

**THE STATES assembled on Tuesday  
1st May 2007, at 09.30 a.m. under  
the Presidency of the Bailiff,  
Sir Philip Bailhache.**

**His Excellency the Lieutenant Governor,  
Lieutenant-General Andrew Peter Ridgway, C.B., C.B.E.,  
was present.**

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

Senator Stuart Syvret – ill  
Connétable Philip Francis Ozouf of St. Saviour– ill

Prayers

**Documents presented or laid**

Composition and Election of the States Assembly: proposed reform (P.145/2006): comments. Presented: 1st May 2007. <i>Council of Ministers.</i>	P.145/2006. Com.
Composition and Election of the States Assembly: proposed reform (P.145/2006): amendments (P.145/2006 Amd.)– comments. Presented: 30th April 2007. <i>Privileges and Procedures Committee.</i>	P.145/2006. Amd. Com.
Fields 848, 851 and 853, Bel Royal, St. Lawrence: Committee of Inquiry (P.49/2007) – amendment (P.49/2007 Amd.)– comments. Presented: 30th April 2007. <i>Minister for Planning and Environment.</i>	P.49/2007. Amd. Com.
States of Jersey Law 2005: delegation of functions – Health and Social Services. Presented: 23rd April 2007. <i>Minister for Health and Social Services.</i>	R.40/2007.
States Assembly: Annual Report 2006. Presented: 24th April 2007. <i>Privileges and Procedures Committee.</i>	R.41/2007.
Review of the changes to the Incapacity Benefit system. Presented: 24th April 2007. <i>Minister for Social Security.</i>	R.42/2007.
Redundancy and business transfers: recommendations of the Employment Forum. Presented: 26th April 2007. <i>Minister for Social Security.</i>	R.43/2007.
Review into the Perceived Health Effects of Mobile Phone Masts. Presented: 20th April 2007. <i>Health, Social Security and Housing Scrutiny Panel.</i>	S.R.8/2007.

Retail Strategy (Interim) Review. S.R.9/2007.  
Presented: 27th April 2007.  
*Economic Affairs Scrutiny Panel.*

### Notification of lodged propositions

Composition and Election of the States Assembly: proposed reform (P.145/2006) – P.145/2006.  
second amendment (P.145/2006 Amd.(2))– amendments. Amd.(2) Amd.  
Lodged: 25th April 2007.  
*Deputy A. Breckon of St. Saviour.*

Composition and Election of the States Assembly: proposed reform (P.145/2006) – P.145/2006.  
second amendment (P.145/2006 Amd.(2))– second amendment. Amd.(2) Amd.(2)  
Lodged: 25th April 2007.  
*Deputy J.A.N. Le Fondré of St. Lawrence.*

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

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

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

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

### Written Questions

*(see Official Report)*

The Minister for Home Affairs tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding the annual expenditure on vehicle recovery since 2002.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding waste recycling levels.

The Chief Minister tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding subsidies to the outlets at the Waterfront.

The Chief Minister tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding the formal processes existing between Jersey and Her Majesty's Government relating to the negotiation of constitutional matters.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the funding of the 2007 pay award.

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of

St. Helier regarding the funding of the 2007 pay award.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the funding of the 2007 pay award.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the funding of the 2007 pay award.

The Minister for Home Affairs tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the funding of the 2007 pay award.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the funding of the 2007 pay award.

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the funding of the 2007 pay award.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the funding of the 2007 pay award.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the funding of the 2007 pay award.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the funding of the 2007 pay award.

The Minister for Treasury and Resources tabled an answer to a question asked by Senator B.E. Shenton regarding TV licence costs.

### **Oral Questions**

*(see Official Report)*

The Connétable of St. Helier asked a question of the Minister for Transport and Technical Services regarding possible Parish participation in the forthcoming review of safety hazards at La Collette.

The Connétable of St. Helier asked a question of the Assistant Minister for Health and Social Services regarding her department's progress in implementing the Air Quality Strategy for Jersey.

