

**THE STATES assembled on Wednesday
7th November 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 Frank Harrison Walker – en défaut (défaut raised at 9.52 a.m.)
Senator Terence John Le Main– en défaut
Senator Frederick Ellyer Cohen – ill
Connétable Thomas John du Feu of St. Peter– excused (arrived in the Chamber at 9.47 a.m.)

Prayers

Goods and Services Tax: petition – P.125/2007

THE STATES, having resumed consideration of the proposition of the Connétable of St. Helier entitled ‘Goods and Services Tax: petition – P.125/2007’, rejected the proposal that the Minister for Treasury and Resources should be requested to take no further steps to introduce a Goods and Services Tax in Jersey until public finances had been examined independently to identify potential savings and until alternative methods of raising funds had been investigated.

Members present voted as follows –

POUR: 23

Senator S. Syvret
Senator L. Norman
Senator B.E. Shenton
Connétable of St. Mary
Connétable of St. Clement
Connétable of St. Helier
Connétable of St. Brelade
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.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.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)

CONTRE: 28

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 J.L. Perchard
Connétable of St. Ouen
Connétable of St. Peter
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Martin
Connétable of St. Saviour
Deputy J.J. Huet (H)
Deputy P.N. Troy (B)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen

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 of Trinity
Deputy A.J.D. Maclean (H)

ABSTAIN: 0

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

Draft Price and Charge Indicators (Jersey) Law 200- P. 149/2007

THE STATES commenced consideration of the Draft Price and Charge Indicators (Jersey) Law 200-, and adopted the principles.

Members present voted as follows –

POUR: 37

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 J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. John
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (H)
Deputy G.P. Southern (H)
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 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

CONTRE: 10

Connétable of Trinity
Connétable of St. Martin
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy of St. Peter
Deputy P.V.F. Le Claire (H)

ABSTAIN: 0

THE STATES adopted Article 1.

THE STATES adopted Article 2.

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 J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy C.J. Scott Warren (S)
Deputy J.B. Fox (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)
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

CONTRE: 6

Connétable of St. Martin
Deputy A. Breckon (S)
Deputy P.N. Troy (B)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen

ABSTAIN: 1

Deputy G.C.L. Baudains
(C)

THE STATES, having adopted Articles 3 to 9, and subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Price and Charge Indicators (Jersey) Law 200-.

In accordance with the provisions of Standing Order 106(b), the Connétable of St. Brelade and Deputy Paul Vincent Francis Le Claire of St. Helier declared an interest but remained in the Chamber for the duration of the debate.

Draft Goods and Services Tax (Jersey) Law 2007 (Appointed Day) Act 200- P. 121/2007

THE STATES, in pursuance of Article 102 of the Goods and Services Tax (Jersey) Law 2007, made an Act

entitled the Goods and Services Tax (Jersey) Law 2007 (Appointed Day) Act 2007.

Members present voted as follows –

POUR: 29

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 J.L. Perchard

Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. Martin
Connétable of St. Saviour
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (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 G.W.J. de Faye (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy I.J. Gorst (C)
Deputy of St. Mary

CONTRE: 9

Senator L. Norman
Senator B.E. Shenton
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy G.C.L. Baudains (C)
Deputy J.A. Martin (H)
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian
(L)
Deputy S.S.P.A. Power (B)

ABSTAIN: 0

Draft Financial Services (Amendment of Law) (No. 2) (Jersey) Regulations 200 P. 114/2007

THE STATES commenced consideration of the Draft Financial Services (Amendment of Law) (No. 2) (Jersey) Regulations 200- and adopted the principles.

THE STATES adopted Articles 1 to 5.

