

**THE STATES assembled on Tuesday
1st April 2008, at 09.30 a.m. under
the Presidency of the Deputy Bailiff,
Mr. Michael Cameron St. John Birt Esquire.**

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

Senator Wendy Kinnard – ill
Senator Philip Francis Cyril Ozouf – absent on States business (arrived in the Chamber at 2.44 p.m.)
Senator Frederick Ellyer Cohen – en défaut
Deputy Celia Joyce Scott Warren of St. Saviour– ill
Deputy Patrick John Dennis Ryan of St. Helier– en défaut
Deputy Collin Hedley Egré of St. Peter– ill

Prayers

Filming in the Chamber

The Deputy Bailiff informed the Assembly that a camera crew from Highlands College had been filming the beginning of the meeting for use in the delivery of the Citizenship programme.

Subordinate enactments tabled

The following enactment was tabled, namely –

Income Support (Transitional Provisions) (Amendment) (Jersey) Order 2008. <i>Minister for Social Security.</i>	R&O.38/2008.
---	--------------

Documents presented or laid

Draft Act annulling the Motor Vehicles (Construction and Use) (Amendment No. 9) (Jersey) Order 2007 (P.23/2008): comments. Presented: 1st April 2008. <i>Minister for Transport and Technical Services.</i>	P.23/2008. Com.
---	--------------------

Rezoning of sites in the Green and Countryside Zones and Island Plan Review (P.33/2008): comments. Presented: 27th March 2008. <i>Minister for Planning and Environment.</i>	P.33/2008. Com.
--	--------------------

Committee of Inquiry into the operation of Third Party Planning Appeals (P.35/2008): comments. Presented: 1st April 2008. <i>Minister for Treasury and Resources.</i>	P.35/2008. Com.
---	--------------------

Draft Goods and Services Tax (Jersey) Law 2007 (Appointed Day) (Amendment) Act 200- (P.41/2008): amendment (P.41/2008 Amd.)– comments. Presented: 31st March 2008. <i>Minister for Treasury and Resources.</i>	P.41/2008. Amd.Com.
--	------------------------

Public Lotteries: report for 2007. Presented: 18th March 2008. <i>Minister for Economic Development.</i>	R.21/2008.
Land Transactions under Standing Order 168(3) – (a) The Coach House, 48 Rouge Bouillon, St. Helier– proposed sale; (b) 5 Le Clos Lauren, Belle Vue, St. Brelade– proposed sale of land. Presented: 19th March 2008. <i>Minister for Treasury and Resources.</i>	R.22/2008.
Public Records (Jersey) Law 2002: report on the application of the Law during 2006. Presented: 26th March 2008. <i>Minister for Education, Sport and Culture.</i>	R.23/2008.
States of Jersey Complaints Panel: report for 2007. Presented: 26th March 2008. <i>Privileges and Procedures Committee.</i>	R.24/2008.
Land Transactions under Standing Order 168(3) – S1 St. Helier Yacht Club, South Pier, St. Helier– surrender and renewal of lease. Presented: 28th March 2008. <i>Minister for Treasury and Resources.</i>	R.25/2008.
States Assembly Annual Report. Presented: 31st March 2008. <i>Privileges and Procedures Committee.</i>	R.26/2008.
Committee of Inquiry: children’s care homes. Presented: 31st March 2008. <i>Council of Ministers.</i>	R.27/2008.

Notification of lodged propositions

Draft Proceeds of Crime (Supervisory Bodies) (Jersey) Law 200- (P.29/2008): amendments. Lodged: 14th March 2008. <i>Minister for Economic Development.</i>	P.29/2008. Amd.
Draft Customs and Excise (Amendment No. 5) (Jersey) Law 200 (P.31/2008): amendments. Lodged; 18th March 2008. <i>Deputy of St. Ouen.</i>	P.31/2008. Amd.
Draft Customs and Excise (Amendment No. 5)(Jersey) Law 200- (P.31/2008): second amendments. Lodged; 18th March 2008. <i>Minister for Treasury and Resources.</i>	P.31/2008. Amd.(2)
Draft Goods and Services Tax (Jersey) Law 2007 (Appointed Day) (Amendment) Act 200- (P.41/2008): amendment. Lodged: 20th March 2008. <i>Senator L. Norman.</i>	P.41/2008 Amd.
Draft European Communities Legislation (Implementation) (Bovine Semen) (Jersey)	P.43/2008.

