

**THE STATES assembled on Tuesday  
27th February 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 Paul Francis Routier – en défaut (défaut raised at 12.28 pm.)  
Senator Philip Francis Cyril Ozouf – absent due to illness  
Senator James Leslie Perchard – absent due to illness  
Connétable Geoffrey William Fisher of St. Lawrence– en défaut

Prayers

**Subordinate enactments tabled**

The following enactments were tabled, namely –

Shipping (Employment of Young People) (Jersey) Order 2007. <i>Minister for Economic Development.</i>	R&O.32/2007.
Collective Investment Funds (Permits) (Exemptions) (Amendment) (Jersey) Order 2007. <i>Minister for Economic Development.</i>	R&O.33/2007.
Financial Services (Collective Investment Funds) (Exemptions) (Jersey) Order 2007. <i>Minister for Economic Development.</i>	R&O.34/2007.
Court of Appeal (Fees) (Amendment No. 3) (Jersey) Rules 2007. <i>Court of Appeal.</i>	R&O.35/2007.

**Documents presented or laid**

Land Transactions under Standing Order 168(3) – former JCG site – development proposals. Presented: 20th February 2007. <i>Minister for Treasury and Resources.</i>	R.13/2007.
Jersey Financial Services Commission. Presented: 27th February 2007. <i>Comptroller and Auditor General.</i>	R.14/2007.
Deep groundwater: La Rocque and St. Catherine boreholes (P.22/2007)- comments. Lodged: 22nd February 2007. <i>Minister for Planning and Environment.</i>	P.22/2007. Com.

**Notification of lodged propositions**

Draft Water Resources (Jersey) Law 200-. Lodged: 19th February 2007. <i>Minister for Planning and Environment.</i>	P.26/2007.
Draft Telecommunications (Public Pensions) (Jersey) Regulations 200-.	P.27/2007.

Lodged: 20th February 2007. <i>Minister for Treasury and Resources.</i>	
JT Group Limited (“Jersey Telecom”): proposed sale. Lodged: 20th February 2007. <i>Minister for Treasury and Resources.</i>	P.28/2007.
Deputy G.W.J. de Faye of St. Helier, Minister for Transport and Technical Services: vote of censure. Lodged: 26th February 2007. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.29/2007.
Former Jersey College for Girls: proposed sale. Lodged: 27th February 2007. <i>Deputy R.C. Duhamel of St. Saviour.</i>	P.30/2007.
Draft Housing (General Provisions) (Amendment No. 25) (Jersey) Regulations 200-. Lodged: 27th February 2007. <i>Minister for Housing.</i>	P.31/2007.

### **Withdrawal of lodged propositions**

THE STATES noted that, in accordance with Standing Order 34(1), the proposer of the following proposition lodged “au Greffe” had informed the Greffier of the States that it had been withdrawn –

Deputy G.W.J. de Faye of St. Helier, Minister for Transport and Technical Services: vote of censure. Lodged: 26th February 2007. <i>Deputy R.G. Le Hérissier of St. Saviour.</i>	P.29/2007.
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### **Environment Scrutiny Panel – appointment of member**

In accordance with the provisions of Standing Order 125(1) Deputy Robert Charles Duhamel of St. Saviour Chairman of the Environment Scrutiny Panel, nominated the Connétable of St. Helier as a member of that Panel.

There being no other nominations, the Bailiff declared that the Connétable of St. Helier was duly elected as a member of the Environment Scrutiny Panel.

### **Planning Applications Panel – resignation of member**

THE STATES noted the resignation of the Connétable of St. Helier from the Planning Applications Panel.

### **Written Questions**

*(see Official Report)*

The Minister for Treasury and Resources tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding backlogs at the Income Tax Department over the processing of ITIS data.

The Minister for Planning and Environment tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding environmental issues.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the co-ordination of data gathered by departments.