Members present voted as follows –

POUR: 29

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

CONTRE: 0

ABSTAIN: 1

Deputy G.C.L. Baudains
(C)

Senator J.L. Perchard
Connétable of St. Mary
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy P.J.D. Ryan (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 of Trinity
Deputy S.S.P.A. Power (B)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. Mary

THE STATES, in pursuance of Article 4 of the Financial Services (Jersey) Law 1998, made Regulations entitled the Financial Services (Amendment of Law) (No. 2) (Jersey) Regulations 2007.

Draft Collective Investment Funds (Amendment No. 4) (Jersey) Law 200 P.139/2007

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law, as amended, entitled the Collective Investment Funds (Amendment No. 4) (Jersey) Law 200.

Draft Banking Business (Amendment No. 6) (Jersey) Law 200 P.136/2007

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

Draft Insurance Business (Amendment No. 6) (Jersey) Law 200 P. 137/2007

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

Draft Financial Services (Amendment No. 4) (Jersey) Law 200 P. 138/2007

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Financial Services (Amendment No. 4) (Jersey) Law 200.

Draft Criminal Justice (International Co-operation) (Amendment) (Jersey) Law 200- P.134/2007

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

Draft Proceeds of Crime (Amendment) (Jersey) Law 200- P. 129/2007

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

Draft Drug Trafficking (Offences) (Amendment) (Jersey) Law 200- P.128/2007

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

Arrangement of public business for the present meeting

THE STATES rejected a proposition of the Deputy of St. Mary that the Assembly should adjourn for 10 minute and then reconvene to consider the outstanding items of public business.

Members present voted as follows –

POUR: 15

Senator P.F. Routier
Senator M.E. Vibert
Connétable of St. Clement
Deputy J.J. Huet (H)
Deputy C.J. Scott Warren (S)
Deputy S.C. Ferguson (B)
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 D.W. Mezbourian
(L)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

CONTRE: 27

Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F.C. Ozouf
Senator B.E. Shenton
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. John
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy R.G. Le Hérisier (S)
Deputy G.P. Southern (H)
Deputy of St. Ouen
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)

ABSTAIN: 0

THE STATES rejected a proposition of Deputy Jacqueline Jeanette Huet of St. Helier that the Assembly should

adjourn and reconvene the following day.

Members present voted as follows –

POUR: 19

Senator T.A. Le Sueur
Senator J.L. Perchard
Connétable of St. Clement
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren (S)
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
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. Mary

CONTRE: 22

Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator B.E. Shenton
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. John
Connétable of St. Saviour
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy R.G. Le Hérisssier (S)
Deputy P.J.D. Ryan (H)
Deputy S.S.P.A. Power (B)
Deputy of St. John
Deputy I.J. Gorst (C)

ABSTAIN: 0

Draft Terrorism (Amendment No. 2) (Jersey) Law 200 P. 131/2007

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

Draft Corruption (Amendment of Definitions) (Jersey) Regulations 200- P. 130/2007

THE STATES, in pursuance of Articles 2(2), 3(2) and 4(2) of the Corruption (Jersey) Law 2006, made Regulations entitled the Corruption (Amendment of Definitions) (Jersey) Regulations 2007.

Arrangement of public business for the present meeting

THE STATES, adopting a proposition of Senator Frank Harrison Walker, agreed to defer all of the remaining items of public business to the next meeting on 20th November 2007, with the exception of P.124/2007.

Members present voted as follows –

POUR: 32

Senator F.H. Walker
Senator W. Kinnard
Senator P.F. Routier
Senator M.E. Vibert

CONTRE: 7

Senator L. Norman
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy J.A.N. Le Fondré (L)

