

**THE STATES assembled on Tuesday  
15th May 2007, 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 Stuart Syvret – ill  
Senator Wendy Kinnard – en défaut (défaut raised at 9.35 a.m.)  
Connétable Philip Francis Ozouf of St. Saviour– ill  
Connétable Kenneth Alan Le Brun of St. Mary– en défaut (défaut raised at 9.36 a.m.)  
Connétable John Le Sueur Gallichan of Trinity– en défaut  
Deputy Peter Nicholas Troy of St Brelade – en défaut (défaut raised at 10.17 a.m.)  
Deputy Celia Joyce Scott-Warren of St. Saviour– absent on States business  
Deputy Sarah Craig Ferguson of St. Brelade– absent on States business  
Deputy Patrick John Dennis Ryan of St. Helier– excused (arrived in the Chamber at 10.38 a.m.)  
Deputy Guy William John de Faye of St. Helier– en défaut (défaut raised at 9.44 a.m.)  
Deputy Sean Seamus Patrick Augustine Power of St. Brelade– absent on States business  
Deputy Kevin Charles Lewis of St. Saviour– absent on States business

Prayers led by the Greffier of the States

**Liberation Day – thanks**

The Deputy Bailiff, on behalf of all members and the Bailiff, thanked those involved in the organisation of the recent Liberation Day celebrations.

**Subordinate enactments tabled**

The following enactments were tabled, namely –

Social Security Advisory Council (Amendment) (Jersey) Order 2007. <i>Minister for Social Security.</i>	R&O.60/2007.
Road Traffic (St. Ouen) (Amendment No. 12) (Jersey) Order 2007. <i>Minister for Transport and Technical Services.</i>	R&O.65/2007.
Planning and Building (General Development) (Jersey) Order 2007. <i>Minister for Planning and Environment.</i>	R&O.66/2007.
Public Finances (Accounting Standards) (Jersey) Order 2007. <i>Minister for Treasury and Resources.</i>	R&O.67/2007.
Royal Court (Amendment No. 6) Rules 2007. <i>Superior Number of the Royal Court.</i>	R&O.68/2007.

**Documents presented or laid**

States of Jersey Law 2005: delegation of functions – Planning and Building	R.44/2007.
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(Jersey) Law 2002 – dangerous structures. Presented: 4th May 2007. <i>Minister for Planning and Environment.</i>	
Jersey Advisory and Conciliation Service: Board members’ report and financial statements for 2006. Presented: 8th May 2007. <i>Minister for Social Security.</i>	R.45/2007.
Land Transactions under Standing Order 168(3) – (a) Elizabeth Terminal, Office E43 – lease to Mr. Gordon Forrest; (b) Elizabeth Terminal Check-in Office E8 – lease to HD Ferries Limited; (c) Public footpath between Gorey Village Main Road and La Rue de la Poterie- acquisition of land from Les Hoûmets Residential Home, Gorey Village, Grouville. Presented: 8th May 2007. <i>Minister for Treasury and Resources.</i>	R.46/2007.
International Covenant on Economic, Social and Cultural Rights: fifth periodic report of the States of Jersey (as at April 2007). Presented: 11th May 2007. <i>Chief Minister.</i>	R.47/2007.
Jersey Financial Services Commission: Annual Report for 2006. Presented: 15th May 2007. <i>Minister for Economic Development.</i>	R.48/2007.
Land Transactions under Standing Order 168(3) – Stonemason’s Yard (Former Quarry), Mont Mado, St. John: proposed sale. Presented: 15th May 2007. <i>Minister for Treasury and Resources.</i>	R.49/2007.
La Pouquelaye Old School Site: purchase (P.55/2007)– comments. Presented: 14th May 2007. <i>Minister for Treasury and Resources.</i>	P.55/2007. Com.

### **Notification of lodged propositions**

Commissioners of Appeal for Income Tax: re-appointment. Lodged: 8th May 2007. <i>Minister for Treasury and Resources.</i>	P.59/2007.
Draft States of Jersey (Amendment No. 3) Law 200. Lodged: 10th May 2007. <i>Privileges and Procedures Committee.</i>	P.60/2007.
Rezoning of land for Category A and lifelong dwellings for the over 55s. Lodged: 14th May 2007. <i>Minister for Planning and Environment.</i>	P.61/2007.
Disciplinary Panel of the Law Society of Jersey: appointment of lay members. Lodged: 15th May 2007. <i>Chief Minister.</i>	P.62/2007.

Public Elections: reduction in voting age to 16. P.63/2007.  
Lodged: 15th May 2007.  
*Deputy of Grouville.*

Composition and Election of the States. P.64/2007.  
Lodged: 15th May 2007.  
*Deputy P.V.F. Le Claire of St. Helier.*

Former School premises, Clearview Street, St. Helier: sale to Scott Gibaut Homes P.65/2007  
Trust.  
Lodged: 15th May 2007.  
*Minister for Treasury and Resources.*

### **Written Questions**

*(see Official Report)*

The Chairman of the Privileges and Procedures Committee tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding the inclusion of unelected members of the States in reform proposals.

