

**THE STATES assembled on Tuesday
29th April 2008, 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 Philip Francis Cyril Ozouf – en défaut (défaut raised at 9.39 a.m.)
Deputy Alan Breckon of St. Saviour– absent on States Business
Deputy John Alexander Nicholas Le Fondré of St. Lawrence– en défaut

Prayers

Commonwealth Parliamentary Association mid-year meeting

The Deputy Bailiff advised the Assembly that the Executive Committee of the Commonwealth Parliamentary Association had presented the Jersey Branch with a silver platter as an expression of appreciation for hosting the mid-year meeting. The Deputy Bailiff, on behalf of all members, thanked the Greffier of the States and his staff for their successful organisation of the event.

Liberation Day

The Deputy Bailiff reminded members that the special States Meeting to commemorate the anniversary of the Liberation would be held in the States Chamber on Friday 9th May 2008 at 10.30 a.m.

Subordinate enactments tabled

The following enactments were tabled, namely –

Companies (General Provisions) (Amendment No. 3) (Jersey) Order 2008. <i>Minister for Economic Development.</i>	R&O.49/2008.
Collective Investment Funds (Unclassified Funds) (Prospectuses) (Amendment No. 5) (Jersey) Order 2008. <i>Minister for Economic Development.</i>	R&O.50/2008.
Collective Investment Funds (Permits) (Exemptions) (Amendment No. 3) (Jersey) Order 2008. <i>Minister for Economic Development.</i>	R&O.51/2008.
Financial Services (Amendment of Schedule 2 to Law) (Jersey) Order 2008. <i>Minister for Economic Development.</i>	R&O.52/2008.
Financial Services (Trust Company Business) (Exemptions No. 2)) (Amendment) (Jersey) Order 2008. <i>Minister for Economic Development.</i>	R&O.53/2008.
Financial Services (Trust Company Business (Exemptions)) (Amendment No. 3) (Jersey) Order 2008.	R&O.54/2008.

Minister for Economic Development.

Control of Borrowing (Amendment No. 13) (Jersey) Order 2008. R&O.55/2008.
Minister for Economic Development.

Road Traffic (St. Helier) (Amendment No. 22) (Jersey) Order 2008. R&O.58/2008.
Minister for Transport and Technical Services.

Road Traffic (Disabled Persons) (Parking) (Amendment No. 7) (Jersey) Order. R&O.59/2008.
Minister for Transport and Technical Services.

Road Racing (Hill Climbs and Sprint) (No. 2) (Jersey) Order 2008. R&O.60/2008.
Minister for Transport and Technical Services.

Documents presented or laid

Jersey Enterprise Board Limited: proposed establishment (P.194/2007) – P.194/2007.
amendment – (P.194/2007 Amd.)– comments. Amd.Com.
Presented: 11th April 2008.
Minister for Treasury and Resources.

Draft Goods and Services Tax (Amendment) (Jersey) Regulations 200- P.42/2008.
(P.42/2008): comments. Com.
Presented: 28th April 2008.
Minister for Treasury and Resources.

Working Party to review appropriateness of departmental structure (P.49/2008): P.49/2008.
comments. Com.
Presented: 28th April 2008.
Council of Ministers.

Jersey Competition Regulatory Authority: Annual Report 2007. R.29/2008.
Presented: 7th April 2008.
Minister for Economic Development.

Code of Practice for Scrutiny Panels and the Public Accounts Committee. R.30/2008.
Presented: 8th April 2008.
Chairmen's Committee.

States' Spending Review 2008: Pension schemes for States' employees – R.31/2008.
governance.
Presented: 10th April 2008.
Comptroller and Auditor General.

States' Spending Review 2008: Pension schemes – status. R.32/2008.
Presented: 10th April 2008.
Comptroller and Auditor General.

States' Spending Review 2008: Pension schemes – liabilities. R.33/2008.
Presented: 10th April 2008.
Comptroller and Auditor General.

