

**THE STATES assembled on Wednesday
2nd May 2007, at 09.30 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 Terence John Le Main– en défaut (défaut raised at 9.36 a.m.)
Connétable Philip Francis Ozouf of St. Saviour– ill
Deputy Alan John Henry Maclean of St. Helier– en default (défaut raised at 9.36 a.m.)

Prayers

Composition and Election of the States Assembly: proposed reform P.145/2006

THE STATES resumed consideration of a proposition of Senator Ben Edward Shenton concerning the proposed reform of the Composition and Election of the States Assembly, and, adopting a proposition of Senator Ben Edward Shenton, agreed to allow him to withdraw the following paragraph of the proposition that –

- (a)(iv) from the 2008 general election, the Chief Minister should only be appointed from members holding an island-wide mandate, namely the Senators;

Members present voted as follows –

POUR: 29

Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator B.E. Shenton
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Martin
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisssier (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 P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy D.W. Mezbourian
(L)

CONTRE: 20

Senator P.F. Routier
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator F.E. Cohen
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. John
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy of Trinity
Deputy A.J.D. Maclean (H)
Deputy of St. John
Deputy of St. Mary

ABSTAIN: 0

Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)

Change of Presidency

The Bailiff briefly retired from the Chamber during consideration of the ‘Composition and Election of the States Assembly – proposed reform’ and the meeting continued under the presidency of Mr. Michael Nelson de la Haye Greffier of the States until the Bailiff’s return.

THE STATES rejected paragraph (a)(i) to (a)(iii) of the proposition of Senator Ben Edward Shenton that legislation should be introduced to provide that –

- (a)(i) (1) a general election, with all elected members being elected on the same day, should be held in 2008 on the date currently fixed for the senatorial elections in that year;
 - (2) the expiry of term of office of all Deputies should be brought forward to coincide with the 2008 general election;
 - (3) the expiry of the term of office of all Connétables should be brought forward or managed to coincide with the 2008 general election;
 - (4) the expiry of the term of office of the six Senators elected in 2005 should be brought forward to coincide with the 2008 general election;
- (a)(ii) the number of Senators be reduced from 12 to 8 from the 2008 general election;
- (a)(iii) the term of office of all elected members be changed to 4 years from the 2008 general election;

Members present voted as follows –

POUR: 14

Senator L. Norman
Senator B.E. Shenton
Connétable of St. Mary
Connétable of St. Helier
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy R.G. Le Hérisse (S)
Deputy of St. Ouen
Deputy J.A. Hilton (H)
Deputy J.A.N. Le Fondré (L)
Deputy D.W. Mezbourian
(L)
Deputy S.S.P.A. Power (B)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)

CONTRE: 37

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. 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
Deputy J.J. Huet (H)
Deputy of St. Martin

ABSTAIN: 0

Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (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 G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy of Trinity
Deputy S. Pitman (H)
Deputy A.J.D. Maclean (H)
Deputy of St. John
Deputy of St. Mary

THE STATES adopting paragraph (a)(v) of the proposition of Senator Ben Edward Shenton, agreed that election expenses by candidates seeking election to the States should be regulated, limited to amounts fixed by the States and monitored accordingly.

Members present voted as follows –

POUR: 46

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 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 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 of St. Martin
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérissier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)

CONTRE: 5

Connétable of Trinity
Deputy J.J. Huet (H)
Deputy of St. Ouen
Deputy of St. Peter
Deputy G.W.J. de Faye (H)

ABSTAIN: 0

Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
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.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

THE STATES rejected paragraph (b) of the proposition of Senator Ben Edward Shenton that from the aforesaid general election date, the remuneration and expenses in respect of each Connétable should no longer be paid directly to the Connétable concerned but should be paid by the States to the relevant Parish to enable the Parish to determine how to distribute the sum;

Members present voted as follows –

POUR: 7

Senator B.E. Shenton
Connétable of St. Helier
Deputy A. Breckon (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy J.A. Hilton (H)
Deputy S. Pitman (H)

CONTRE: 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 Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Martin
Connétable of St. John
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen

ABSTAIN: 1

Connétable of St. Brelade

Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. Peter
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 I.J. Gorst (C)
Deputy of St. Mary

THE STATES, adopting paragraph (c) of the proposition of Senator Ben Edward Shenton, agreed to charge the Privileges and Procedures Committee to bring forward for approval the necessary legislation to give effect to the proposal.

