

**THE STATES assembled on Wednesday
6th June 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
Connétable Philip Francis Ozouf of St. Saviour– ill
Deputy James Gordon Reed of St. Ouen– ill
Deputy Patrick John Dennis Ryan of St. Helier– en défaut (défaut raised at 9.37 a.m.)
Deputy John Alexander Nicholas Le Fondré of St. Lawrence– en défaut (défaut raised at 11.53 a.m.)
Deputy Ian Joseph Gorst of St Clement – en défaut

Prayers

Education and Home Affairs Scrutiny Panel – resignation of Chairman

THE STATES noted the resignation of the Deputy of St. Martin as Chairman of the Education and Home Affairs Scrutiny Panel.

Student loans for higher education: introduction – P.52/2007

THE STATES, adopting a proposition of the Minister for Education, Sport and Culture, agreed that with effect from 1st September 2007 a new student loans facility should be introduced by the Minister for Education, Sport and Culture in consultation with the Minister for Treasury and Resources and that the loan facility should be available to all students who met the residential and academic criteria for student grants and who were following programmes of higher education in institutions which had determined to increase their fees through the additional variable fee charges (“top-up fees”).

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 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 Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin

CONTRE: 5

Deputy A. Breckon (S)
Deputy G.C.L. Baudains (C)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S. Pitman (H)

ABSTAIN: 0

Connétable of St. John
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
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 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 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 of St. Mary

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(b), Deputy Roy George Le Hérisssier of St. Saviour, Deputy Patrick John Dennis Ryan of St. Helier, Deputy Deirdre Wenc Mezbourian of St. Lawrence and the Deputy of Grouville had declared an interest but remained for the duration of the debate.

Change of Presidency

The Bailiff briefly retired from the Chamber during consideration of the proposition of the Minister for Education, Sport and Culture entitled 'Student loans for higher education: introduction' (P.52/2007) and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States until the Bailiff's return.

Student Loans for higher education: guarantees – P.53/2007

THE STATES, adopting a proposition of the Minister for Treasury and Resources, authorised the Minister for Treasury and Resources to guarantee loans made under the Jersey Student Loans Scheme in accordance with Article 24(1) of the Public Finances (Jersey) Law 2005 to a maximum outstanding limit of £10 million and for an unlimited time period.

Composition and Election of the States Assembly: election dates for Connétables – P.54/2007 Amendment

THE STATES, adopting a proposition of the Chairman of the Privileges and Procedures Committee made in accordance with Standing Order 87(2)(b), agreed that the debate on the proposition of the Comité des Connétables regarding the Composition and Election of the States Assembly: election dates for Connétables should be deferred until 17th July 2007 –

Members present voted as follows –

POUR: 27

Senator L. Norman
Senator F.H. Walker

CONTRE: 19

Senator P.F.C. Ozouf
Senator T.J. Le Main

ABSTAIN: 1

Senator W. Kinnard
 Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator M.E. Vibert
 Senator J.L. Perchard
 Connétable of St. Clement
 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.B. Fox (H)
 Deputy G.P. Southern (H)
 Deputy S.C. Ferguson (B)
 Deputy P.J.D. Ryan (H)
 Deputy of St. Peter
 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.D. Maclean (H)
 Deputy K.C. Lewis (S)
 Deputy of St. John
 Deputy of St. Mary

Senator B.E. Shenton
 Senator F.E. Cohen
 Connétable of St. Ouen
 Connétable of St. Peter
 Connétable of Trinity
 Connétable of St. Lawrence
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. John
 Deputy A. Breckon (S)
 Deputy P.N. Troy (B)
 Deputy R.G. Le Hérissier (S)
 Deputy J.A. Martin (H)
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)

Withdrawal of lodged propositions

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

Composition and Election of the States Assembly: election dates for Connétables P.54/2007.
 (P.54/2007) – amendment. Amd.
 Lodged: 22nd May 2007.
Comité des Connétables.

Draft Criminal Justice (Miscellaneous Provisions) (No. 2) (Jersey) Law 200 P.56/2007

THE STATES commenced consideration of the Draft Criminal Justice (Miscellaneous Provisions) (No. 2) (Jersey) Law 200- and adopted the principles.

