

**THE STATES assembled on Tuesday,
21st November 2006 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

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

Senator Wendy Kinnard – en défaut (défaut raised at 09.38 a.m.)
Senator Terence Augustine Le Sueur– en défaut
Senator Philip Francis Cyril Ozouf – en défaut (défaut raised at 09.40 a.m.)
Senator Terence John Le Main– en défaut
Connétable Alan Simon Crowcroft of St. Helier– ill
Connétable Daniel John Murphy of Grouville – en défaut
Connétable Richard Edward Norwood Dupré of St. John– en défaut (défaut raised at 09.38 a.m.)

Prayers read by the Greffier of the States

Subordinate enactments tabled

The following enactments were tabled, namely –

Tourism (General Provisions) (Amendment No. 13) (Jersey) Order 2006. <i>Minister for Economic Development.</i>	R&O 121/2006.
Places of Refreshment (Registration) (Fees) (Jersey) Order 2006. <i>Minister for Economic Development.</i>	R&O 122/2006.
Dentists (Ancillary Dental Workers – Fees) (Jersey) Order 2006. <i>Minister for Health and Social Services.</i>	R&O 123/2006.
Cremation (Fees) (Jersey) Order 2006. <i>Minister for Health and Social Services.</i>	R&O 124/2006.
Royal Court (Amendment No. 4) Rules 2006 <i>Superior Number of the Royal Court.</i>	R&O 125/2006

Documents presented or laid

Committee of Inquiry: mobile telecommunications (P.144/2006) – comments. Presented: 21st November 2006. <i>Council of Ministers.</i>	P.144/2006. Com.
Land Transactions under Standing Order 168(3) – Field 424, Corbière, St. Brelade– sale of a road, granting of service rights and exchange and counter- exchange of land. Presented: 14th November 2006. <i>Minister for Treasury and Resources.</i>	R.89/2006.
Rates (Jersey) Law 2005: the rating of agricultural land. Presented: 15th November 2006. <i>Comité des Connétables.</i>	R.90/2006.

Employment Tribunal: annual report. R.91/2006.
Presented: 21st November 2006.
Minister for Social Security.

Notification of lodged propositions

Ministerial Government- review of first 12 months (P.77/2006) – amendment P.77/2006
(P.77/2006 Amd.): amendments. Amd.Amd.
Lodged: 17th November 2006.
Deputy R.G. Le Hérisssier of St. Saviour

Budget 2007 (P.130/2006): amendment. P.130/2006.
Lodged: 21st November 2006. Amd.
Deputy G.P. Southern of St. Helier.

Budget 2007 (P.130/2006): second amendment. P.130/2006.
Lodged: 21st November 2006. Amd.(2)
Deputy G.P. Southern of St. Helier.

Draft Income Tax (Amendment No. 26) (Jersey) Law 200 (P.132/2006): P.132/2006.
amendment. Amd.
Lodged: 21st November 2006.
Minister for Economic Development.

Draft Sea Fisheries (Miscellaneous Provisions) (Amendment No. 4) (Jersey) P.147/2006.
Regulations 200-.
Lodged: 10th November 2006.
Minister for Planning and Environment.

Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 3) (Jersey) P.148/2006.
Regulations 200-.
Lodged: 10th November 2006.
Minister for Planning and Environment.

Draft Sea Fisheries (Log Books and Landing Declarations) (Jersey) Regulations P.149/2006.
200-.
Lodged: 10th November 2006.
Minister for Planning and Environment.

Draft Restriction on Smoking (Vending Machines) (Amendment) (Jersey) P.150/2006.
Regulations 200-.
Lodged: 14th November 2006.
Minister for Health and Social Services.

Draft Crime (Disorderly Conduct and Harassment) (Jersey) Law 200-. P.151/2006.
Lodged: 14th November 2006.
Minister for Home Affairs.

Fulfilment Industry Policy. P.152/2006.
Lodged: 17th November 2006.
Economic Affairs Scrutiny Panel

Public Employees Contributory Retirement Scheme Committee of Management: P.153/2006.

membership.
Lodged: 20th November 2006.
Chief Minister.

