

**THE STATES assembled on Wednesday,
6th December 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 Stuart Syvret – ill
Senator Frederick Ellyer Cohen – en défaut (défaut raised at 09.38 a.m.)
Connétable John Le Sueur Gallichan of Trinity – ill
Deputy Gérard Clifford Lemmens Baudains of St Clement – ill
Deputy Guy William John de Faye of St Helier – en défaut (défaut raised at 09.44 a.m.)
Deputy John Alexander Nicholas Le Fondré of St. Lawrence – en défaut (défaut raised at 09.52 a.m.)

Prayers

Education and Home Affairs Scrutiny Panel: appointment of member

In accordance with the provisions of Standing Order 125(1) the Deputy of St. Martin, Chairman of the Education and Home Affairs Scrutiny Panel, nominated the Deputy of St. Mary as a member of that Panel.

There being no other nominations, the Bailiff declared that the Deputy of St. Mary was duly elected as a member of the Education and Home Affairs Scrutiny Panel.

Corporate Services Scrutiny Panel: resignation of member

THE STATES noted the resignation of the Deputy of St. Mary as a member of the Corporate Services Scrutiny Panel.

Corporate Services Scrutiny Panel: appointment of member

In accordance with the provisions of Standing Order 125(1) Deputy Patrick John Dennis Ryan of St. Helier Chairman of the Corporate Services Scrutiny Panel, nominated the Deputy of St. Peter as a member of that Panel.

There being no other nominations, the Bailiff declared that the Deputy of St. Peter was duly elected as a member of the Corporate Services Scrutiny Panel.

Draft The Law Society of Jersey 2005 (Appointed Day) Act 200- P.115/2006

THE STATES, in pursuance of Article 38 of The Law Society of Jersey Law 2005, made an Act entitled The Law Society of Jersey 2005 (Appointed Day) Act 2006.

Draft States of Jersey (Transfer of Functions No. 2) (Planning and Environment to Economic Development (Jersey) Regulations 200- P.125/2006

THE STATES, in pursuance of Article 29 of the States of Jersey Law 2005, made Regulations entitled the States of Jersey (Transfer of Functions No. 2) (Planning and Environment to Economic Development (Jersey)

Regulations 2006.

Draft Health Insurance (Medical Benefit) (Amendment) (Jersey) Regulations 200- P.129/2006

THE STATES, in pursuance of Articles 9 and 36 of the Health Insurance (Jersey) Law 1967, made Regulations entitled the Health Insurance (Medical Benefit) (Amendment) (Jersey) Regulations 2006.

Draft Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 11) (Jersey) Regulations 200- P.136/2006

THE STATES, in pursuance of Article 2 of the Public Employees (Retirement) (Jersey) Law 1967, made Regulations entitled the Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 11) (Jersey) Regulations 2006.

Public Employees (Contributory Retirement Scheme) (Existing Members) (Amendment No. 8) (Jersey) Regulations 200- P.137/2006

THE STATES, in pursuance of Article 2 of the Public Employees (Retirement) (Jersey) Law 1967, made Regulations entitled the Employees (Contributory Retirement Scheme) (Existing Members) (Amendment No. 8) (Jersey) Regulations 2006.

**Draft Amendment (No. 31) to the Tariff of Harbour and Light Dues– P.138/2006
Comments**

THE STATES, adopting a proposition of the Minister for Economic Development, in accordance with Article 6 of the Harbour and Light Dues (Jersey) Law 1947, approved the draft Amendment (No. 31) to the Tariff of Harbour and Light Dues as set out in the Appendix to the Report of the Minister for Economic Development dated 24th October 2006.

**Draft Harbours (Amendment No. 40) (Jersey) Regulations 200 P. 139/2006
Comments**

THE STATES, in pursuance of Article 4 of the Harbours (Administration) (Jersey) Law 1961, made Regulations entitled the Harbours (Amendment No. 40) (Jersey) Regulations 2006.

Data Protection Commissioner: appointment – P.142/2006

THE STATES, adopting a proposition of the Minister for Treasury and Resources appointed Mrs. Emma Martin as Data Protection Commissioner for Jersey in accordance with the provisions of Article 6(1) of, and Part 1 c Schedule 5 to, the Data Protection (Jersey) Law 2005, on the terms set out in the Appendix to the report of the Minister for Treasury and Resources dated 1st November 2006.