The Chief Minister tabled an answer to a question asked by Deputy J.B. Fox of St. Helier regarding succession planning for senior posts within the public sector.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy R.G. Le Hérisseier of St. Saviour regarding a response to the Scrutiny Report S.R.1/2007 relating to the closure of wards at Overdale.

The Chairman of the Comité des Connétables tabled an answer to a question asked by Deputy R.G. Le Hérisseier of St. Saviour concerning the electoral register.

The Chief Minister tabled an answer to a question asked by Deputy R.G. Le Hérisseier of St. Saviour regarding the appointment of candidates to senior public sector posts.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier concerning efficiency savings and his department's maintenance budget.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding efficiency savings.

### **Oral Questions**

*(see Official Report)*

Deputy P.V.F. Le Claire of St. Helier asked a question of the Minister for Social Security regarding the criteria for receiving rent subsidy and rent rebate under the new Income Support system.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Housing regarding proposals to introduce 'baby' 'j' category licences.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Economic Development regarding progress made at Jersey Airport to resolve cash flow issues and to achieve staff savings.

Deputy R.G. Le Hérisseier of St. Saviour asked a question of the Chairman of the Privileges and Procedure Committee regarding measures to achieve greater voter turnout.

Deputy R.G. Le Hérisseier of St. Saviour asked a question of the Minister for Home Affairs regarding departmental policies for developing staff to assume senior positions.

The Connétable of St. Brelade asked a question of the Minister for Economic Development regarding the Port of St. Helier stevedoring contract.

Deputy P.V.F. Le Claire of St. Helier asked a question of the Minister for Housing regarding the possible introduction of a system of rent control following the introduction of Income Support.

### **Oral Questions without notice**

*(see Official Report)*

The Minister for Treasury and Resources answered questions without notice from members.

The Chief Minister answered questions without notice from members.

### **Urgent Oral Question by Deputy J.A.N. Le Fondré of St. Lawrence to the Minister for Planning and Environment**

*(see Official Report)*

In accordance with the provisions of Standing Order 15 relating to urgent oral questions, Deputy J.A.N. Le Fondré of St. Lawrence asked the following question of the Minister for Planning and Environment, which has been approved by the Deputy Bailiff –

“Further to the e-mail by the Assistant Minister yesterday referring to the protection of nesting birds under the Conservation of Wildlife (Jersey) Law 2000, would the Minister undertake to ensure that no work, particularly tree felling or scrub clearance, is carried out on the development site colloquially known as ‘Goose Green Marsh’ until the season for nesting birds has passed, namely until the end of July 2007.”

### **Statements on a matter of official responsibility**

*(see Official Report)*

The Chairman of the Privileges and Procedures Committee made a statement regarding the reform of the States.

The Chief Minister made a statement regarding the development of the new Jersey Brand.

The Chairman of the Economic Affairs Scrutiny Panel made a statement regarding the use of Question time by Scrutiny.

### **Draft Employment (Minimum Wage) (Amendment No. 3) (Jersey) Regulations 200 P.46/2007**

THE STATES commenced consideration of the draft Employment (Minimum Wage) (Amendment No. 3) (Jersey) Regulations 200-, and adopted the principles.

Members present voted as follows –

#### **POUR: 31**

Senator F.H. Walker  
Senator W. Kinnard  
Senator T.A. Le Sueur  
Senator P.F. Routier  
Senator P.F.C. Ozouf  
Senator T.J. Le Main  
Senator B.E. Shenton

#### **CONTRE: 15**

Senator L. Norman  
Senator M.E. Vibert  
Senator J.L. Perchard  
Connétable of St. Peter  
Connétable of St. Lawrence  
Connétable of Grouville  
Connétable of St. Brelade

#### **ABSTAIN: 0**

Senator F.E. Cohen  
Connétable of St. Ouen  
Connétable of St. Mary  
Connétable of St. Clement  
Connétable of St. Helier  
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 Hérisssier (S)  
Deputy J.B. Fox (H)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy of St. Ouen  
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. Pitman (H)  
Deputy of St. John

Connétable of St. Martin  
Connétable of St. John  
Deputy J.J. Huet (H)  
Deputy P.J.D. Ryan (H)  
Deputy J.A.N. Le Fondré (L)  
Deputy A.J.D. Maclean (H)  
Deputy I.J. Gorst (C)  
Deputy of St. Mary

THE STATES adopted Regulations 1 and 2.

THE STATES, in pursuance of Articles 17, 18 and 104 of the Employment (Jersey) Law 2003, made Regulations entitled the Employment (Minimum Wage) (Amendment No. 3) (Jersey) Regulations 2007.