Stabilisation Fund: rescindment. P.154/2006.
Lodged: 21st November 2006.
Deputy G.P. Southern of St. Helier.

Draft Regulation of Investigatory Powers (Jersey) Law 2005 (Appointed Day) Act 200-. P.155/2006.
Lodged: 21st November 2006.
Minister for Home Affairs.

Draft Planning and Building (Amendment No. 4) (Jersey) Law 200-. P.156/2006.
Lodged: 21st November 2006.
Minister for Planning and Environment.

Draft Planning and Building (Jersey) Law 2002 (Appointed Day) (No. 2) Act 200-. P.157/2006.
Lodged: 21st November 2006.
Minister for Planning and Environment.

Draft European Communities (Accessions) (Jersey) Regulations 200-. P.158/2006.
Lodged: 21st November 2006.
Chief Minister.

Health, Social Security and Housing Scrutiny Panel – appointment of Chairman.

Deputy Alan Breckon of St. Saviour was nominated by Deputy Judith Ann Martin of St. Helier.
Deputy Roy George Le Hérissier of St. Saviour was nominated by the Deputy of Trinity.
The Deputy of St Ouen was nominated by Deputy Sarah Craig Ferguson of St. Brelade.

In accordance with Standing Order 120, each candidate made a speech and was questioned prior to a ballot being held.

THE STATES, having proceeded to a secret ballot, were informed of the following results by the Presiding Officer –

Deputy Alan Breckon of St. Saviour	17
Deputy Roy George Le Hérissier of St. Saviour	17
The Deputy of St Ouen	15

In accordance with the provision of Standing Order 120(8), the Deputy of St. Ouen, having the lowest number of votes, withdrew.

THE STATES, having proceeded a further secret ballot, were informed of the following results by the Presiding Officer –

Deputy Alan Breckon of St. Saviour	25
Deputy Roy George Le Hérissier of St. Saviour	23

The Presiding Officer accordingly declared that Deputy Alan Breckon of St. Saviour had been duly appointed as the Chairman of the Health, Social Security and Housing Scrutiny Panel.

Written Questions

[*\(see Official Report\)*](#)

1. The Minister for Planning and Environment tabled an answer to questions asked by Deputy Gerard Clifford Lemmens Baudains of St. Clement regarding test boreholes for groundwater.
2. The Minister for Treasury and Resources tabled an answer to a question asked by Deputy Gerard Clifford Lemmens Baudains of St. Clement regarding the origin and use of the £20 million savings.
3. The Minister for Planning and Environment tabled an answer to a question asked by Deputy Roy George Le Hérissier of St. Saviour regarding telephone masts.
4. The Attorney General tabled an answer to a question asked by Deputy Roy George Le Hérissier of St. Saviour regarding the term 'Titular Head' of the Honorary Police.
5. The Minister for Transport and Technical Services tabled an answer to a question asked by the Connétable of St. Helier regarding the covenant on the Bellozanne site.
6. The Minister for Treasury and Resources tabled an answer to a question asked by Deputy Geoffrey Peter Southern of St. Helier regarding restructuring of Jersey Post.
7. The Minister for Economic Development tabled an answer to a question asked by Deputy Geoffrey Peter Southern of St. Helier regarding the post of Retail Strategy Manager.
8. The Minister for Economic Development tabled an answer to a question asked by Deputy Geoffrey Peter Southern of St. Helier regarding the Jersey Competition Regulatory Authority.
9. The Minister for Social Security tabled an answer to a question asked by Deputy Geoffrey Peter Southern of St. Helier regarding income support.

