

**THE STATES assembled on Tuesday
18th June 2008, 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 – en défaut (défaut raised at 10.06 a.m.)
Senator Philip Francis Cyril Ozouf – en défaut (défaut raised at 9.39 a.m.)
Senator Terence John Le Main– en défaut (défaut raised at 9.42 a.m.)
Connétable Alan Simon Crowcroft of St Helier – en défaut (défaut raised at 10.28 a.m.)
Connétable Michael Keith Jackson of St. Brelade– absent on States business
Deputy Sarah Craig Ferguson of St. Brelade– en défaut (défaut raised at 9.35 a.m.)
Deputy Jacqueline Ann Hilton of St. Helier– absent on States business
Deputy Guy William John de Faye of St. Helier– en défaut (défaut raised at 9.39 a.m.)
Deputy Anne Enid Pryke of Trinity – absent on States business

Prayers

Public Accounts Committee

THE STATES noted the resignation of Connétable Thomas John du Feu of St. Peter as a member of the Public Accounts Committee, in accordance with the provisions of Standing Order 133(2)(b). In accordance with Standing Order 131(1)(b) the Chairman of the Public Accounts Committee gave notice that there was a vacancy in the Committee for an elected member who was not a Minister or Assistant Minister.

Draft Crime (Disorderly Conduct and Harassment) (Jersey) Law 200- P.55/2008

THE STATES resumed consideration of the Draft Crime (Disorderly Conduct and Harassment) (Jersey) Law 200- and adopted the principles.

Members present voted as follows –

POUR: 45

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 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

CONTRE: 3

Connétable of St. Lawrence

Deputy R.C. Duhamel (S)
Deputy D.W. Mezbourian
(L)

ABSTAIN: 1

Deputy G.C.L. Baudains
(C)

Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of Grouville
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Deputy A. Breckon (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 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 G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré
(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 I.J. Gorst (C)
Deputy of St. Mary

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation further, adopted Article 1.

THE STATES adopted Article 2.

Members present voted as follows –

POUR: 35

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

CONTRE: 9

Connétable of St. Lawrence
Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy R.G. Le Hérisssier
(S)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy J.A.N. Le Fondré
(L)

ABSTAIN: 1

Deputy G.C.L. Baudains
(C)

Senator B.E. Shenton

Deputy D.W. Mezbourian
(L)

Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of Grouville
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren
(S)
Deputy J.B. Fox (H)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
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

Deputy S. Pitman (H)

THE STATES adopted Articles 3 to 9.

Members present voted as follows –

POUR: 45

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 F.E. Cohen
Senator J.L. Perchard
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. Martin

Connétable of St. John
Connétable of St. Saviour
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 Hérisssier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
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 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, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Crime (Disorderly Conduct and Harassment) (Jersey) Law 200-.

Central European Time: referendum P.62/2008 (re-issue)

THE STATES, adopting a proposition of Senator James Leslie Perchard, agreed that a referendum in accordance with the Referendum (Jersey) Law 2002 on the introduction of Central European Time should be held on Wednesday 15th October 2008, being the day of the senatorial elections; and that the text of the question should be –

Do you think that Jersey should adopt Central European Time?

YES NO

and that the Chief Minister should be requested to take the necessary steps to implement the referendum on Wednesday 15th October 2008.

Members present voted as follows –

POUR: 32

CONTRE: 8

ABSTAIN: 0

Senator S. Syvret
Senator L. Norman
Senator F.H. Walker
Senator P.F. Routier

Senator T.A. Le Sueur
Connétable of St. Ouen
Connétable of St. Clement
Connétable of St. Martin

Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator B.E. Shenton
Senator J.L. Perchard

Deputy J.B. Fox (H)
Deputy of St. Ouen
Deputy G.W.J. de Faye (H)
Deputy J.A.N. Le Fondré
(L)

Connétable of St. Mary
Connétable of St. Helier
Connétable of Trinity
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 Hérisssier (S)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. Peter
Deputy P.V.F. Le Claire (H)
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 I.J. Gorst (C)
Deputy of St. Mary

Change of Presidency

The Bailiff briefly retired from the Chamber during the discussion of the proposition of Senator James Leslie Perchard entitled 'Central European Time: referendum' (P.62/2008) and the meeting continued under the Presidency of Mrs. Anne Helen Harris, Deputy Greffier of the States, until his return.

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 –

Census of Island's population.
Lodged: 26th February 2008.
Deputy of Grouville.

P.32/2008.

Arrangement of public business for future meetings

THE STATES commenced consideration of a proposition of the Chairman of the Privileges and Procedures Committee made in accordance with the provisions of Standing Order 88(4)(b) that 8th, 9th, 10th and 18th July 2008 should be set aside as additional continuation days.

THE STATES rejected an amendment of Deputy John Alexander Nicholas Le Fondré of St. John that there should be an additional continuation day on 22nd July 2008 instead of 18th July 2008.