Members present voted as follows –

POUR: 42

Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator T.J. Le Main
Senator B.E. Shenton
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 St. Lawrence
Connétable of Grouville
Connétable of St. Martin
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy P.N. Troy (B)
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 P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy P.V.F. Le Claire (H)

CONTRE: 9

Senator P.F.C. Ozouf
Senator F.E. Cohen
Connétable of St. Brelade
Connétable of St. John
Deputy J.J. Huet (H)
Deputy G.C.L. Baudains (C)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy G.W.J. de Faye (H)

ABSTAIN: 0

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

Electoral Reform P.4/2007

THE STATES, commenced consideration of a proposition of Deputy Geoffrey Peter Southern concerning Electoral Reform and, after discussion, adopted the proposition of Senator Philip Francis Cyril Ozouf that the Assembly should move to the consideration of the next item on the Order Paper.

Members present voted as follows –

POUR: 31

Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier
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 Trinity
Connétable of St. Lawrence

Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
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 of St. Peter
Deputy G.W.J. de Faye (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. Mary

CONTRE: 15

Senator W. Kinnard
Senator B.E. Shenton
Connétable of St. Clement
Connétable of St. Helier
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 of Grouville
Deputy J.A. Hilton (H)
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian
(L)
Deputy S. Pitman (H)
Deputy of St. John

ABSTAIN: 1

Deputy P.J.D. Ryan (H)

Draft Prison (Amendment No. 6) (Jersey) Law 200 P.18/2007

THE STATES commenced consideration of the Draft Prison (Amendment No. 6) (Jersey) Law 200 and adopted the principles.

Members present voted as follows –

POUR: 47

CONTRE: 0

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
Senator T.J. Le Main
Senator B.E. Shenton
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 St. Lawrence
Connétable of Grouville
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 P.N. Troy (B)
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 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.D. Maclean (H)
Deputy K.C. Lewis (S)

Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

THE STATES adopted Articles 1 to 5.

THE STATES subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Prison (Amendment No. 6) (Jersey) Law 200.

**Tevielka, La Rue de la Haye du Puits, Grouville: proposed deed of arrangement P. 33/2007
Amendment**

THE STATES, adopting a proposition of the Minister for Treasury and Resources as amended –

- (a) agreed that a deed of arrangement should be passed between the public, as the owner of Tevielka, La Rue de la Haye du Puits, Grouville, and Mr. Michele Dottore and Mrs. Maxine Dottore, née Fag as the owners of Villa Parterre (formerly La Parterre), La Rue de la Haye du Puits, Grouville, to agree the boundary between the two properties as shown on Drawing No. 1413/07/103 with each party responsible for their own legal costs in respect of passing contract before the Royal Court; and
- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contracts on behalf of the Public.

Draft Sea Fisheries (Les Minquiers) (Jersey) Regulations 200- P.38/2007

THE STATES, in pursuance of Articles 2, 5, 8 and 29 of the Sea Fisheries (Jersey) Law 1994, and having consulted with and obtained the concurrence of the Secretary of State, made Regulations entitled the Sea Fisheries (Les Minquiers) (Jersey) Regulations 2007.

Draft Sea Fisheries (Trawling, Netting and Dredging) (Amendment No. 2) (Jersey) Regulations 200- P.39/2007

THE STATES, in pursuance of Articles 2, 5, 7, 8 and 29 of the Sea Fisheries (Jersey) Law 1994, having consulted with and obtained the concurrence of the Secretary of State, made Regulations entitled the Sea Fisheries (Trawling, Netting and Dredging) (Amendment No. 2) (Jersey) Regulations 2007.

Draft Public Employees (Contributory Retirement Scheme) (General) (Amendment No. 9) (Jersey) Regulations 200- P.42/2007

THE STATES, in pursuance of Articles 2 and 4 of the Public Employees (Retirement) (Jersey) Law 1967, made Regulations entitled the Public Employees (Contributory Retirement Scheme) (General) (Amendment No. 9) (Jersey) Regulations 2007.