Land Transactions under Standing Order 168(3) – R.34/2008.
(a) 20 La Rue de Carteret, Rue de Pres, St. Saviour Assisted House Purchase
property;

(b) Villa Rose, Le Chemin du Moulin, St. Ouen– Assisted House Purchase property. Presented: 10th April 2008. <i>Minister for Treasury and Resources.</i>	
Land Transactions under Standing Order 168(3) – La Route de la Hougue Bie, St. Saviour– purchase of land from Darrias Limited. Presented: 15th April 2008. <i>Minister for Treasury and Resources.</i>	R.35/2008.
Strategic Plan: progress against initiatives as at 31st December 2007. Presented: 16th April 2008. <i>Council of Ministers.</i>	R.36/2008.
Public Sector Manpower Report: December 2007. Presented: 23rd April 2008. <i>Minister for Treasury and Resources.</i>	R.37/2008.
Land Transactions under Standing Order 168(3) – S13 South Pier Shipyard, South Pier, St. Helier– lease. Presented: 23rd April 2008. <i>Minister for Treasury and Resources.</i>	R.38/2008.
Prison Board of Visitors: report for 2007. Presented: 24th April 2008. <i>Minister for Home Affairs.</i>	R.39/2008.
Land Transactions under Standing Order 168(3) – (a) Grainville Tennis Club, Grainville Sports Ground, St. Saviour– new lease; (b) Oakfield Building, Highlands College, St. Saviour– 21 year lease to the Jersey Employment Trust. Presented: 28th April 2008. <i>Minister for Treasury and Resources.</i>	R.40/2008.
Draft Residential Tenancy (Jersey) Law 200: consultation report – White Paper. Presented: 29th April 2008. <i>Minister for Housing.</i>	R.41/2008.
Policing of Events: User Pays? (S.R.4/2008) – response of the Minister for Home Affairs. Presented: 29th April 2008. <i>Minister for Home Affairs.</i>	S.R.4/2008. Res.
Early Years. Presented: 29th April 2008. <i>Education and Home Affairs Scrutiny Panel.</i>	S.R.5/2008.

Notification of lodged propositions

Jersey Enterprise Board Limited: proposed establishment (P.194/2007) – amendment (P.194/2007 Amd.)– amendment. Lodged: 9th April 2008. <i>Deputy J.B. Fox of St. Helier.</i>	P.194/2007. Amd.Amd.
Draft Customs and Excise (Amendment No. 6) (Jersey) Law 200.	P.54/2008.

Lodged: 7th April 2008. <i>Minister for Home Affairs.</i>	
Draft Crime (Disorderly Conduct and Harassment) (Jersey) Law 200- Lodged: 7th April 2008. <i>Minister for Home Affairs.</i>	P.55/2008.
Health and Safety Appeal Tribunal: appointment of members. Lodged: 7th April 2008. <i>Minister for Social Security.</i>	P.56/2008.
Drainage Law: service of notices on owners. Lodged: 9th April 2008. <i>Senator B.E. Shenton.</i>	P.57/2008.
Draft Water (Amendment No. 3) (Jersey) Law 200. Lodged: 11th April 2008. <i>Minister for Planning and Environment.</i>	P.58/2008.
Draft Regulation of Investigatory Powers (British Broadcasting Corporation) (Jersey) Regulations 200- Lodged: 16th April 2008. <i>Minister for Home Affairs.</i>	P.59/2008.
Esplanade Quarter, St. Helier: Masterplan. Lodged: 16th April 2008. <i>Council of Ministers.</i>	P.60/2008.
Draft Marriage and Civil Status (Amendment No. 2) (Jersey) Law 200. Lodged: 21st April 2008. <i>Minister for Home Affairs.</i>	P.61/2008.
Central European Time: referendum. Lodged: 21st April 2008. <i>Senator J.L. Perchard.</i>	P.62/2008. (re-issue)
Draft Non-Profit Organizations (Jersey) Law 200- Lodged: 22nd April 2008. <i>Council of Ministers.</i>	P.63/2008.
Rent Control Tribunal: appointment of members. Lodged: 25th April 2008. <i>Minister for Housing.</i>	P.64/2008.

Appointment of Ministers, Committees and Panels

THE STATES noted the resignation of Senator Stuart Syvret from the Bailiff's Consultative Panel.

Written Questions

(see Official Report/Hansard)

H.M. Attorney General tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the legal position of the States of Jersey with respect to its employees under the Employment Relations (Jersey) Law 2007 and its codes of practice.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy P.V.F. Le Claire of St. Helier regarding the amount spent on road safety improvements over the last three years.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the master planning exercise relating to the fuel farm.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the Connex bus service contract.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the resurfacing of St. Clement's coast road.