Members present voted as follows –

POUR: 38

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 J.L. Perchard
 Connétable of St. Ouen

CONTRE: 3

Deputy J.J. Huet (H)
 Deputy G.C.L. Baudains (C)
 Deputy P.N. Troy (B)

ABSTAIN: 0

Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of Trinity
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 C.J. Scott Warren (S)
Deputy R.G. Le Hérisssier (S)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy P.J.D. Ryan (H)
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 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

THE STATES adopted Articles 1- 6.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Criminal Justice (Miscellaneous Provisions) (No. 2) (Jersey) Law 200.

Commissioners of Appeal for Income Tax: re-appointment – P.59/2007

THE STATES, adopting a proposition of the Minister for Treasury and Resources, and in accordance with Article 10 of the Income Tax (Jersey) Law 1961, approved the reappointment of the following persons as Commissioners of Appeal for Income Tax for a period of 3 years from 7th July 2007–

Mr. Philip J. Barber
Mr. Charles R. Blampied
Ms. Jacqueline B. Collins
Mr. Peter G. Farley
Mr. John M. King
Mr. Nigel G. Pritchard
Mrs. C. Elizabeth Rees
Mr. James Shaw.

Disciplinary Panel of the Law Society of Jersey: appointment of lay members – P.62/2007

THE STATES, adopting a proposition of the Chief Minister, and in pursuance of Article 18(2) of The Law Society of Jersey Law 2005, approved the appointment of the following persons as lay members of the Disciplinary Panel of the Law Society of Jersey for a period of 5 years–

Mr. Maurice Adrian des Forges
Mrs. Sharon Eddie
Mr. Robin Charles Hacquoil

Mr. Graham Edward Jennings
Captain Brian James Stuart Nibbs
Mrs. Pamela Margaret Nisbet
Mr. Alfred David John Rosser.

Jersey Council for Safety and Health at Work: appointment of Chairman – P.67/2007

THE STATES, adopting a proposition of the Minister for Social Security, approved the re-appointment of Mr. Robert Staddon as Chairman of the Jersey Council for Safety and Health at Work for a period of 3 year with effect from 1st July 2007.

Jersey Consumer Council: appointment of Chairman – P.69/2007

THE STATES, adopting a proposition of the Minister for Economic Development referred to their Act dated 25th April 1995 regarding the establishment of the Jersey Consumer Council, and agreed to re-appoint Deputy Alan Breckon of St. Saviour as Chairman of the Jersey Consumer Council for a term beginning on 5th June 2007 until 31st December 2008.

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(c), Deputy Alan Breckon had declared an interest and had withdrawn from the Chamber during consideration of this matter.

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) –

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.

Jersey Competition Regulatory Authority: re-appointment of Chairman. P.70/2007.
Lodged: 24th 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.

Former School Premises, Clearview Street, St. Helier: Sale to Scott Gibaut P.65/2007.

Homes Trust.
Lodged: 15th May 2007.
Minister for Treasury and Resources.

Draft Distance Selling (Jersey) Law 200-. P.66/2007.
Lodged: 16th May 2007.
Minister for Economic Development.

Electoral Registration: link to population register. P.68/2007
Lodged: 22nd May 2007.
Deputy G.P. Southern of St. Helier.

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.

Draft Community Provisions (Wire Transfers) (Jersey) Regulations 200-. P.71/2007.
Lodged: 24th May 2007.
Minister for Treasury and Resources.

Draft Unlawful Public Entertainments (Jersey) Regulations 200-. P.72/2007.
Lodged: 31st May 2007.
Minister for Home Affairs.

Registration of political parties. P.73/2007.
Lodged: 5th June 2007.
Privileges and Procedures Committee.

Draft States of Jersey (Powers, Privileges and Immunities) (Committees of P.74/2007.
Inquiry) (Jersey) Regulations 200-.
Lodged: 5th June 2007.
Privileges and Procedures Committee.

Composition of the States: revised structure and referendum. P.75/2007.
Lodged: 5th June 2007.
Privileges and Procedures Committee.

Composition of the States: revised structure and referendum (P.75/2007) – P.75/2007. Amd.
amendment.
Lodged: 5th June 2007.
Deputy G.C.L. Baudains of St. Clement.

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

Composition and Election of the States Assembly: election dates for Connétables P.54/2007. Com.
(P.54/2007) – comments.
Presented: 4th June 2007.
Privileges and Procedures Committee.

Draft Price and Charge Indicators (Jersey) Law 200-. P.76/2007.
Lodged: 5th June 2007.
Minister for Economic Development.