Data Protection Tribunal: appointment – P.143/2006

THE STATES, adopting a proposition of the Minister for Treasury and Resources appointed, in accordance with the provisions of Article 6(1) of, and Part 2 of Schedule 5 to, the Data Protection (Jersey) Law 2005, 11 following as members of the Data Protection Tribunal for a period of 6 years –

Advocate Peter Charles Harris, President

Mr. Francis Du Heaume Le Gresley
Mrs. Nora Alice Antonia Roberts
Mr. Maurice Adrian des Forges
Mrs. MarieLouise Backhurst.

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

THE STATES, adopting a proposition of the Chief Minister approved, in accordance with Regulation 3(2) of the Public Employees (Contributory Retirement Scheme) (General) (Jersey) Regulations 1989, the appointment of the Committee of Management, for a period of 3 years commencing 1st January 2007 as follows–

Employer Representatives nominated by the Chief Minister

Senator B.E. Shenton
Deputy I.J. Gorst
Mr. J.S. Clark
Mr. M. Pinel, Deputy Chief Executive of the Chief Minister's Department

Employer Representatives nominated by the Minister for Treasury and Resources

Mr. J. Rosser
Mr. S.M. Patidar
Mr. I. Black, Treasurer of the States

Employee Representatives nominated by the Public Employees Pension Scheme Joint Negotiating Group

Mr. F.A. Greene
Mr. J.H. Lees
Mr. W. McPhee
Mr. J.T. Noel
Mr. M.D. Orbell
Mr. A. Tadier
Mr. G. Birbeck.

Draft Regulation of Investigatory Powers (Jersey) Law 2005 (Appointed Day) Act 200- P.155/2006

THE STATES, in pursuance of Article 59 of the Regulation of Investigatory Powers (Jersey) Law 2005, made an Act entitled the Regulation of Investigatory Powers (Jersey) Law 2005 (Appointed Day) Act 2006.

Draft Planning and Building (Jersey) Law 2002 (Appointed Day) (No. 2) Act 200 P.156/2006 Amendment

THE STATES, in pursuance of Article 131(2) of the Planning and Building (Jersey) Law 2002, made an Act entitled the Planning and Building (Jersey) Law 2002 (Appointed Day) (No. 2) Act 2006.

Members present voted as follows –

POUR: 45

CONTRE: 2

ABSTAIN: 0

Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard

Senator M.E. Vibert
Senator J.L. Perchard

Senator T.A. Le Sueur
Senator P.F. Routier
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen
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 Grouville
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 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 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

Draft European Communities (Accessions) (Jersey) Regulations 200- P.158/2006

THE STATES commenced consideration of the draft the European Communities (Accessions) (Jersey) Regulations 200-, and adopted the principles.

Regulations 1 and 2 were adopted.

Members present voted as follows –

POUR: 41

CONTRE: 1

ABSTAIN: 0

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 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. Helier
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. John
Connétable of St. Brelade
Connétable of St. Martin
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy P.N. Troy (B)
Deputy R.G. Le Hérissier (S)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy 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

Deputy J.A. Martin (H)

THE STATES, in pursuance of Article 1(4) of the European Communities (Jersey) Law 1973, made Regulations entitled the European Communities (Accessions) (Jersey) Regulations 2006.

Members present voted as follows –

POUR: 46

CONTRE: 2

ABSTAIN: 0

Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert

Deputy J.J. Huet (H)
Deputy J.A. Martin (H)

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. Saviour
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. John
Connétable of St. Brelade
Connétable of St. Martin
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy R.G. Le Hérissier (S)
Deputy J.B. Fox (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 P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondre (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

Arrangement of public business for the present meeting

THE STATES acceded to the request of the Minister for Economic Development, in accordance with Standing Order 26(7), to reduce the minimum lodging period in respect of the following two matters as being of such urgency and importance that it would be prejudicial to Jersey to delay their debate, so that they might be considered at the present meeting –

Draft Banking Business (Amendment No. 5) (Jersey) Law 200. P.159/2006.
Lodged: 1st December 2006.
Minister for Economic Development.