The Chief Minister tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding meetings to discuss the Haut de la Garenne issue.

The Chief Minister tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding the Town Regeneration Strategy.

The Minister for Economic Development tabled an answer to a question asked by Deputy G.C.L. Baudains of St. Clement regarding support for economic diversification.

The Minister for Economic Development tabled an answer to a question asked by Deputy S.S.A.P. Power of St. Brelade regarding milk importation.

The Minister for Transport and Technical Services tabled an answer to a question asked by Deputy S.S.A.P. Power of St. Brelade regarding the annulment of the Motor Vehicles (Construction and Use) (Amendment No. 9) (Jersey) Order 2007.

The Minister for Home Affairs tabled an answer to a question asked by the Connétable of St. John regarding police and civilian staff numbers.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy S.S.A.P. Power of St. Brelade regarding the time limits for abortions.

The Minister for Home Affairs tabled an answer to a question asked by Deputy S.S.A.P. Power of St. Brelade regarding the use of Victoria Avenue's overtaking lanes.

The Chief Minister tabled an answer to a question asked by Deputy D.W. Mezbourian of St. Lawrence regarding staff suspensions.

The Minister for Home Affairs tabled an answer to a question asked by Senator S. Syvret regarding the issue of warrants.

H.M. Attorney General tabled an answer to a question asked by Senator S. Syvret regarding conflicts of interest.

The Minister for Home Affairs tabled an answer to a question asked by Senator S. Syvret regarding prosecutions relating to child abuse cases.

The Chief Minister tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding statements made after the Imagine Jersey event.

The Minister for Social Security tabled an answer to a question asked by Deputy G.P. Southern of St. Helier regarding GP charges and the impact of the removal of transition support.

The Chief Minister tabled an answer to a question asked by Deputy S. Pitman of St. Helier regarding the Community Relations Trust.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy R.G. Le Hérisssier of St. Saviour regarding the running costs of Greenfields.

The Minister for Home Affairs tabled an answer to a question asked by Deputy R.G. Le Hérisssier of St. Saviour regarding the use of film and photographic footage of public events.

The Minister for Health and Social Services tabled an answer to a question asked by Deputy R.G. Le Hérisssier of St. Saviour regarding waiting times.

Oral Questions

(see Official Report/Hansard)

The Connétable of St. Helier asked a question of the Minister for Planning and Environment regarding the decision to approve a large residential development on the headland above Portelet.

Deputy S.S.A.P. Power of St. Brelade asked a question of the Minister for Economic Development regarding the presentation by a panel member of the Tourism Development Fund of a grant application for an organisation with which he was closely involved in a management capacity.

The Deputy of St. John asked a question of the Minister for Treasury and Resources regarding the management of the asset values and future return expectations of the Strategic Reserve.

Deputy S. Pitman of St. Helier asked a question of the Minister for Education, Sport and Culture regarding the affordability of school uniform requirements in Island schools.

Deputy G.P. Southern of St. Helier asked a question of the Minister for Social Security regarding the exclusion of utility bills from special payments for those on Income Support.

Deputy R.G. Le Hérisssier of St. Saviour asked a question of the Minister for Transport and Technical Services regarding the extension of the current contract of Connex to provide Public Transport Services.

Deputy S.S.A.P. Power of St. Brelade asked a question of the Minister for Home Affairs regarding the appropriateness of a statement made by the Deputy Chief of Police on 23rd February 2008 in relation to the Haut de la Garenne historic child abuse investigation.

Deputy R.G. Le Hérisssier of St. Saviour asked a question of the Minister for Planning and Environment regarding measures to improve the way in which applications for large projects are handled.

The Connétable of Grouville asked a question of the Minister for Planning and Environment regarding the advancement of tidal power technology.

Deputy P.V.F. Le Claire of St. Helier asked a question of the Chief Minister regarding the policy pertaining to the residency status of new European Union accession country citizens working in the Island.

The Deputy of Trinity asked a question of the Minister for Health and Social Services regarding the redeployment of the nursing team on Chevalier Ward.

