chief Minister would be deferred until Tuesday 17th July 2007, as the Chief Minister was out of the Island on States business.

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

Change of Presidency

Mr. Michael Nelson de la Haye, Greffier of the States retired from the Chair during Oral Questions without notic and the meeting continued under the Presidency of the Deputy Bailiff.

Draft Community Provisions (Wire Transfers) (Jersey) Regulations 200- P.71/2007

THE STATES, in pursuance of Article 2 of the European Communities Legislation (Implementation) (Jersey) Law 1996, and having regard to Regulation EC No. 1781/2006 of the European Parliament and of the Council of 15th November 2006 on information on the payer accompanying transfers of funds, made Regulations entitled the Community Provisions (Wire Transfers) (Jersey) Regulations 2007.

Draft Unlawful Public Entertainments (Jersey) Regulations 200- P.72/2007

THE STATES, in pursuance of the Order in Council dated 28th March 1771, made Regulations entitled the Unlawful Public Entertainments (Jersey) Regulations 2007.

Registration of political parties – P.73/2007

THE STATES commenced consideration of a proposition of the Privileges and Procedures Committee concerning the registration of political parties.

THE STATES adopting an amendment of Deputy Geoffrey Peter Southern of St. Helier, agreed that in paragraph (a)(ii), subparagraph (5) should be deleted; that in paragraph (a)(iv) the words"and to supply the Court an updated list of members at least once every 12 months" should be deleted; and in paragraph (a)(v) for the words ", the names of their officials and the list of members" there should be substituted the words "and the names of their officials".

Members present voted as follows -

POUR: 39

Senator S. Syvret Senator L. Norman Senator W. Kinnard Senator T.A. Le Sueur Senator P.F. Routier Senator P.F.C. Ozouf Senator P.F.C. Ozouf Senator T.J. Le Main Senator B.E. Shenton Senator J.L. Perchard Connétable of St. Ouen Connétable of St. Peter Connétable of St. Clement

CONTRE: 4

ABSTAIN: 0

Connétable of Grouville Deputy J.J. Huet (H) Deputy G.W.J. de Faye (H) Deputy of St. John

Connétable of St. Helier Connétable of Trinity Connétable of St. Brelade Connétable of St. John Deputy R.C. Duhamel (S) Deputy A. Breckon (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 S.C. Ferguson (B) Deputy of St. Ouen Deputy P.J.D. Ryan (H) Deputy J.A. Hilton (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.S.P.A. Power (B) Deputy S. Pitman (H) Deputy A.J.D. Maclean (H) Deputy K.C. Lewis (S) Deputy of St. Mary

THE STATES adopting an amendment of the Privileges and Procedures Committee, agreed that -

- (1) After paragraph (a)(ii)(4) the following new sub-paragraph should be inserted
 - "(5) be accompanied by the party's most recent statement of accounts".
- (2) In sub-paragraph (a)(iv) after the words "10 working days of any changes" should be inserted the words "and to supply to the Court an annual statement of accounts within 3 months of the end of their financial year".
- (3) In sub-paragraph (a)(v), after the words "names of their officials" should be inserted the words "and the most recent statement of accounts".

Members present voted as follows -

POUR: 33 CONTRE: 10 Senator L. Norman Senator S. Syvret Senator P.F. Routier Senator W. Kinnard Senator M.E. Vibert Senator B.E. Shenton Senator T.J. Le Main Deputy A. Breckon (S) Senator J.L. Perchard Deputy of St. Martin Deputy C.J. Scott Warren (S) Connétable of St. Ouen Connétable of St. Peter Deputy R.G. Le Hérissier (S) Connétable of St. Clement Deputy J.A. Martin (H) Connétable of St. Helier Deputy G.P. Southern (H) Connétable of Trinity Deputy S. Pitman (H) Connétable of Grouville

ABSTAIN: 0

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 J.B. Fox (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 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.S.P.A. Power (B) Deputy A.J.D. Maclean (H) Deputy K.C. Lewis (S) Deputy of St. John Deputy of St. Mary

THE STATES rejected an amendment of Deputy Geoffrey Peter Southern of St. Helier that in paragraph (b) afte the words "or its abbreviation," there should be inserted the words "together with the party emblem,".