Regulations 200. Lodged: 14th March 2008. <i>Chief Minister.</i>	
Draft Centeniers (Terms of Office) (Amendment) (Jersey) Law 200-. Lodged: 18th March 2008. <i>Comité des Connétables.</i>	P.44/2008.
Draft Financial Services (Amendment of Law) (No. 3) (Jersey) Regulations 200. Lodged: 18th March 2008. <i>Minister for Economic Development.</i>	P.45/2008.
Family Nursing and Home Care Debt. Lodged: 19th March 2008. <i>Minister for Treasury and Resources.</i>	P.46/2008.
Channel Islands Lottery: Allocation of a percentage of profits for 2007-2008. Lodged: 20th March 2008. <i>Minister for Economic Development.</i>	P.47/2008.
Bailiff of Jersey: investigation into dual role. Lodged: 20th March 2008. <i>Deputy P.V.F. Le Claire of St. Helier.</i>	P.48/2008.
Working Party to Review Appropriateness of Departmental Structure. Lodged: 20th March 2008. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.49/2008.
Draft Legal Deposit (Jersey) Law 2007 (Appointed Day) Act 200-. Lodged: 28th March 2008. <i>Minister for Education, Sport and Culture.</i>	P.50/2008.
Draft Legal Deposit (Jersey) Regulations 200-. Lodged: 28th March 2008. <i>Minister for Education, Sport and Culture.</i>	P.51/2008
Chief Minister election: advance notice of intention to stand. Lodged: 1st April 2008. <i>Deputy S. Pitman of St. Helier.</i>	P.52/2008.
Draft Civil Aviation (Jersey) Law 200-. Lodged: 1st April 2008. <i>Council of Ministers.</i>	P.53/2008.

Withdrawal of lodged propositions

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 –

Draft Civil Aviation (Jersey) Law 200-. Lodged: 29th January 2008. <i>Minister for Home Affairs.</i>	P.18/2008.
Flu pandemic funding.	P.38/2008.

Lodged: 11th March 2008.
Minister for Treasury and Resources.

Bailiff of Jersey: investigation into dual role.
Lodged: 20th March 2008.
Deputy P.V.F. Le Claire of St. Helier.

P.48/2008.

Planning Applications Panel – resignation of member

THE STATES noted the resignation of Deputy Gerard Clifford Lemmens Baudains of St. Clement from the Planning Applications Panel.

Written Questions

(see Official Report/Hansard)

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding the cost of a report on composting issues.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the creation of a Household Medical Account under Income Support.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the linking of the 2009 States employees pay awards to the new RPI(Y) inflation measure.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the effective rates of tax charged to profits for the five sub sectors of the financial services sector.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding how often pillows were renewed within hospitals and whether they are checked for the aspergillus fumigatus fungus.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding whether the Jersey Heritage Trust had a policy that favours the employment of local persons.

The Minister for Home Affairs tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding whether the emergency services encounter access difficulty within the St. Helier ring road.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding whether Jersey Harbours had plans to relocate the fuel farm.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy R.G. Le Hérisier of St. Saviour regarding annual payments to Connex since the start of the current contract.

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

The Chief Minister tabled an answer to a question asked by Deputy R.G. Hérisier of St. Saviour regarding the political accountability of Ministers.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding Imagine Jersey 2035.

Oral Questions

(see Official Report/Hansard)

Deputy J.A. Martin of St. Helier asked a question of the Minister for Transport and Technical Services regarding proposals to replace the housing development at Ann Court with a 1,000 space car park.

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

Deputy R.G. Le Hérisssier of St. Saviour asked a question of the Assistant Minister for Home Affairs regarding the model used for the Board of Visitors for HMP La Moye.

The Deputy of St. Martin asked a question of the Chief Minister regarding the background to Mr. Bellwood's appeal to the Employment Tribunal.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding problems relating to the issue of benefit cheques occurred over the recent bank holiday.

The Deputy of St. Martin asked a question of the Chief Minister regarding proposed amendments to the Criminal Justice (Young Offenders) Law to confer new sentencing powers in respect of offenders aged 12+.