Draft Telecommunications (Public Pensions) (Jersey) Regulations 200- P. 27/2007

THE STATES, in pursuance of Articles 46 and 65 of the Telecommunications (Jersey) Law 2002, made Regulations entitled the Telecommunications (Public Pensions) (Jersey) Regulations 2007.

Fields 848, 851 and 853, Bel Royal, St. Lawrence: Committee of Inquiry P.49.2007

THE STATES commenced consideration of a proposition of the Connétable of St. Lawrence concerning the establishment of a Committee of Inquiry into the development of Fields 848, 851 and 853, Bel Royal, St. Lawrence.

THE STATES, having adopted a proposition of the Connétable of St. Lawrence and agreed to allow him to withdraw paragraph (b) of the proposition, agreed that—

- (a) a Committee of Inquiry should be established in accordance with Standing Order 146 in order to investigate –
 - (i) the process and rationale of rezoning Fields 848,851, 853, and 854, Bel Royal, St. Lawrence as identified in policy H2 of the Island Plan 2002 (and including Fields 861, 862A and 863A);
 - (ii) the present demand for the type of houses proposed under the scheme set out in the most recent planning application for the fields;
 - (iii) the effectiveness of the depth of analysis and review performed by States’ Departments in assessing the suitability of the fields rezoned;
 - (iv) the effectiveness of the Planning and Environment Department in independent consideration and assessment of the developer’s proposals;
 - (v) the effectiveness of the consideration by the Planning and Environment Department of the submissions and documentation of the developer in meeting the terms of the development brief and/or the Island Plan 2002 specifically to include statements contained in paragraphs 8.69 to 8.73 of the Island Plan 2002;
 - (vi) the status of the development brief and its relationship with separate statements in the Island Plan 2002;
 - (vii) the impact of the proposed development upon the infrastructure of the West of the Island in matters such as schools, roads, traffic, drains and existing flood plains;
 - (viii) any other matters which are shown to be relevant during the period of inquiry.

Members present voted as follows –

POUR: 38

Senator L. Norman
Senator F.H. Walker
Senator T.A. Le Sueur

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. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Brelade
Deputy R.C. Duhamel (S)

CONTRE: 5

Senator P.F. Routier
Senator M.E. Vibert
Senator J.L. Perchard

Deputy J.A. Martin (H)
Deputy G.W.J. de Faye (H)

ABSTAIN: 4

Senator W. Kinnard
Deputy P.N. Troy (B)
Deputy J.B. Fox (H)
Deputy A.J.D. Maclean
(H)

Deputy A. Breckon (S)
 Deputy of St. Martin
 Deputy G.C.L. Baudains (C)
 Deputy C.J. Scott Warren (S)
 Deputy R.G. Le Hérisier (S)
 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 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

In accordance with the provisions of Standing Order 106(1)(a), the Connétable of St. Peter declared an interest and withdrew from the Chamber during consideration of 'Fields 848, 851 and 853, Bel Royal, St. Lawrence Committee of Inquiry – P.49.2007'. In accordance with the provisions of Standing Order 106(1)(b) Senator Wendy Kinnard and Deputy John Alexander Nicholas Le Fondré declared an interest but remained in the Chamber for the duration of the debate.

Liberation Day – extraordinary meeting of the States

The Bailiff reminded the Assembly that there would be an extraordinary meeting of the States on 9th May 2007 on the occasion of the 62nd anniversary of the Liberation in the presence of His Royal Highness The Duke of Kent.

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) –

15th May 2007

Draft Employment (Minimum Wage) (Amendment No. 3) (Jersey) Regulations 200- Lodged: 29th March 2007. <i>Minister for Social Security.</i>	P.46/2007.
Draft Loi (200-) (Amendement No. 4) sur les teneures en fidéicommiss et l'incorporation d'associations. Lodged: 3rd April 2007. <i>Chief Minister.</i>	P.50/2007.
La Pouquelaye Old School Site: purchase.	P.55/2007.

Lodged: 23rd April 2007.
Connétable of St. Helier.

Jersey Financial Services Commission: re-appointment of Commissioners and Chairman. P.58/2007.
Lodged: 1st May 2007.
Minister for Economic Development.

5th June 2007

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

Draft High Hedges (Jersey) Law 200-. P.51/2007.
Lodged: 13th April 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.

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.

19th June 2007

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

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.

M.N. DE LA HAYE

Greffier of the States