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

The Minister for Housing tabled an answer to a question asked by Deputy G.P. Southern regarding the sell off of social housing rental housing stock.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern regarding Long-Term Incapacity Allowance.

The Minister for Education, Sport and Culture tabled an answer to a question asked by Deputy R.G. Le Hérisse of St. Saviour regarding the Chairman of the Higher Education Development Group.

### **Oral Questions**

*(see Official Report)*

Deputy K.C. Lewis of St. Saviour asked a question of the Minister for Home Affairs regarding the number of personnel from the Jersey Field Squadron currently serving in Iraq.

Deputy S. Pitman of St. Helier asked a question of the Minister for Housing regarding the future of Convent Court.

Senator B.E. Shenton asked a question of the Chief Minister regarding Senator M.E. Vibert's withdrawal from discussions relating to teachers' matters at States Employment Board meetings and the Board's legal quorum.

Deputy S. Pitman of St. Helier asked a question of the Minister for Housing regarding the re-housing of tenants whilst Convent Court was reconstructed.

Deputy G.P. Southern of St. Helier asked a question of Deputy A.J.H. Maclean of St. Helier, Assistant Minister for Economic Development, regarding how the Jersey Competition Regulatory Authority's powers would be enforced following the sell-off of Jersey Telecom.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Treasury and Resources regarding the way in which the pay award to public sector employees would be funded.

Senator B.E. Shenton asked a question of the Minister for Home Affairs regarding the categorisation of certain prisoners at H.M. Prison La Moye as 'vulnerable'.

Deputy K.C. Lewis of St. Saviour asked a question of Deputy C.F. Labey of Grouville, Assistant Minister for Education, Sport and Culture, regarding the possibility of the Jersey Heritage Trust using existing amphibious vehicles to transport visitors to Elizabeth Castle to cover the two month delay before the new operators' vehicles became available.

### **Oral Questions without notice**

*(see Official Report)*

The Minister for Home Affairs answered questions without notice from members.

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

### **Personal statements**

*(see Official Report)*

Deputy G.W.F. de Faye of St. Helier made a statement in connection with a question answered at the previous States' meeting.

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

*(see Official Report)*

The Chairman of the Economic Affairs Scrutiny Panel made a statement regarding the review of the proposed sale of Jersey Telecom.

**Draft Police (Honorary Police Complaints and Discipline Procedure) (Amendment) (Jersey) Regulations 200- P.2/2007**

THE STATES, in pursuance of Article 28 of the Police (Complaints and Discipline) (Jersey Law 1999 made Regulations entitled the Police (Honorary Police Complaints and Discipline Procedure) (Amendment) (Jersey) Regulations 2007.

**Field 512, La Route des Camps, St. Brelade: proposed Deed of Arrangement- P.3/2007**

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

- (a) agreed that a deed of arrangement should be passed between the public, as the owner of the northern part of Field 512, St. Brelade and Mr. Paul Graham Thorne and Mrs. Tanya Harrison née Thorne, as the joint owners of the southern part of Field 512, to provide that –
  - (i) the Public's existing right-of-way from La Route des Camps to the northern part of Field 512 across the centre of the southern part of Field 512, be cancelled (which right of way was established in a contract passed on 19th November 1993 between the public and Mr. Graham Douglas Thorne),
  - (ii) the public be granted a new right-of-way from La Route des Camps to the northern part of Field 512 across the western side of the southern part of Field 512, as shown on drawing No. 19/2/12 P1;
- (b) agreed that the public should contribute £750 towards the legal fees incurred by Mr. Paul Graham Thorne and Mrs Tanya Harrison, née Thorne in connection with passing the said deed of arrangement before the Royal Court, to be sourced from vote '02320/IXP008/120280 – *Acquisition of Land – Major Reserve*'; and,
- (c) agreed to authorise the Attorney General and the Greffier of the States to pass the necessary contracts on behalf of the Public.

**Draft Criminal Offences (Jersey) Law 200- P.7/2007 Re-issue**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Criminal Offences (Jersey) Law 200-.