ABSTAIN: 0

Senator P.F.C. Ozouf	Deputy D.W. Mezbourian (L)
Senator B.E. Shenton	Deputy of Trinity
Senator J.L. Perchard	Deputy I.J. Gorst (C)
Connétable of St. Ouen	
Connétable of St. Mary	
Connétable of St. Clement	
Connétable of Trinity	
Connétable of St. Lawrence	
Connétable of Grouville	
Connétable of St. Brelade	
Connétable of St. John	
Connétable of St. Saviour	
Deputy G.C.L. Baudains (C)	
Deputy P.N. Troy (B)	
Deputy C.J. Scott Warren (S)	
Deputy R.G. Le Hérissier (S)	
Deputy S.C. Ferguson (B)	
Deputy of St. Ouen	
Deputy P.J.D. Ryan (H)	
Deputy of Grouville	
Deputy J.A. Hilton (H)	
Deputy P.V.F. Le Claire (H)	
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	

Crime (Sentences) Act 1997: extension to Jersey – P.124/2007

THE STATES, adopting a proposition of the Chief Minister agreed, in accordance with the provisions of Article 31 of the States of Jersey Law 2005, that Section 41 and Schedule 1 and Section 56(2) and Schedule 6 the Crime (Sentences) Act 1997 (so far as relating to the repeal of Part III of the Criminal Justice Act 1961) should extend to Jersey.

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) –

20th November 2007

Draft Income Tax (Amendment No. 29) (Jersey) Law 200. Lodged: 9th October 2007. <i>Minister for Treasury and Resources.</i>	P.156/2007.
Draft Income Tax (Amendment No. 29) (Jersey) Law 200 (P.156/2007): amendments. Lodged: 2nd November 2007. <i>Corporate Services Scrutiny Panel.</i>	P.156/2007. Amd.
Draft Income Tax (Deemed Dividends) (Jersey) Regulations 200-.	P.157/2007.

Lodged: 9th October 2007. <i>Minister for Treasury and Resources.</i>	
Criminal Justice Policy – audit of the need for a prosecution service. Lodged: 19th October 2007. <i>Deputy of St. Martin.</i>	P.161/2007.
Criminal Justice Policy. Lodged: 4th September 2007. <i>Minister for Home Affairs.</i>	P.118/2007.
Criminal Justice Policy (P.118/2007): amendment. Lodged: 23rd October 2007. <i>Deputy of St. Martin.</i>	P.118/2007. Amd.
Goods and Services Tax: Zero-Rating for Foodstuffs, Books, Newspapers and Magazines. Lodged: 26th October 2007. <i>Senator B.E. Shenton.</i>	P.169/2007.
Draft Crime (Transnational Organized Crime) (Jersey) Law 200-. Lodged: 24th September 2007. <i>Minister for Home Affairs.</i>	P.132/2007.
Draft Crime (Transnational Organized Crime) (Jersey) Law 200- (P.132/2007): amendments. Lodged: 23rd October 2007. <i>Minister for Home Affairs.</i>	P.132/2007. Amd.
Draft Proceeds of Crime (Cash Seizure) (Jersey) Law 200-. Lodged: 24th September 2007. <i>Minister for Home Affairs.</i>	P.133/2007.
Draft Civil Asset Recovery (International Co-operation) (Jersey) Law 200-. Lodged: 25th September 2007. <i>Minister for Home Affairs.</i>	P.135/2007.
Draft Marriage and Civil Status (Amendment) (Jersey) Law 200-. Lodged: 7th September 2007. <i>Minister for Home Affairs.</i>	P.120/2007.
Draft Loi (1939) sur les honoraires des Avocats et des Écrivains (Repeal) (Jersey) Law 200-. Lodged: 18th September 2007. <i>Chief Minister.</i>	P.126/2007.
Draft Electricity Link with France (Protection of Submarine Cable) (Jersey) Regulations 200-. Lodged: 25th September 2007. <i>Minister for Economic Development.</i>	P.142/2007.
Draft Community Provisions (Ship and Port Facility – Security) (Amendment) (Jersey) Regulations 200-. Lodged: 26th September 2007. <i>Minister for Economic Development.</i>	P.144/2007.