Oral Questions

[*\(see Official Report\)*](#)

1. Deputy Judith Ann Martin of St. Helier asked a question of the Chief Minister regarding the progress and outcome of his discussions with the U.K. Government regarding Romanian and Bulgarian nationals working in Jersey.
2. Deputy Deidre Wendy Mezbourian of St. Lawrence asked a question of the Assistant Minister for Housing regarding the proximity of any telephone masts to States rental accommodation.
3. Senator Ben Edward Shenton asked the Chief Minister a question regarding the effect the change in 'j' category housing controls on the increase in house price inflation.
4. Deputy Geoffrey Peter Southern of St. Helier asked the Chief Minister a question regarding the percentage of households in the 2004/5 Household Expenditure Survey on low incomes.
5. Deputy Sean Power asked a question of the Minister for Planning and Environment regarding the funding to introduce third party planning appeals.
6. Deputy John Alexander Nicholas Le of St. Lawrence asked a question of the Minister for Planning and Environment regarding development permission for Fields 848, 851 etc. in St. Lawrence.
7. Deputy Judith Ann Martin of St. Helier asked a question of the Minister for Transport and Technical Services regarding the award of the bus contracts to Connex.
8. Deputy Deidre Wendy Mezbourian of St. Lawrence asked a question of the Minister for Education, Sport and

Culture regarding the expected demand for places at certain schools near to Fields 848, 851m 853 and 854 St. Lawrence.

9. The Deputy of St. Martin asked a question of the Minister for Home Affairs regarding the time table for the establishment of a police consultative group.
10. Deputy Gerard Clifford Lemmens Baudains of St. Clement asked a question of the Chief Minister regarding biometric identity cards.
11. Deputy Roy George Le Hérissier of St. Saviour asked a question of the Minister for Home Affairs regarding the production of the Prison Improvement Plan.
12. Deputy Roy George Le Hérissier asked a question of the Minister for Treasury and Resources regarding local postal rates and any effect of the fulfilment industry The Chief Minister responded in the Minister's absence in accordance with Article 27(2)(a) of the States of Jersey Law 2005.
13. The Deputy of St. Martin asked a question of the Minister for Economic Development regarding the justification for the grant towards the "Tennerfest" promotion.
14. The Connétable of St. Lawrence asked a question of the Minister for Planning and Environment regarding the lodging of an amendment to the Island Plan 2002, in order for homes to be constructed on Fields 848, 851, 853 and 854 St. Lawrence.

Oral Questions without notice

[*\(see Official Report\)*](#)

The Minister for Transport and Technical Services answered questions without notice from members.

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

Complaint against the Minister for Economic Development: outcome – statement.

[*\(see Official Report\)*](#)

The Chief Minister made a statement regarding the outcome of the complaint made by Senator Ben Edward Shenton against Senator Philip Francis Cyril Ozouf, Minister for Economic Development.

Northern and Southern Ferry routes – statement

[*\(see Official Report\)*](#)

The Minister for Economic Development made a statement regarding Northern and Southern ferry routes.

Ministerial Government: review of first 12 months – P.77/2006

Comments and Amendments

THE STATES commenced consideration of a proposition of Senator Ben Edward Shenton concerning ministerial government: review of first 12 months and of amendments of the Privileges and Procedures Committee that –

- (1) For the words "by March 2007" there be substituted the words "as soon as practicable, and no later than 30th June 2007,".
- (2) the proposition be renumbered as (a) and there be inserted a new paragraph (b) as follows–

“(b) to agree that the review should have the terms of reference set out in the Appendix to the report of the Privileges and Procedures Committee dated 7th November 2006.”

THE STATES adopted an amendment of Deputy Roy George Le Hérissier of St Saviour to the amendment of the Privileges and Procedures Committee that in paragraph (2) in the new renumbered paragraph (b), after the words “Appendix”, there be inserted the words –

“except that –

(a) In paragraph 3 subparagraph (iv), there be added the following subparagraph –

“(v) the degree and nature of co-operation received from Ministers and Departments;”;

Members present voted as follows –

POUR: 37

Senator L. Norman
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Lawrence
Connétable of St. John
Connétable of St. Brelade
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 G.P. Southern (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 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 K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

CONTRE: 9

Senator S. Syvret
Senator F.H. Walker
Senator W. Kinnard
Senator B.E. Shenton
Connétable of St. Clement
Connétable of St. Martin
Deputy J.J. Huet (H)
Deputy J.B. Fox (H)
Deputy A.J.H. Maclean (H)

ABSTAIN: 0

THE STATES rejected amendments of Deputy Roy George le Hérissier of St Saviour to the amendment of the