**Draft Corruption (Jersey) Law 2006 (Appointed Day) Act 200- P.16/2007 Re-issue**

THE STATES, in pursuance of Article 17 of the Corruption (Jersey) Law 2006, made an Act entitled the Corruption (Jersey) Law 2006 (Appointed Day) Act 2007.

**Deep groundwater: La Rocque and St. Catherine boreholes- P.22/2007  
Comments**

THE STATES commenced consideration of a proposition of Deputy Gerard Clifford Lemmens of St. Clement and rejected paragraph (a) that the States request the Minister for Planning and Environment to–

- (a) take the necessary steps for the boreholes recently drilled at St. Catherine and La Rocque for deep groundwater testing purposes to be re-drilled using alternative testing methods.

Members present voted as follows –

**POUR: 11**

**CONTRE: 38**

**ABSTAIN: 0**

Connétable of St. Saviour

Senator S. Syvret

Connétable of St. Brelade  
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 C.J. Scott Warren (S)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy S.S.P.A. Power (B)

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 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 Trinity  
Connétable of Grouville  
Connétable of St. Martin  
Deputy A. Breckon (S)  
Deputy P.N. Troy (B)  
Deputy R.G. Le Hérissier  
(S)  
Deputy J.B. Fox (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 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

THE STATES rejected paragraph (b) that the States request the Minister for Planning and Environment to—

- (b) withdraw the conclusions recently published regarding the water samples from the current boreholes until further research had been carried out.

Members present voted as follows –

**POUR: 10**

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 C.J. Scott Warren (S)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy of St. Ouen  
Deputy of Grouville

**CONTRE: 38**

Senator S. Syvret  
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 F.E. Cohen  
Connétable of St. Ouen

**ABSTAIN: 0**

Connétable of St. Saviour  
 Connétable of St. Mary  
 Connétable of St. Peter  
 Connétable of St. Clement  
 Connétable of St. Helier  
 Connétable of Trinity  
 Connétable of Grouville  
 Connétable of St. Brelade  
 Deputy A. Breckon (S)  
 Deputy P.N. Troy (B)  
 Deputy R.G. Le Hérissier  
 (S)  
 Deputy J.B. Fox (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 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

### **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) –

#### **13th March 2007**

Draft Road Traffic (No. 57) (Jersey) Regulations 200. Lodged: 1st December 2006. <i>Minister for Transport and Technical Services.</i>	P.161/2006.
Draft Road Traffic (No. 57) (Jersey) Regulations 200 (P.161/2006): amendment. Lodged: 23rd January 2007. <i>Minister for Transport and Technical Services.</i>	P.161/2006. Amd.
Draft F.B. Playing Fields (Sports Hall) (Jersey) Law 200-. Lodged: 22nd January 2007. <i>Minister for Education, Sport and Culture.</i>	P.9/2007.
Draft Shops (Sunday Trading) (No. 9) (Jersey) Regulations 200. Lodged: 26th January 2007. <i>Minister for Economic Development.</i>	P.10/2007.
Draft Police Procedures and Criminal Evidence (Jersey) Law 2003 (Appointed Day) (No. 4) Act 200. Lodged: 2nd February 2007. <i>Minister for Home Affairs.</i>	P.17/2007.
Minimum Wage Level.	P.23/2007.

Lodged: 12th February 2007.  
*Deputy G.P. Southern of St. Helier.*

Minimum Wage: Youth Rate. P.25/2007.  
Lodged: 13th February 2007.  
*Deputy G.P. Southern of St. Helier.*

Draft Employment (Minimum Wage) (Amendment No. 2) (Jersey) Regulations P.14/2007.  
200-  
Lodged: 30th January 2007.  
*Minister for Social Security.*

Former Jersey College for Girls: proposed sale. P.30/2007.  
Lodged: 27th February 2007.  
*Deputy R.C. Duhamel of St. Saviour.*