Health Insurance Exemption cards: free bus travel and Active cards. Lodged: 26th September 2007. <i>Health, Social Security and Housing Scrutiny Panel.</i>	P.145/2007.
Health Insurance Exemption cards: free bus travel and Active cards (P.145/2007) – comments. Presented: 6th November 2007. <i>Minister for Transport and Technical Services.</i>	P.145/2007. Com.
Draft Public Library (Jersey) Regulations 200-. Lodged: 3rd October 2007. <i>Minister for Education, Sport and Culture.</i>	P.146/2007.
Draft Places of Refreshment (Jersey) Regulations 200-. Lodged: 4th October 2007. <i>Minister for Economic Development.</i>	P.148/2007.
Draft Amendment (No. 7) of the Standing Orders of the States of Jersey. Lodged: 9th October 2007. <i>Chairmen's Committee.</i>	P.151/2007.
Draft States of Jersey (Implementation) (Jersey) Regulations 200-. Lodged: 9th October 2007. <i>Chief Minister.</i>	P.152/2007.
Energy from Waste Facility: Public Enquiry. Lodged: 15th October 2007. <i>Connétable of St. Helier.</i>	P.159/2007.
<u>4th December 2007</u>	
Budget 2008. Lodged: 23rd October 2007. <i>Minister for Treasury and Resources.</i>	P.164/2007.
Budget 2008 (P.164/2007): amendment. Lodged: 6th November 2007. <i>Deputy A. Breckon of St. Saviour</i>	P.164/2007. Amd.
Draft Finance (Jersey) Law 200-. Lodged: 23rd October 2007. <i>Minister for Treasury and Resources.</i>	P.165/2007.
Draft Income Tax (Amendment No. 30) (Jersey) Law 200. Lodged: 23rd October 2007. <i>Minister for Treasury and Resources.</i>	P.166/2007.
Draft Public Finances (Amendment No. 2) (Jersey) Law 200. Lodged: 23rd October 2007. <i>Minister for Treasury and Resources.</i>	P.167/2007.
Draft Harbours (Administration) (Amendment No. 7) (Jersey) Law 200. Lodged: 16th October 2007. <i>Minister for Economic Development.</i>	P.160/2007.
Draft Amendment (No. 8) of the Standing Orders of the States of Jersey.	P.162/2007.

Lodged: 23rd October 2007.

Senator M.E. Vibert.

Draft Amendment (No. 32) to the Tariff of Harbour and Light Dues.

P.163/2007.

Lodged: 23rd October 2007.

Minister for Economic Development.

15th January 2008

Island Plan 2002: H4 Site No. 15, Samarès Nursery, St. Clement and future amendments to the Island Plan.

P.95/2007.

Lodged: 20th July 2007.

Deputy I.J. Gorst of St. Clement.

Island Plan 2002: H4 Site No. 15, Samarès Nursery, St. Clement and future amendments to the Island Plan (P.95/2007): comments.

P.95/2007. Com.

Presented: 23rd October 2007.

Minister for Planning and Environment.

JT Group Limited (“Jersey Telecom”): proposed sale.

P.153/2007

Lodged: 9th October 2007.

Minister for Treasury and Resources.

JT Group Limited (“Jersey Telecom”): proposed sale (P.153/2007) – amendment.

P.153/2007.

Lodged: 26th October 2007.

Amd.

Senator B.E. Shenton.

Draft Health and Safety at Work (Asbestos – Licensing) (Jersey) Regulations 200-

P.168/2007.

Lodged: 25th October 2007.

Minister for Social Security.

Draft Gambling (Remote Gambling Disaster Recovery) (Jersey) Regulations 200-

P.170/2007.

Lodged: 31st October 2007.

Minister for Economic Development.

12th February 2008

Draft Proceeds of Crime (Substitution of Schedule 2) (Jersey) Regulations 200-

P.127/2007.

Lodged: 24th September 2007.

Minister for Treasury and Resources.

THE STATES rose at 6.08 p.m.

M.N. DE LA HAYE

Greffier of the States