Members present voted as follows –

POUR: 18

Senator F.H. Walker
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Martin
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
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 S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)

Deputy I.J. Gorst (C)

CONTRE: 20

Senator S. Syvret
Senator L. Norman
Senator T.A. Le Sueur
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
Deputy R.C. Duhamel (S)
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 of Grouville
Deputy D.W. Mezbourian (L)
Deputy A.J.D. Maclean (H)
Deputy of St. John
Deputy of St. Mary

ABSTAIN: 1

Senator P.F. Routier

THE STATES, adopting a proposition of the Chairman of the Privileges and Procedures Committee, agreed that 8th, 9th, 10th and 18th July 2008 should be set aside as additional continuation days.

THE STATES rejected a proposition of Deputy Sean Seamus Patrick Augustine Power of St. Brelade that the proposition entitled 'Energy from Waste Facility: establishment and acceptance of tender' (P.72/2008) should be deferred from 1st July 2008 until a later date.

Members present voted as follows –

POUR: 12

Connétable of St. Mary
Connétable of St. Helier
Connétable of St. Martin
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy P.V.F. Le Claire (H)

CONTRE: 25

Senator S. Syvret
Senator L. Norman
Senator F.H. Walker
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. Clement
Connétable of Trinity

ABSTAIN: 0

Deputy S.S.P.A. Power (B)

Deputy of St. Martin
 Deputy R.G. Le Hérisssier (S)
 Deputy J.B. Fox (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy G.W.J. de Faye (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy D.W. Mezbourian (L)
 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 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) –

1st July 2008

Council of Ministers: Vote of No Confidence. Lodged: 13th June 2008. <i>Senator S. Syvret.</i>	P.99/2008.
Chief Minister: Vote of Censure. Lodged: 16th June 2008. <i>Deputy G.P. Southern of St. Helier.</i>	P.100/2008.
Esplanade Quarter, St. Helier: Masterplan– rescindment. Lodged: 10th June 2008. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.97/2008.
Waterfront Enterprise Board Ltd: removal of States Directors and Chairman from office. Lodged: 13th June 2008. <i>Deputy G.P. Southern of St. Helier.</i>	P.98/2008.
Draft Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment) (Jersey) Regulations 200- second reading. Lodged: 6th March 2008. <i>Minister for Economic Development.</i> <i>(principles adopted on 29th April 2008)</i>	P.36/2008.
Draft Marriage and Civil Status (Amendment No. 2) (Jersey) Law 200. Lodged: 21st April 2008. <i>Minister for Home Affairs.</i>	P.61/2008.
Draft Marriage and Civil Status (Amendment No. 2) (Jersey) Law 200 (P.61/2008): comments. Presented: 2nd June 2008. <i>Education and Home Affairs Scrutiny Panel.</i>	P.61/2008. Com.

Draft Marriage and Civil Status (Amendment No. 2) (Jersey) Law 200 (P.61/2008): amendments. Lodged: 19th May 2008. <i>Deputy of St. Martin.</i>	P.61/2008. Amd.
Flu pandemic funding. Lodged: 13th May 2008. <i>Minister for Treasury and Resources.</i>	P.67/2008.
Parish Rates: the States' liability. Lodged: 13th May 2008. <i>Minister for Treasury and Resources.</i>	P.68/2008.
Parish Rates: the States' liability (P.68/2008) – amendments. Lodged: 17th June 2008. <i>Connétable of St. Helier.</i>	P.68/2008. Amd.
Goods and Services Tax: receipts. Lodged: 13th May 2008. <i>Deputy G.P. Southern of St. Helier.</i>	P.70/2008.
Human Rights Committee and Statements of Compatibility. Lodged: 29th May 2008. <i>Deputy of St. Martin.</i>	P.78/2008.
Comptroller and Auditor General: re-appointment. Lodged: 17th June 2008. <i>Chief Minister.</i>	P.101/2008.
<u>8th July 2008</u> (continuation meeting)	
Energy from Waste Facility: establishment and acceptance of tender. Lodged: 20th May 2008. <i>Minister for Transport and Technical Services.</i>	P.72/2008.
Energy from Waste Facility: funding. Lodged: 20th May 2008. <i>Minister for Treasury and Resources.</i>	P.73/2008.
Jersey Homebuy Housing: amendment to Island Plan Policy H1. Lodged: 21st May 2008. <i>Minister for Planning and Environment.</i>	P.74/2008.
Strategy for Inclusive Vocational Day services and employment. Lodged: 17th June 2008. <i>Deputy I.J. Gorst of St. Clement.</i>	P.102/2008.
<u>15th July 2008</u>	
Draft European Communities Legislation (Implementation) (Bovine Semen) (Jersey) Regulations 200. Lodged: 14th March 2008. <i>Chief Minister.</i>	P.43/2008.
Draft Customs and Excise (Amendment No. 6) (Jersey) Law 200.	P.54/2008.