**The States will sit in Committee to discuss the following report –**

Composition and election of the States Assembly: options for change. R.97/2006.  
Presented: 11th December 2006.  
*Privileges and Procedures Committee*

**27th March 2007**

Composition and Election of the States Assembly: proposed reform. P.145/2006.  
Lodged: 3rd November 2006.  
*Senator B.E. Shenton.*

Composition and Election of the States Assembly: proposed reform (P.145/2006): P.145/2006.  
amendments. Amd.  
Lodged: 28th December 2006.  
*Deputy G.P. Southern of St. Helier.*

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

Electoral Reform. P.4/2007.  
Lodged: 11th January 2007.  
*Deputy G.P. Southern of St. Helier.*

Draft Sea Fisheries (Licensing of Fishing Boats) (Amendment No. 3) (Jersey) P.15/2007.  
Regulations 200-  
Lodged: 2nd February 2007.  
*Minister for Economic Development.*

Draft Prison (Amendment No. 6) (Jersey) Law 200. P.18/2007.  
Lodged: 5th February 2007.  
*Minister for Home Affairs.*

Draft Regulation of Investigatory Powers (Amendment) (Jersey) Law 200-. P.19/2007.  
Lodged: 6th February 2007.  
*Minister for Home Affairs.*

Draft Centeniers (Terms of Office) (Jersey) Law 200-. P.20/2007.  
Lodged: 6th February 2007.  
*Comité des Connétables.*

Draft Règlements (200-) sur le tarif des honoraires des Jurés-Justiciers. P.21/2007.  
Lodged: 8th February 2007.  
*Chief Minister.*

Draft Employment (Amendment No. 3) (Jersey) Law 200-. P.24/2007.  
Lodged: 13th February 2007.  
*Minister for Social Security.*

**17th April 2007**

Draft Telecommunications (Public Pensions) (Jersey) Regulations 200-. P.27/2007.  
Lodged: 20th February 2007.  
*Minister for Treasury and Resources.*

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

Draft Housing (General Provisions) (Amendment No. 25) (Jersey) Regulations P.31/2007.  
200-.  
Lodged: 27th February 2007.  
*Minister for Housing.*

**1st May 2007**

**15th May 2007**

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

**5th June 2007**

**19th June 2007**

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

THE STATES rejected a proposition of Senator Paul Francis Routier, Minister for Social Security, that the Draft Employment (Minimum Wage) (Amendment No. 2) (Jersey) Regulations 200 (P.14/2007, lodged on 30th January 2007) should be considered before Minimum Wage Level (P.23/2007 lodged on 12th February 2007 by Deputy G.P. Southern of St. Helier) and Minimum Wage: Youth Rate (P.25/2007 lodged on 13th February 2007 by Deputy G.P. Southern of St. Helier).

Members present voted as follows –

**POUR: 24**

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 F.E. Cohen  
Connétable of St. Saviour  
Connétable of St. Peter  
Connétable of Trinity  
  
Connétable of Grouville  
Connétable of St. Martin  
Connétable of St. John  
Deputy R.C. Duhamel (S)

**CONTRE: 24**

Senator S. Syvret  
Senator W. Kinnard  
Senator B.E. Shenton  
Connétable of St. Mary  
Connétable of St. Clement  
Connétable of St. Helier  
Connétable of St. Brelade  
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 J.B. Fox (H)  
Deputy J.A. Martin (H)

**ABSTAIN: 0**



Deputy J.J. Huet (H)  
Deputy P.N. Troy (B)  
Deputy J.A. Hilton (H)  
Deputy G.W.J. de Faye (H)  
Deputy J.A.N. Le Fondre (L)  
Deputy of Trinity

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

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 D.W. Mezbourian  
(L)  
Deputy S. Pitman (H)  
Deputy K.C. Lewis (S)  
Deputy I.J. Gorst (C)

THE STATES rose at 3.29 p.m.

**M.N. DE LA HAYE**

*Greffier of the States*