Members present voted as follows -

POUR: 10

CONTRE: 37

Senator L. Norman

ABSTAIN: 0

Senator S. Syvret Senator W. Kinnard Senator B.E. Shenton Deputy P.N. Troy (B) Deputy C.J. Scott Warren (S) Deputy R.G. Le Hérissier (S) Deputy G.P. Southern (H) Deputy G.P. Southern (H) Deputy P.V.F. Le Claire (H) Deputy S. Pitman (H)

Senator T.A. Le Sueur Senator P.F. Routier Senator M.E. Vibert Senator P.F.C. Ozouf Senator T.J. Le Main 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 Grouville Connétable of St. Brelade Connétable of St. John Deputy R.C. Duhamel (S) Deputy A. Breckon (S) Deputy J.J. Huet (H) Deputy of St. Martin Deputy G.C.L. Baudains (C) Deputy J.B. Fox (H) 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 J.A.N. Le Fondré (L) Deputy D.W. Mezbourian (L) Deputy of Trinity Deputy of Trinity Deputy S.S.P.A. Power (B) Deputy A.J.D. Maclean (H) Deputy K.C. Lewis (S) Deputy of St. John Deputy of St. Mary

THE STATES adopted the proposition of the Privileges and Procedures Committee, as amended, and -

- (a) agreed that a system of registration of political parties should be introduced in Jersey, and that under the system
 - (i) any political organisation that wished to endorse candidates for election to the States should be able to apply to the Royal Court for registration as a political party;
 - (ii) any application for registration as a political party would need to comply with certain conditions, namely that it should
 - (1) be accompanied by a copy of the party's constitution which would, *inter alia*, have to specify that the party had as an objective the endorsement of candidates for election to the States;
 - (2) set out the party's full name (which could not be longer than 6 words) together with any abbreviation of that name and any party emblem;
 - (3) give the registered address in Jersey of the party and the name of its leader, treasurer and secretary ('the officials') all of whom would have to be registered as electors under the Public Elections (Jersey) Law 2002;
 - (4) be supported by at least 20 persons registered as electors under the Public Elections (Jersey) Law 2002;
 - (5) be accompanied by the party's most recent statement of accounts;
 - (6) be accompanied by the required registration fee;
 - (iii) the Royal Court should be entitled to refuse any application for registration if -
 - (1) the application did not meet any of the conditions set out in sub-paragraph (ii) above;
 - (2) if the proposed name, abbreviation or emblem were the same as those already registered by another party, or so similar as to cause confusion;
 - (3) if the proposed name, abbreviation or emblem were offensive, obscene or otherwise, in the Court's opinion, inappropriate, or so similar to those used by any other organisation as to cause confusion;
 - (iv) registered political parties would be required to provide details of any changes in the identity of their officials to the Court within 10 working days of any changes and to supply to the Court an annual statement of accounts within 3 months of the end of their financial year;

- (v) a Register of political parties, setting out the names of all registered parties, the names of their officials and the most recent statement of accounts, would be maintained by the Judicial Greffier and made available for public inspection on request;
- (vi) a registered political party would be de-registered and removed from the Register if it did not meet the requirements set out in sub-paragraph (iv) above or if it did not endorse any candidates for election to the States for a continuous period of 5 years;
- (b) agreed that any candidate for election to the States who was endorsed by political party should be permitted, subject to appropriate confirmation of the endorsement on the nomination paper by 2 of the registered officials, to have the name of the party, or its abbreviation, entered on the ballot paper alongside his or her name; and
- (c) requested the Privileges and Procedures Committee to bring forward for approval the relevant legislation to give effect to the proposals so that they can be in place before the elections in the autumn of 2008.

ABSTAIN: 0

Members present voted as follows -

POUR: 37

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 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 Trinity Connétable of Grouville 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 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 (L) Deputy of Trinity Deputy S.S.P.A. Power (B) Deputy A.J.D. Maclean (H)

Senator S. Syvret Senator W. Kinnard Connétable of St. Brelade Connétable of St. John Deputy A. Breckon (S) Deputy of St. Martin Deputy C.J. Scott Warren (S) Deputy J.A. Martin (H) Deputy G.P. Southern (H)

Deputy S. Pitman (H)

CONTRE: 10

Deputy K.C. Lewis (S) Deputy of St. John Deputy of St. Mary

Draft States of Jersey (Powers, Privileges and Immunities) (Committees of Inquiry) (Jersey) Regulations 200- P.74/2007

THE STATES commenced consideration of the Draft States of Jersey (Powers, Privileges and Immunities) (Committees of Inquiry) (Jersey) Regulations 200- and adopted the principles.