Deputy S.S.P.A. Power of St. Brelade asked a question of the Minister for Treasury and Resources regarding whether a Goods and Services Tax would be charged on the sale of Duty Free goods at the Airport.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Economic Development regarding proposed cuts in grant aid to the dairy and agriculture industries.

Deputy J.A. Martin of St. Helier asked a question of the Minister for Housing regarding the potential rise in the number of private sector 'j' category employees.

Deputy G.P. Southern of St. Helier asked a question of the Minister of Economic Development regarding proposals to reduce support for the tourism industry as outlined in his draft 2008 departmental business plan.

The Connétable of Grouville asked a question of the Minister for Planning and Environment regarding the issue of planning permissions for mobile telephone masts in prime positions within the countryside.

The Deputy of St. Martin asked a question of the Minister for Home regarding the compatibility of the Draft Prison (Amendment No. 6) (Jersey) Law 2007 (P.18/2007) with the Human Rights (Jersey) Law 2000.

Deputy P.V.F. Le Claire of St. Helier asked a question of the Chief Minister regarding the Island's existing relationship with Her Majesty's Government.

Deputy S.S.P.A. Power of St. Brelade asked a question of the Minister for Treasury and Resources regarding the appointment of ten additional staff for the processing of the new Goods and Services Tax.

The Connétable of Grouville asked a question of the Minister for Health and Social Services regarding precautions to safeguard the health of the people who live in close proximity to mobile phone masts.

### **Oral Questions without notice**

*(see Official Report)*

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

The Minister for Housing answered questions without notice from members.

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

*(see Official Report)*

The Chief Minister made a statement regarding the signing of a framework for the development of Jersey's international identity.

The Chairman of the Economic Affairs Scrutiny Panel made a statement regarding the Panel's interim retail report.

The Minister for Economic Development made a statement regarding service level agreements with the operators of the sea routes serving Jersey.

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

THE STATES commenced consideration of the proposition of Senator Ben Edward Shenton regarding proposed reforms to the Composition and Election of the States Assembly and rejected an amendment of Deputy Geoffrey Peter Southern of St. Helier that in paragraph (a)(i)(1) for the words "the date currently fixed for the senatorial elections in that year" there be substituted the words "a date to be determined in the month of June of that year".

Members present voted as follows –

#### **POUR: 9**

Deputy A. Breckon (S)  
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 Trinity  
Deputy S. Pitman (H)  
Deputy K.C. Lewis (S)

#### **CONTRE: 40**

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

#### **ABSTAIN: 0**

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  
 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 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 S.S.P.A. Power (B)  
 Deputy A.J.D. Maclean (H)  
 Deputy of St. John  
 Deputy I.J. Gorst (C)  
 Deputy of St. Mary

THE STATES rejected an amendment of Deputy Geoffrey Peter Southern of St. Helier that for paragraph (a)(i)(3) there be substituted the following paragraph –

“(3) the right of the Connétables to be members of the States by virtue of their office should cease in 2008 with any Connétable who wishes to be a member of the States being required to stand for the office of Deputy or Senator in the 2008 general election;”.

and that for paragraph (a)(ii) there be substituted the following paragraph–

“(ii) that an additional eight Deputies’ positions should be created and distributed proportionately to population across the Parishes to make a total membership of the Assembly of 49 from the date of the 2008 general election;”.

Members present voted as follows –

**POUR: 4**

Deputy J.J. Huet (H)  
 Deputy P.N. Troy (B)  
 Deputy G.P. Southern (H)  
 Deputy S. Pitman (H)

**CONTRE: 45**

Senator L. Norman  
 Senator F.H. Walker  
 Senator T.A. Le Sueur  
 Senator P.F. Routier  
 Senator M.E. Vibert  
 Senator T.J. Le Main  
 Senator B.E. Shenton  
 Senator F.E. Cohen

**ABSTAIN: 0**

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  
Connétable of St. John  
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 Hérisssier (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 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 commenced consideration of the amendments of the Privileges and Procedures Committee and rejected amendments of Deputy John Alexander Nicholas Le Fondré of St. Lawrence that –