Privileges and Procedures Committee that in paragraph (2) in the new renumbered paragraph (b), after the word “Appendix”, there be inserted the words –

(b) After paragraph 3, there be added the following paragraph–

“(4) to review the composition and role of the Privileges and Procedures Committee;”;

Members present voted as follows –

POUR: 16

Senator P.F.C. Ozouf
Senator F.E. Cohen
Connétable of St. Saviour
Connétable of St. Mary
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy R.G. Le Hérisssier (S)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy K.C. Lewis (S)
Deputy of St. John

CONTRE: 30

Senator S. Syvret
Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator P.F. Routier
Senator M.E. Vibert
Senator B.E. Shenton
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. John
Connétable of St. Brelade
Connétable of St. Martin
Deputy R.C. Duhamel (S)
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren (S)
Deputy J.B. Fox (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 D.W. Mezbourian
(L)
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy A.J.H. Maclean (H)
Deputy I.J. Gorst (C)
Deputy of St. Mary

ABSTAIN: 0

THE STATES rejected amendments of Deputy Roy George le Hérisssier of St. Saviour to the amendment of the Privileges and Procedures Committee that in paragraph (2) in the new renumbered paragraph (b), after the word “Appendix”, there be inserted the words –

“(c) there be added the following sub-paragraphs to paragraph 5–

- “(iv) to assess whether the absence of electoral reform and reform of the Composition of the States has inhibited or hindered the workings of the Ministerial System;
- (v) to consider whether the notion of stronger checks and balances is working as intended;
- (vi) to consider whether the responsibility for government reform should be placed in the hands of the Council of Ministers.”;

Members present voted as follows –

POUR: 13

Senator P.F.C. Ozouf
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Saviour
Connétable of St. Mary
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy R.G. Le Hérisssier (S)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy D.W. Mezbourian
(L)
Deputy K.C. Lewis (S)

CONTRE: 33

Senator S. Syvret
Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator P.F. Routier
Senator M.E. Vibert
Senator B.E. Shenton
Connétable of St. Ouen
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. John

Connétable of St. Brelade
Connétable of St. Martin
Deputy J.J. Huet (H)
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren (S)
Deputy J.B. Fox (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 J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy A.J.H. Maclean (H)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

ABSTAIN: 0

THE STATES adopted amendments of Deputy Roy George Le Hérisssier of St Saviour to the amendment of the Privileges and Procedures Committee that in paragraph (2) in the new renumbered paragraph (b), after the word “Appendix”, there be inserted the words –

“(d) *after paragraph (6) there be added the following new paragraph–*

“(7) To consider any other matters deemed relevant to this review.””.

Members present voted as follows –

POUR: 33

Senator S. Syvret
Senator L. Norman
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf

Senator B.E. Shenton

CONTRE: 13

Senator F.H. Walker
Senator W. Kinnard
Connétable of St. Clement
Connétable of St. Martin
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren
(S)

ABSTAIN: 0

Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Lawrence
Connétable of St. John
Connétable of St. Brelade
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy R.G. Le Hérisssier (S)
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 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 K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)

Deputy J.B. Fox (H)
Deputy of St. Peter
Deputy G.W.J. de Faye (H)
Deputy J.A.N. Le Fondré (L)
Deputy S. Pitman (H)
Deputy A.J.H. Maclean (H)
Deputy of St. Mary

THE STATES approved the amendments of the Privileges and Procedures Committee, as amended.

POUR: 44

Senator S. Syvret
Senator F.H. Walker
Senator W. Kinnard
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. John
Connétable of St. Brelade
Connétable of St. Martin
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 C.J. Scott Warren (S)
Deputy R.G. Le Hérisssier (S)

CONTRE: 0

ABSTAIN: 0

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 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 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.H. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

THE STATES, adopting the proposition, as amended, of Senator Ben Edward Shenton –