Code of Practice for Scrutiny Panels and the Public Accounts Committee. Lodged: 5th June 2007. <i>Chairmen's Committee.</i>	P.77/2007.
La Carrière redevelopment and rock face stabilisation works. Lodged: 5th June 2007. <i>Minister for Housing.</i>	P.78/2007.
Draft Financial Services (Amendment of Law) (Jersey) Regulations 200-. Lodged 5th June 2007. <i>Minister for Economic Development.</i>	P.79/2007.

La Pouquelaye Old School Site: purchase– P.55/2007

THE STATES rejected a proposition of Senator Terence John Le Main, made in accordance with Standing Order 87(2)(b), that the proposition of the Connétable of St. Helier regarding the purchase of La Pouquelaye Old School site be deferred until 19th June 2007.

Members present voted as follows –

POUR: 24

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
Connétable of St. Ouen
Connétable of St. Peter
Connétable of Grouville
Connétable of St. Brelade
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 S.C. Ferguson (B)
Deputy P.J.D. Ryan (H)
Deputy J.A.N. Le Fondré (L)
Deputy A.J.D. Maclean (H)
Deputy of St. John

CONTRE: 24

Senator J.L. Perchard
Connétable of St. Mary
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of St. Martin
Connétable of St. John
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)
Deputy G.P. Southern (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 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. Mary

ABSTAIN: 0

THE STATES, in accordance with the provisions of Article 16(2) of the States of Jersey Law 2005, noted that, as the votes were equally divided, the matter was determined in the negative.

Election of Chairman of the Education and Home Affairs Scrutiny Panel

THE STATES adopting a proposition of Deputy Paul Vincent Francis Le Claire of St. Helier, agreed that the appointment of a new Chairman of the Education and Home Affairs Scrutiny Panel should take place on 19th

June 2007.

Members present voted as follows –

POUR: 39

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 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 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 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.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 of Trinity
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)

CONTRE: 4

Senator J.L. Perchard
Deputy A. Breckon (S)
Deputy D.W. Mezbourian
(L)
Deputy of St. Mary

ABSTAIN: 4

Senator W. Kinnard
Senator M.E. Vibert

Deputy J.B. Fox (H)
Deputy of St. John

Change of Presidency

The Bailiff retired from the Chamber prior to the consideration of the proposition of the Minister for Treasury and Resources concerning Student Loans for higher education: guarantees (P.53/2007 lodged “au Greffe” on 17th April 2007) and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States. The Bailiff resumed the presidency after the lunch adjournment prior to consideration of the proposition of the Connétable of St. Helier regarding La Pouquelaye Old School Site: purchase (P.55/2007).

La Pouquelaye Old School Site: purchase– P.55/2007

THE STATES commenced consideration of a proposition of the Connétable of St. Helier regarding the

purchase of La Pouquelaye Old School Site and, after discussion adopted a proposition of Deputy Jacqueline Jeanette Huet of St. Helier, and agreed to move to the next item of business—

Members present voted as follows –

POUR: 34

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 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 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 S.C. Ferguson (B)
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. Peter
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy A.J.D. Maclean (H)
Deputy of St. John
Deputy of St. Mary

CONTRE: 13

Connétable of St. Helier
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 J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian
(L)
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)

ABSTAIN: 0

Electoral Registration: link to population register – P.68/2007

THE STATES adopting a proposition of Senator Michael Edward Vibert, agreed that the proposition of Deputy Geoffrey Peter Southern concerning the potential to link the electoral register to the population register, should be deferred from 19th June 2007 until 3rd July 2007.

Members present voted as follows –

POUR: 23

Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf

CONTRE: 21

Senator L. Norman
Senator B.E. Shenton
Connétable of St. Ouen
Connétable of St. Peter
Connétable of St. Clement

ABSTAIN: 0

Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Mary
Connétable of St. Lawrence

Connétable of Grouville
Connétable of St. Brelade
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy P.N. Troy (B)
Deputy J.B. Fox (H)
Deputy P.J.D. Ryan (H)
Deputy J.A. Hilton (H)

Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy S.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)
Deputy of St. John
Deputy of St. Mary

Connétable of St. Martin
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren
(S)
Deputy R.G. Le Hérissier (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy of Grouville
Deputy of St. Peter
Deputy G.W.J. de Faye (H)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)

THE STATES rose at 4.19 p.m.

M.N. DE LA HAYE

Greffier of the States