(1) In amendment (1), in the substituted sub-paragraph (1), for the words–

“a general election period should be held in 2008, with elections for 8 Senators, and Connétables, or the date currently fixed for the senatorial elections in that year, with an election for 29 Deputies held shortly thereafter”

there be substituted the words –

“a single general election day should be held in 2008, with elections for 8 Senators, Connétables and 29 Deputies, on the date currently fixed for the Deputy elections in that year”,

and for the words “a further such general election period” there be substituted the words “a further such general election”.

- (2) In amendment (1), for the substituted sub-paragraph (2) there be substituted the following sub-paragraph –
- “(2) any person standing for election would only be permitted to stand for one position (out of Senator, Connétable or Deputy) on the single election day.”
- (3) In amendment (3) for the words “2012 general election period” there be substituted the words “2012 general election”.

Members present voted as follows –

**POUR: 8**

Senator L. Norman  
 Senator B.E. Shenton  
 Deputy P.N. Troy (B)  
 Deputy of St. Ouen  
 Deputy of Grouville  
 Deputy J.A.N. Le Fondré (L)  
 Deputy D.W. Mezbourian  
 (L)  
 Deputy I.J. Gorst (C)

**CONTRE: 42**

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. 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 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 St. Peter  
 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 S. Pitman (H)  
 Deputy A.J.D. Maclean (H)  
 Deputy K.C. Lewis (S)  
 Deputy of St. John  
 Deputy of St. Mary

**ABSTAIN: 0**

THE STATES rejected amendments of Deputy Alan Breckon of St. Saviour to the amendment of the Privileges and Procedures Committee that –

- (1) in amendment (1), in the substituted sub-paragraph (1), for the word “Connétables” there be substituted the words “29 Deputies”, and for the words “29 Deputies” there be substituted the word “Connétables”;
- (2) in amendment (1), in the substituted sub-paragraph (2), for the word “Connétable” there be substituted the word “Deputy”.

Members present voted as follows –

**POUR: 13**

Senator B.E. Shenton  
Connétable of St. Ouen  
Connétable of Trinity  
Connétable of St. Brelade  
Connétable of St. John  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy C.J. Scott Warren (S)  
Deputy of St. Ouen  
Deputy J.A.N. Le Fondré (L)  
Deputy D.W. Mezbourian  
(L)  
Deputy I.J. Gorst (C)

**CONTRE: 36**

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. Mary  
  
Connétable of St. Peter  
Connétable of St. Clement  
Connétable of St. Lawrence  
Connétable of Grouville  
Connétable of St. Martin  
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 G.P. Southern (H)  
Deputy S.C. Ferguson (B)  
Deputy P.J.D. Ryan (H)  
Deputy of St. Peter  
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 S. Pitman (H)  
Deputy A.J.D. Maclean (H)  
Deputy K.C. Lewis (S)  
Deputy of St. John  
Deputy of St. Mary

**ABSTAIN: 0**

THE STATES rejected the amendments of the Privileges and Procedures Committee that –



- (1) in paragraph (a)(i), for subparagraphs (1) to (4) there be substituted the following sub-paragraphs –
- “(1) a general election period should be held in 2008, with elections for 8 Senators, and Connétables, on the date currently fixed for the senatorial elections in that year, with an election for 29 Deputies held shortly thereafter, with all successful candidates elected for a period of approximately 3½ years until the spring of 2012 when a further such general election period would be held;
- (2) no person would be permitted to stand for election as both Senator and Connétable on the single election day for these 2 positions;
- (3) any of the 6 Senators elected in 2005 who wish to do so should be permitted to resign from office to stand in the 2008 election for 8 Senators with the resignation not taking effect until the swearing-in day of the successful candidates in that election, with any vacancies arising, for any reason, in the positions of those 6 Senators from that swearing-in day not then being filled;
- (4) any of the 12 Connétables who wish to do so should be permitted to resign from office to stand in the 2008 election for Connétables with the resignation not to take effect until the swearing-in day of the successful candidates in that election, with appropriate arrangements being put in place to provide that, for any Connétable who did not exercise this option, the expiry of the next term of office after 2008 for that position would conclude on the date of the 2012 election for Connétables, when all 12 Connétables would be elected on one day.”
- (2) In paragraph (a)(ii) for the words “the 2008 general election” there be substituted the words “the date of expiry of the term of office of the 6 Senators elected in 2005, namely December 2011”.
- (3) In paragraph (a)(iii) for the words “2008 general election” there be substituted the words “2012 general election period.”
- (4) In paragraph (a)(iv) after the words “general election” there be inserted the word “period”.