- (a) requested the Privileges and Procedures Committee to present to the States as soon as practicable, and no later than 30th June 2007, a report reviewing the first 12 months of Ministerial Government, together with any recommendations for improvement, following consultation with the Council of Ministers, members of the States and any other interested parties, and to include comment on the operation of both the Council of Ministers and Scrutiny, examining the strengths and weaknesses of current processes, and paying particular attention to the structure of the strategic plan, its relevance, and its separation from the States Business plan.
- (b) agreed that the review should have the terms of reference, as amended, set out in the Appendix to the report of the Privileges and Procedures Committee dated 7th November 2006, as follows –

Ministerial Government Review – terms of reference

- (1) to review the operation of the Council of Ministers and, in particular –
 - (i) the nature of matters listed on the agenda of meetings of the Council and the timeliness and effectiveness of decision-making;
 - (ii) the extent to which decisions are taken by the Council as opposed to individual Ministers;
 - (iii) the relationship between the Council and other members of the States;
 - (iv) the provision of information to members of the States and the public about the work of the Council.
- (2) to consider the rôle of Ministers and Assistant Ministers and, in particular –
 - (i) the relationship between Ministers and the Council of Ministers;
 - (ii) the relationship between Ministers and Assistant Ministers;
 - (iii) and the timeliness and effectiveness of decision-making by Ministers and the manner in which

ministerial decisions are recorded and disseminated;

- (iv) the level of administrative support available to the Council of Ministers, Ministers and Assistant Ministers.
- (3) to review the structure and operation of the scrutiny function (namely the scrutiny panels and the PAC) and, in particular –
- (i) whether the panels and the PAC are fulfilling their terms of reference as set out in Standing Orders and whether those terms of reference remain appropriate;
 - (ii) the relationship between the panels/PAC, Ministers and the Council of Ministers;
 - (iii) whether the present allocation of subject areas to the 5 scrutiny panels is appropriate;
 - (iv) whether the level of financial and manpower resources allocated to the scrutiny function is appropriate and whether adequate financial control is in place;
 - (v) the degree and nature of co-operation received from Ministers and Departments
 - (vi) whether the procedures governing the manner in which the scrutiny function is able to review draft policies and draft legislation are appropriate;
 - (vii) the impact of the establishment of the scrutiny function on the workload of other States Departments, including the non-Executive Departments;
- (4) to review the operation of the Chairmen’s Committee and, in particular –
- (i) whether the Committee is fulfilling its terms of reference as set out in Standing Orders and whether those terms of reference remain appropriate;
 - (ii) the relationship between the Committee and the scrutiny panels/PAC;
 - (iii) the relationship between the Committee and the Privileges and Procedures Committee;
 - (iv) the relationship between the Committee and the Council of Ministers.
- (5) to consider the impact of the introduction of the machinery of government changes on the operation of the States Assembly as the Island’s legislature, and in particular –
- (i) whether the statutory provisions on the approval of the common strategic policy of the Council of Ministers (“the Strategic Plan”) are appropriate;
 - (ii) the relationship between the Strategic Plan and the Annual Business Plan;
 - (iii) whether any changes have been made to the authority of the States Assembly by the new system and, if so, whether those changes have been appropriate.
- (6) to review the success or otherwise of the operation in December 2005 of the current procedures for the appointment of the Chief Minister, Ministers, Assistant Ministers and the Chairmen and members of the Chairmen’s Committee, the PAC and the scrutiny panels.
- (7) To consider any other matters deemed relevant to this review.

Members present voted as follows –

POUR: 41

Senator S. Syvret

Senator F.H. Walker
 Senator W. Kinnard
 Senator M.E. Vibert
 Senator P.F.C. Ozouf
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator J.L. Perchard
 Connétable of St. Mary
 Connétable of St. Peter
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. John
 Connétable of St. Brelade
 Connétable of St. Martin
 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 C.J. Scott Warren (S)
 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 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 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.H. Maclean (H)
 Deputy K.C. Lewis (S)
 Deputy of St. John
 Deputy I.J. Gorst (C)
 Deputy of St. Mary

CONTRE: 2

Connétable of St. Saviour
 Deputy R.G. Le Hérisssier
 (S)

ABSTAIN: 0**Draft Restriction on Smoking (Workplaces) (Jersey) Regulations 200- P.114/2006**

THE STATES commenced consideration of the Draft Restriction on Smoking (Workplaces) (Jersey) Regulations 200- and adopted the principles.