**Draft Loi (200-) (Amendement No. 4) sur les teneures en fidéicommis et l'incorporation d'associations – P.50/2007**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Loi (200-) (Amendement No. 4) sur les teneures en fidéicommis et l'incorporation d'associations.

**Jersey Financial Services Commission: re-appointment of Commissioners and Chairman – P.58/2007**

THE STATES commenced consideration of a proposition of the Minister for Economic Development concerning the reappointment of the Commissioners and Chairman of the Jersey Financial Services Commission. The Deputy Bailiff, in accordance with the provisions of Standing Order 82, ordered all strangers to withdraw from the precincts of the States and the doors of the Chamber to be closed.

THE STATES, having concluded the debate in camera, proceeded to vote in public assembly and, in pursuance of Article 3 of the Financial Services Commission (Jersey) Law 1998, agreed –

- (a) to re-appoint Mr. Geoffrey Colin Powell, C.B.E., as a Commissioner of the Jersey Financial Services Commission with effect from 1st June 2007 to 17th September 2009;
- (b) to re-appoint Dr. Frederik Christiaan Musch and Mrs. Jacqueline Anne Richomme as Commissioners of the Jersey Financial Services Commission with effect from 1st June 2007 to 31st May 2010; and
- (c) to re-appoint Mr. Geoffrey Colin Powell, CBE as Chairman of the Commission.

Members present voted as follows –

**POUR: 43**

Senator L. Norman  
Senator F.H. Walker  
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 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 Grouville  
Connétable of St. Brelade  
Connétable of St. Martin  
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 P.N. Troy (B)  
Deputy R.G. Le Hérisier (S)  
Deputy J.B. Fox (H)  
Deputy J.A. Martin (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 A.J.D. Maclean (H)  
Deputy of St. John  
Deputy I.J. Gorst (C)  
Deputy of St. Mary

**CONTRE: 1**

Deputy S. Pitman (H)

**ABSTAIN: 0**

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(a), Senator Ben Edward Shenton declared an interest and withdrew from the Chamber for the duration of the debate.

**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) –

### **5th June 2007**

Draft Water Resources (Jersey) Law 200-. P.26/2007.  
Lodged: 19th February 2007.  
*Minister for Planning and Environment.*

Student loans for higher education: introduction. P.52/2007.  
Lodged: 17th April 2007.  
*Minister for Education, Sport and Culture.*

Student Loans for higher education: guarantees. P.53/2007.  
Lodged: 18th April 2007.  
*Minister for Treasury and Resources.*

La Pouquelaye Old School Site: purchase. P.55/2007.  
Lodged: 23rd April 2007.  
*Connétable of St. Helier.*

La Pouquelaye Old School Site: purchase (P.55/2007)– comments. P.55/2007. Com.  
Presented: 14th May 2007.  
*Minister for Treasury and Resources.*

Composition and Election of the States Assembly: election dates for Connétables. P.54/2007.  
Lodged: 19th April 2007.  
*Comité des Connétables.*

Draft Criminal Justice (Miscellaneous Provisions) (No. 2) (Jersey) Law 200. P.56/2007.  
Lodged: 24th April 2007.  
*Minister for Home Affairs.*

Commissioners of Appeal for Income Tax: re-appointment. P.59/2007.  
Lodged: 8th May 2007.  
*Minister for Treasury and Resources.*

### **19th June 2007**

Social Housing Property Plan 2007–2016. P.6/2007.  
Lodged: 16th January 2007.  
*Minister for Housing.*

Draft Sea Fisheries (Minimum Size Limits) (Amendment No. 4) (Jersey) P.57/2007.  
Regulations 200-.  
Lodged: 1st May 2007.  
*Minister for Economic Development.*

### **3rd July 2007**

Draft High Hedges (Jersey) Law 200-. P.51/2007.  
Lodged: 13th April 2007.  
*Minister for Planning and Environment.*

Draft States of Jersey (Amendment No. 3) Law 200. P.60/2007.  
Lodged: 10th May 2007.

*Privileges and Procedures Committee.*

Public Elections: reduction in voting age to 16. P.63/2007.  
Lodged: 15th May 2007.  
*Deputy of Grouville.*

Composition and Election of the States. P.64/2007.  
Lodged: 15th May 2007.  
*Deputy P.V.F. Le Claire of St. Helier.*

Former School premises, Clearview Street, St. Helier: sale to Scott Gibaut Homes P.65/2007  
Trust.  
Lodged: 15th May 2007.  
*Minister for Treasury and Resources.*

**17th July 2007**

JT Group Limited (“Jersey Telecom”): proposed sale. P.28/2007.  
Lodged: 20th February 2007.  
*Minister for Treasury and Resources.*

School milk and milk at a reduced rate: continued provision. P.45/2007.  
Lodged: 27th March 2007.  
*Deputy G.P. Southern of St. Helier.*

THE STATES rose at 12.46 p.m.

**M.N. DE LA HAYE**

*Greffier of the States*