Deputy S. Pitman of St. Helier asked a question of the Minister for Transport and Technical Services regarding the fitting of seatbelts on Connex buses.

The Deputy of St. Martin asked a question of the Minister for Home Affairs regarding the progress of the draft Sexual Offenders Law.

Deputy K.C. Lewis of St. Saviour asked a question of the Chief Minister regarding the actual population of Jersey as of March 2008.

Deputy J.J. Huet of St. Helier asked a question of the Chairman of the Jersey Executive Branch of the Commonwealth Parliamentary Association regarding alleged complaints of bad behaviour received by the Jersey Executive Branch of the Commonwealth Parliamentary Association concerning one of the Jersey delegates attending a conference in 2007.

Deputy of St. Martin asked a question of the Minister for Home Affairs regarding the impact of the rift between Customs Officers and the Police upon the amount of successful drugs seizures in 2007.

Change of Presidency

The Deputy Bailiff retired from the Chamber during oral questions and the meeting continued under the presidency of the Bailiff.

Oral Questions without notice

(see Official Report/Hansard)

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

The Minister for Housing answered questions without notice from members.

Hon. Donald Harwin M.L.C, Australia – welcome

The Bailiff, on behalf of all members, welcomed the Hon. Donald Harwin, Member of the New South Wales Legislative Council, Australia, who was present in the public gallery.

Arrangement of public business for the present meeting

THE STATES noted that the Chief Minister had informed the Greffier, in accordance with Standing Order 30(2), that the Draft European Communities Legislation (Implementation) (Bovine Semen) (Jersey) Regulations 200 (P.43/2008 – lodged “au Greffe” on 14th March 2008) would be deferred from the present meeting until 15th July 2008, during which time they would be reviewed by the relevant Scrutiny Panel.

Draft Health Implementation (Jersey) Law 200- P.34/2008

THE STATES commenced consideration of the Draft Health Implementation (Jersey) Law 200- and adopted the principles.

Members present voted as follows –

POUR: 40

Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard

CONTRE: 3

Deputy R.C. Duhamel (S)
Deputy J.J. Huet (H)
Deputy G.C.L. Baudains (C)

ABSTAIN: 0

Senator T.A. Le Sueur
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 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
Connétable of St. Saviour
Deputy of St. Martin
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 S.C. Ferguson (B)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of St. Peter
Deputy J.A. Hilton (H)
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

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Articles 1 to 3.

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

Draft Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment) (Jersey) Regulations 200-P.36/2008

THE STATES commenced consideration of the Draft Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment) (Jersey) Regulations 200- and adopted the principles.

Members present voted as follows –

POUR: 39

CONTRE: 3

ABSTAIN: 0

Senator L. Norman
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator F.E. Cohen
Connétable of St. Ouen
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. Saviour
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 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 of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
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

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

THE STATES, having been informed that the relevant scrutiny panel had indicated that it wished to scrutinise the draft legislation, agreed that the Second Reading of the Draft Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment) (Jersey) Regulations 200- should be deferred until its meeting of 1st July 2008.

Change of Presidency

THE STATES re-assembled after the lunch adjournment under the Presidency of the Deputy Bailiff.

Health Services Disciplinary Tribunal: constitution and appointment of Members... P.37/2008

THE STATES, adopting a proposition of the Minister for Social Security, agreed to appoint, in accordance with

the provisions of Schedule 2 to the Health Insurance (Jersey) Law 1967, the following persons as Chairman Deputy Chairman and lay members of the Health Services Disciplinary Tribunal for a period of 3 years from 1st June 2008 –

Advocate David Eldon Le Cornu– Chairman
Mr. Conrad Coutanche– Deputy Chairman
Mr. Colin Henry Letto– Lay Member
Mr. Philip J.A. Le Claire– Lay Member
Mr. Nigel CollierWebb – Lay Member.

Members present voted as follows –

POUR: 37

CONTRE: 0

ABSTAIN: 1

Senator L. Norman

Connétable of St. Lawrence

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
Connétable of St. Clement
Connétable of Trinity
Connétable of Grouville
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 G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisier (S)
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 J.A. Hilton (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 I.J. Gorst (C)
Deputy of St. Mary

THE STATES commenced consideration of the Draft Harbours (Amendment No. 41) (Jersey) Regulations 200 and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Parts 1 and 2, the Regulations and Schedule 1.