Lodged: 7th April 2008. <i>Minister for Home Affairs.</i>	
Provision of land for lifelong dwellings (for people over 55) and first-time buyers: amendment to Island Plan (2002). Lodged: 22nd May 2008. <i>Minister for Planning and Environment.</i>	P.75/2008.
Draft Supply of Goods and Services (Jersey) Law 200-. Lodged: 23rd May 2008. <i>Minister for Economic Development.</i>	P.77/2008.
Draft Proceeds of Crime (Enforcement of Confiscation Orders) (Jersey) Regulations 200-. Lodged: 29th May 2008. <i>Minister for Treasury and Resources.</i>	P.79/2008.
Draft Criminal Justice (International Co-operation) (Jersey) Regulations 200-. Lodged: 29th May 2008. <i>Minister for Treasury and Resources.</i>	P.80/2008.
Draft Drug Trafficking Offences (Enforcement of Confiscation Orders) (Jersey) Regulations 200-. Lodged: 29th May 2008. <i>Minister for Treasury and Resources.</i>	P.81/2008.
Draft Public Elections (Expenditure and Donations) (Jersey) Regulations 200-. Lodged: 30th May 2008. <i>Privileges and Procedures Committee.</i>	P.82/2008.
Draft Mental Health (Amendment No. 2) (Jersey) Law 200-. Lodged: 2nd June 2008. <i>Minister for Health and Social Services.</i>	P.83/2008.
Draft Terrorism (Enforcement of External Orders) (Jersey) Regulations 200-. Lodged: 2nd June 2008. <i>Minister for Home Affairs.</i>	P.84/2008.
Draft Shipping (Amendment No. 2) (Jersey) Law 200-. Lodged: 3rd June 2008. <i>Minister for Economic Development.</i>	P.85/2008.
Draft Companies (Takeovers and Mergers Panel) (Jersey) Law 200-. Lodged: 3rd June 2008. <i>Minister for Economic Development.</i>	P.86/2008.
Draft Limited Partnerships (Amendment) (Jersey) Law 200-. Lodged: 3rd June 2008. <i>Minister for Economic Development.</i>	P.87/2008.
Draft Income Support (Amendment of Law) (Jersey) Regulations 200-. Lodged: 3rd June 2008. <i>Minister for Social Security.</i>	P.88/2008.
Draft Income Support (Amendment No. 2) (Jersey) Regulations 200-. Lodged: 3rd June 2008.	P.89/2008.

Minister for Social Security.

Draft Food Costs (Offset of Average GST) Bonus (Jersey) Regulations 200-. P.90/2008.
Lodged: 3rd June 2008.
Minister for Treasury and Resources.

Historic Child Abuse Enquiry: Funding. P.91/2008.
Lodged: 3rd June 2008.
Minister for Treasury and Resources.

Brompton Villa, Belize House and Belize Cottage/Store, Great Union Road, P.92/2008.
St. Helier: proposed Deed of Arrangement.
Lodged: 3rd June 2008.
Minister for Treasury and Resources.

Tevielka, La Rue de la Haye du Puits, Grouville: proposed Deed of Arrangement P.93/2008.
for southwest boundary.
Lodged: 3rd June 2008.
Minister for Treasury and Resources.

Draft Howard Davis Farm (Abrogation of Covenant) (Jersey) Law 200-. P.95/2008.
Lodged: 5th June 2008.
Minister for Treasury and Resources.

Draft Howard Davis Farm (Abrogation of Covenant) (Jersey) Law 200- P.95/2008.
(P.95/2008): amendment. Amd.
Lodged: 12th June 2008.
Deputy I.J. Gorst of St. Clement.

NOTE: Because of the requirement for a 6 week lodging period the Draft Howard Davis Farm (Abrogation of Covenant) (Jersey) Law 200- (P.95/2008) cannot be debated before Thursday 17th July 2008. If other business on 15th July 2008 is completed before 17th July, the Minister for Treasury and Resources has indicated that he will seek the agreement of the Assembly, under Standing Order 26(7), to reduce the lodging period in order that this matter can be debated at that meeting.

Committee of Inquiry: Toxic Incinerator Ash Dumping in the St. Helier Waterfront P.96/2008.
Land Reclamation Schemes.
Lodged: 10th June 2008.
Senator S. Syvret.

9th September 2008

Draft Water (Amendment No. 3) (Jersey) Law 200. P.58/2008.
Lodged: 11th April 2008.
Minister for Planning and Environment.

Draft European Communities Legislation (Bluetongue) (Jersey) Regulations 200. P.71/2008.
Lodged: 20th May 2008.
Minister for Planning and Environment.

Integrated Coastal Zone Management Strategy. P.76/2008.
Lodged: 23rd May 2008.
Minister for Planning and Environment.

Goods and Services Tax: exemption or zero-rating for foodstuffs and domestic energy.
Lodged: 17th June 2008.
Deputy of Grouville.

P.103/2008.

Goods and Services Tax: exemption for fruit, vegetables and milk.
Lodged: 17th June 2008.
Deputy S. Pitman of St. Helier.

P.104/2008.

THE STATES rose at 4.08 p.m.

A.H. HARRIS

Deputy Greffier of the States