Members present voted as follows –

POUR: 38

Senator S. Syvret
 Senator F.H. Walker

CONTRE: 3

Connétable of St. Martin
 Deputy G.C.L. Baudains (C)

ABSTAIN: 0

Senator W. Kinnard
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. John
Connétable of St. Brelade
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisier (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 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.H. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy of St. Mary

Deputy S.C. Ferguson (B)

Regulation 1 was adopted.

Members present voted as follows –

POUR: 46

Senator S. Syvret
Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Peter

CONTRE: 0

ABSTAIN: 0

Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. John
Connétable of St. Brelade
Connétable of St. Martin
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 C.J. Scott Warren (S)
Deputy R.G. Le Hérisssier (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 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 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.H. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

Regulation 2 was adopted.

Members present voted as follows –

POUR: 33

Senator S. Syvret
Senator F.H. Walker
Senator W. Kinnard
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator B.E. Shenton

Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Lawrence
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)

CONTRE: 13

Senator L. Norman
Connétable of St. Saviour
Connétable of St. John
Connétable of St. Brelade
Connétable of St. Martin
Deputy J.J. Huet (H)
Deputy G.C.L. Baudains (C)
Deputy R.G. Le Hérisssier
(S)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of St. Peter
Deputy G.W.J. de Faye (H)
Deputy S.S.P.A. Power (B)

ABSTAIN: 0

Deputy of St. Martin
Deputy C.J. Scott Warren (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy P.J.D. Ryan (H)
Deputy of Grouville
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. 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

Regulations 3 to 12 were adopted.

Members present voted as follows –

POUR: 44

Senator S. Syvret
Senator F.H. Walker
Senator W. Kinnard
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. John
Connétable of St. Brelade
Connétable of St. Martin
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisssier (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 of Grouville
Deputy of St. Peter

CONTRE: 1

Deputy G.C.L. Baudains (C)

ABSTAIN: 0

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 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

THE STATES commenced consideration of Regulations 13 and 14 and adopted amendments of the Minister for Economic Development that, in Regulation 13, paragraph (a) be deleted and the remaining paragraphs in Regulation 13 be renumbered accordingly, and that in Regulation 14 for paragraph (e) there be substituted the following paragraph –

“(e) after the definition ‘self-employed person’ there shall be inserted the following definition –

‘ “ship or vessel” means –

- (a) a Jersey ship within the meaning of Article 2 of the Shipping (Jersey) Law 2002 that is –
 - (i) within the territorial sea adjacent to Jersey, or
 - (ii) in a harbour, port or other place in Jersey; or
- (b) any ship, vessel or boat of any description that is used in navigation, to which paragraph (a) does not apply, that is–
 - (i) wholly owned by a person ordinarily resident in Jersey or by a company incorporated in Jersey,
 - (ii) not registered under the law of the United Kingdom, any of the other Channel Islands, the Isle of Man or any other country outside Jersey, and
 - (iii) within the territorial sea adjacent to Jersey or in a harbour, port or other place in Jersey;’.

Members present voted as follows –

POUR: 42

Senator S. Syvret
Senator F.H. Walker
Senator W. Kinnard
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. John

CONTRE: 3

Senator P.F. Routier
Deputy G.C.L. Baudains (C)
Deputy of St. Ouen

ABSTAIN: 0

Connétable of St. Brelade
Connétable of St. Martin
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
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 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.H. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

Regulations 13 and 14, as amended, and Regulations 15 and 16 were adopted.

THE STATES, in pursuance of Articles 1, 1AA, 1AB, 1C, 1D, 1G and 2 of the Restriction on Smoking (Jersey) Law 1973, made Regulations entitled the Restriction on Smoking (Workplaces) (Jersey) Regulations 2006.

Adjournment

THE STATES adjourned, and agreed to reconvene on Wednesday 22nd November 2006 to consider the outstanding items of public business.

THE STATES rose at 5.30 p.m.

M.N. DE LA HAYE

Greffier of the States