Draft Insurance Business (Amendment) (Jersey) Regulations 200-. P.160/2006.
Lodged: 1st December 2006.
Minister for Economic Development.

Document presented

Review of the Firearms (Jersey) Law 2000 and relevant processes.
Presented: 6th December 2006.
Minister for Home Affairs.

R.96/2006.

Draft Banking Business (Amendment No. 5) (Jersey) Law 200 (P.159/2006)

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Banking Business (Amendment No. 5) (Jersey) Law 200.

Draft Insurance Business (Amendment) (Jersey) Regulations 200- (P.160/2006)

THE STATES, in pursuance of Article 2 of the Insurance Business (Jersey) Law 1996, made regulations entitled the Insurance Business (Amendment) (Jersey) Regulations 2006.

Arrangement of public business for the 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) –

16th January 2007

Draft States of Jersey (Amendment No. 3) Law 200. Lodged: 20th October 2006. <i>Privileges and Procedures Committee.</i>	P.126/2006.
Draft Employment (Amendment No. 2) (Jersey) Law 200. Lodged: 20th October 2006. <i>Deputy G.P. Southern of St. Helier.</i>	P.128/2006.
Draft Employment (Amendment No. 3) (Jersey) Law 200. Lodged: 24th October 2006. <i>Minister for Social Security.</i>	P.134/2006
Draft Employment Tribunal (Amendment) (Jersey) Regulations 200-. Lodged: 24th October 2006. <i>Minister for Social Security.</i>	P.135/2006
Draft Highway Encroachments (Amendment No. 2) (Jersey) Regulations 200. Lodged: 31st October 2006. <i>Minister for Transport and Technical Services.</i>	P.141/2006.
Draft Restriction on Smoking (Vending Machines) (Amendment) (Jersey) Regulations 200-. Lodged: 14th November 2006. <i>Minister for Health and Social Services.</i>	P.150/2006.
Draft Crime (Disorderly Conduct and Harassment) (Jersey) Law 200-. Lodged: 14th November 2006. <i>Minister for Home Affairs.</i>	P.151/2006.
Draft Planning and Building (Amendment No. 4) (Jersey) Law 200. Lodged: 21st November 2006. <i>Minister for Planning and Environment.</i>	P.157/2006.
Draft Road Traffic (No. 57) (Jersey) Regulations 200. Lodged: 1st December 2006. <i>Minister for Transport and Technical Services.</i>	P.161/2006.
Ratification of Agreements with Bulgaria and Romania on the Taxation of Savings Income. Lodged: 5th December 2006. <i>Chief Minister.</i>	P.163/2006.
Draft Taxation (Agreements with European Union Member States) (Amendment) (Jersey) Regulations 200-. Lodged: 5th December 2006. <i>Chief Minister.</i>	P.164/2006.
Jersey Police Complaints Authority: appointment of Chairman and members. Lodged: 5th December 2006. <i>Minister for Home Affairs.</i>	P.165/2006.
Draft Income Tax (Amendment No. 27) (Jersey) Law 200. Lodged: 5th December 2006. <i>Minister for Treasury and Resources.</i>	P.167/2006.

30th January 2007

- Composition and Election of the States Assembly: proposed reform. P.145/2006.
Lodged: 3rd November 2006.
Senator B.E. Shenton.
- Fulfilment Industry Policy. P.152/2006.
Lodged: 17th November 2006.
Economic Affairs Scrutiny Panel.
- Draft Regulation of Investigatory Powers (Jersey) Regulations 200- P.162/2006.
Lodged: 5th December 2006.
Minister for Home Affairs.
- 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 200- P.149/2006.
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Lodged: 10th November 2006.
Minister for Planning and Environment.

13th February 2007

- Public Elections: reduction in voting age to 16. P.166/2006.
Lodged: 5th December 2006.
Deputy P.V.F. Le Claire of St. Helier.

Compliments of the season

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

The Bailiff exchanged compliments of the season with all members represented by Senator Leonard Norman, on behalf of the Senators, the Connétable of St. Ouen, on behalf of the Connétables, and Deputy Robert Charles Duhamel of St. Saviour, on behalf of the Deputies.

THE STATES rose at 12.10 p.m.

M.N. DE LA HAYE

Greffier of the States