THE STATES, having adopted Regulations 1 to 13, and in pursuance of Article 49 of the States of Jersey Law 2005, made Regulations entitled the States of Jersey (Powers, Privileges and Immunities) (Committees of Inquiry) (Jersey) Regulations 2007.

Members present voted as follows -

POUR: 33

CONTRE: 2

Senator S. Syvret Deputy S. Pitman (H) **ABSTAIN: 0**

Senator L. Norman Senator W. Kinnard Senator T.A. Le Sueur Senator P.F. Routier Senator M.E. Vibert Senator P.F.C. Ozouf Senator T.J. Le Main Senator B.E. Shenton Senator J.L. Perchard Connétable of St. Mary Connétable of St. Peter Connétable of St. Clement Connétable of Grouville Connétable of St. Brelade Connétable of St. John Deputy R.C. Duhamel (S) Deputy A. Breckon (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.A. Martin (H) Deputy S.C. Ferguson (B) Deputy of St. Ouen Deputy of Grouville Deputy J.A. Hilton (H) Deputy P.V.F. Le Claire (H) Deputy D.W. Mezbourian (L) Deputy of Trinity Deputy S.S.P.A. Power (B) Deputy A.J.D. Maclean (H) Deputy K.C. Lewis (S) Deputy of St. Mary

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

THE STATES rejected a proposition of Deputy Alan Breckon of St. Saviour that the Social Housing Property Plan 2007–2016 be deferred until 17th July 2007.

Members present voted as follows -

POUR: 1	9
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CONTRE: 21

ABSTAIN: 0

Connétable of St. Mary	Senator S. Syvret	
Connétable of St. Brelade	Senator L. Norman	
Connétable of St. John	Senator W. Kinnard	
Deputy R.C. Duhamel (S)	Senator T.A. Le Sueur	
Deputy A. Breckon (S)	Senator P.F. Routier	
Deputy P.N. Troy (B)	Senator P.F.C. Ozouf	
Deputy C.J. Scott Warren (S)	Senator T.J. Le Main	
Deputy of St. John	Senator B.E. Shenton	
Deputy J.B. Fox (H)	Senator J.L. Perchard	
Deputy J.A. Martin (H)	Connétable of St. Ouen	
Deputy S.C. Ferguson (B)	Connétable of St. Peter	
Deputy of Grouville	Connétable of St. Clement	
Deputy G.W.J. de Faye (H)	Connétable of St. Lawrence	
Deputy D.W. Mezbourian		
(L)	Deputy of St. Martin	
Deputy S.S.P.A. Power (B)	Deputy G.C.L. Baudains (C)	
Deputy S. Pitman (H)	Deputy R.G. Le Hérissier (S)	
Deputy A.J.D. Maclean (H)	Deputy of St. Ouen	
Deputy K.C. Lewis (S)	Deputy of St. Peter	
Deputy of St. Mary	Deputy J.A. Hilton (H)	
	Deputy P.V.F. Le Claire (H)	
	Deputy J.A.N. Le Fondré (L)	
	Deputy of Trinity	
	-	

THE STATES, noted that, in accordance with the provisions of Standing Order 106(1)(a), Deputy Judith Ann Martin of St. Helier had declared an interest and withdrawn from the Chamber for the duration of the debate.

THE STATES commenced consideration of a proposition of the Minister for Housing concerning the Social Housing Property Plan 2007–2016 (P.6/2007).

Change of Presidency

The Deputy Bailiff retired briefly from the Chair during consideration of the Social Housing Property Plan and the meeting continued under the Presidency of Mr. Michael Nelson de la Haye, Greffier of the States.

Adjournment

THE STATES adjourned, and agreed to reconvene on Tuesday 17th July 2007 to continue consideration of the Social Housing Property Plan 2007–2016 (P.6/2007) and the outstanding items of public business.

THE STATES rose at 5.37 p.m.

A.H. HARRIS

Deputy Greffier of the States