Members present voted as follows –

**POUR: 15**

Senator M.E. Vibert  
 Senator B.E. Shenton  
 Connétable of St. Mary  
 Connétable of St. Clement  
 Connétable of St. Helier  
 Connétable of St. Martin  
 Deputy G.C.L. Baudains (C)  
 Deputy P.N. Troy (B)  
 Deputy C.J. Scott Warren (S)  
 Deputy J.B. Fox (H)  
 Deputy of St. Peter  
 Deputy J.A.N. Le Fondré (L)  
 Deputy D.W. Mezbourian  
 (L)  
 Deputy I.J. Gorst (C)  
 Deputy of St. Mary

**CONTRE: 35**

Senator L. Norman  
 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 F.E. Cohen  
 Senator J.L. Perchard  
 Connétable of St. Ouen  
 Connétable of Trinity  
 Connétable of St. Lawrence  
  
 Connétable of Grouville  
 Connétable of St. Brelade  
 Connétable of St. John  
 Deputy R.C. Duhamel (S)  
 Deputy A. Breckon (S)  
 Deputy J.J. Huet (H)  
 Deputy of St. Martin

**ABSTAIN: 0**

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 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 S. Pitman (H)  
 Deputy A.J.D. Maclean (H)  
 Deputy K.C. Lewis (S)  
 Deputy of St. John

THE STATES rejected the amendment of the Privileges and Procedures Committee that after paragraph (b) there be inserted a new paragraph (c) as follows–

“(c) to agree that the above proposed reform package should be submitted to the electorate in a referendum to be held as soon as practicable.”

and that paragraph (c) should be renumbered as (d) accordingly.

Members present voted as follows –

**POUR: 14**

Senator L. Norman  
 Senator M.E. Vibert  
 Connétable of St. Mary  
 Connétable of St. Clement  
 Deputy A. Breckon (S)  
 Deputy C.J. Scott Warren (S)  
 Deputy R.G. Le Hérissier (S)  
 Deputy J.B. Fox (H)  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy of St. Peter  
 Deputy of Trinity  
 Deputy S. Pitman (H)  
 Deputy of St. Mary

**CONTRE: 37**

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  
 Senator F.E. Cohen  
 Senator J.L. Perchard  
 Connétable of St. Ouen  
 Connétable of St. Peter  
 Connétable of St. Helier  
 Connétable of Trinity  
 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 J.J. Huet (H)  
 Deputy of St. Martin  
 Deputy G.C.L. Baudains (C)  
 Deputy P.N. Troy (B)  
 Deputy S.C. Ferguson (B)  
 Deputy of St. Ouen  
 Deputy P.J.D. Ryan (H)

**ABSTAIN: 0**

Deputy of Grouville  
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 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)

THE STATES resumed consideration of the proposition of Senator Ben Edward Shenton concerning the Composition and Election of the States Assembly: proposed reform.

### **Adjournment**

THE STATES adjourned, and agreed to reconvene on Wednesday 2nd May 2007 to continue the discussion of the proposition of Senator Ben Edward Shenton 'Composition and Election of the States Assembly: proposed reform' (P.145/2006) and other outstanding items of public business.

THE STATES rose at 5.30 p.m.

**M.N. DE LA HAYE**

*Greffier of the States*