The Connétable of St. Helier asked a question of the Assistant Minister for Economic Development regarding the promotion of the Island during the International Year of the Potato.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the "winners" and "losers" under the Income Support scheme.

Oral Questions without notice

(see Official Report/Hansard)

The Minister for Social Security answered questions without notice from members.

The Chief Minister answered questions without notice from members.

Draft Export Control (Jersey) Law 200- P.21/2008.

THE STATES commenced consideration of the Draft Export Control (Jersey) Law 200- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Articles 1 to 16 and the Schedule.

Members present voted as follows –

POUR: 31

Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier

CONTRE: 5

Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy D.W. Mezbourian

ABSTAIN: 0

Senator T.J. Le Main	(L)
Senator J.L. Perchard	Deputy S. Pitman (H)
Connétable of St. Ouen	Deputy of St. Mary
Connétable of St. Mary	
Connétable of St. Peter	
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 R.C. Duhamel (S)	
Deputy A. Breckon (S)	
Deputy J.J. Huet (H)	
Deputy P.N. Troy (B)	
Deputy J.B. Fox (H)	
Deputy J.A. Martin (H)	
Deputy of St. Ouen	
Deputy J.A. Hilton (H)	
Deputy G.W.J. de Faye (H)	
Deputy P.V.F. Le Claire (H)	
Deputy of Trinity	
Deputy S.S.P.A. Power (B)	
Deputy K.C. Lewis (S)	
Deputy of St. John	
Deputy I.J. Gorst (C)	

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Export Control (Jersey) Law 200-.

Draft Employment of States of Jersey Employees (Amendment No. 3) (Jersey) Regulations 200 P.22/2008.

THE STATES commenced consideration of the Draft Employment of States of Jersey Employees (Amendment No. 3) (Jersey) Regulations 200 and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 and 2.

THE STATES, in pursuance of Article 42 of the Employment of States of Jersey Employees (Jersey) Law 2005 made Regulations entitled the Employment of States of Jersey Employees (Amendment No. 3) (Jersey) Regulations 2008.

Draft Act annulling the Motor Vehicles (Construction and Use) (Amendment No. 9) (Jersey) Order 2007 P.23/2008.

THE STATES, adopting a proposition of Deputy Gerard Clifford Lemmens Baudains of St. Clement, adopted an Act annulling the Motor Vehicles (Construction and Use) (Amendment No. 9) (Jersey) Order 2007.

Members present voted as follows –

POUR: 36

CONTRE: 3

ABSTAIN: 0

Senator L. Norman
Senator P.F. Routier
Senator T.J. Le Main
Senator B.E. Shenton
Senator J.L. Perchard
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 R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
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 J.A. Hilton (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. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

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

Draft Political Parties (Registration) (Jersey) Law 200- P.25/2008.

THE STATES commenced consideration of the Draft Political Parties (Registration) (Jersey) Law 200- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Articles 1 to 15.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Political Parties (Registration) (Jersey) Law 200-.

Rezoning of sites in the Green and Countryside Zones and Island Plan Review P.33/2008

THE STATES commenced consideration of the proposition of the Deputy of Grouville concerning the Rezoning of sites in the Green and Countryside Zones and Island Plan Review.

Deputy Peter Nicholas Troy of St. Brelade declared an interest in accordance with the provisions of Standing Order 106(1)(a), and withdrew from the Chamber during consideration of this matter.

Adjournment

THE STATES, adopting a proposition of Deputy Paul Vincent Francis Le Claire of St. Helier, agreed that the meeting should adjourn until the following day.

Members present voted as follows –

POUR: 33

Senator L. Norman
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
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 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 R.C. Duhamel (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 of Grouville
Deputy J.A. Hilton (H)
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian
(L)
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

CONTRE: 9

Senator F.H. Walker
Senator P.F.C. Ozouf
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy J.A.N. Le Fondré
(L)
Deputy of Trinity
Deputy I.J. Gorst (C)

ABSTAIN: 0

THE STATES adjourned, having agreed to reconvene on Wednesday 2nd April 2008 to continue consideration of the proposition of the Deputy of Grouville entitled “Rezoning of sites in the Green and Countryside Zones and Island Plan Review” (P.33/2008) and the outstanding items of public business.

THE STATES rose at 5.30 p.m.

M.N. DE LA HAYE

Greffier of the States