THE STATES, in pursuance of Articles 4 and 4A of the Harbours (Administration) (Jersey) Law 1961, made Regulations entitled the Harbours (Amendment No. 41) (Jersey) Regulations 2008.

Draft Goods and Services Tax (Amendment) (Jersey) Regulations 200- P.42/2008

THE STATES commenced consideration of the Draft Goods and Services Tax (Amendment) (Jersey) Regulations 200- and rejected the principles.

Members present voted as follows –

POUR: 21

Senator L. Norman
Senator B.E. Shenton
Connétable of St. Mary
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 G.C.L. Baudains (C)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisse (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of St. Peter
Deputy J.A. Hilton (H)

Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)

CONTRE: 23

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 J.L. Perchard
Connétable of St. Ouen
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Deputy J.B. Fox (H)
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy G.W.J. de Faye (H)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy A.J.D. Maclean (H)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

ABSTAIN: 0

Change of Presidency

The Deputy Bailiff retired from the Chair during consideration of the Draft Goods and Services Tax (Amendment) (Jersey) Regulations 200- and the meeting continued under the Presidency of Mr. Michael Nelsor de la Haye, Greffier of the States.

Draft Centeniers (Terms of Office) (Amendment) (Jersey) Law 200- P.44/2008

THE STATES commenced consideration of the Draft Centeniers (Terms of Office) (Amendment) (Jersey) Law

200- and adopted the principles.

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

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

Arrangement of public business for the present meeting

THE STATES noted that Deputy Gerard Clifford Lemmens Baudains of St. Clement had informed the Greffier, in accordance with Standing Order 30(2), that his proposition entitled Working Party to Review Appropriateness of Departmental Structure (P.49/2008 – lodged “au Greffe” on 20th March 2008) would be deferred from the present meeting until 13th May 2008.

Chief Minister election: advance notice of intention to stand P.52/2008

THE STATES commenced consideration of a proposition of Deputy Shona Pitman of St. Helier concerning the election of the Chief Minister and rejected paragraph (a) that–

- (i) any candidate for the position of Senator, Connétable or Deputy should be required, at the time of his or her nomination for the position, to make a public declaration if he or she intended to stand for the post of Chief Minister after the election;
- (ii) the declarations made in accordance with paragraph (a)(i) should be brought to the attention of the electorate through the publication of notices in the Jersey Gazette and entered alongside the name of the candidate concerned on the ballot paper;

Members present voted as follows –

POUR: 6

Deputy P.N. Troy (B)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy P.J.D. Ryan (H)
Deputy S. Pitman (H)
Deputy I.J. Gorst (C)

CONTRE: 37

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 B.E. Shenton
Senator F.E. Cohen
Senator J.L. Perchard
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. 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 C.J. Scott Warren (S)

ABSTAIN: 0

Deputy R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (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 rejected paragraphs (b) and (c) that –

- (b) no member of the States should be eligible to stand for the post of Chief Minister when the appointment was made after each ordinary election for Deputy unless he or she –
- (i) had made a declaration of his or her intention to do so at the time of his or her nomination in accordance with the procedures set out in paragraph (a); and
- (ii) had been elected or re-elected to the States no more than 2 months before the election for Chief Minister;

provided that if no candidate who had made a declaration at the time of his or her nomination was elected to the States, or if no successful candidate who had made a declaration wished to stand for the position of Chief Minister, all members of the States would be eligible to stand for the post;

- (c) that in the event of a casual vacancy occurring for the position of Chief Minister, only members of the States who had made a declaration of their intention to stand for the post of Chief Minister at the time of their last nomination in accordance with the procedures set out in paragraph (a) should be eligible to stand for the position;

provided that if there was no member of the States who had made such a declaration, or if no member who had done so wished to stand for the position of Chief Minister, all members of the States would be eligible to stand for the post;

Members present voted as follows –

POUR: 3

Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S. Pitman (H)

CONTRE: 40

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

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. 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 C.J. Scott Warren (S)
Deputy R.G. Le Hérisssier (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 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

Following the rejection of paragraphs (a), (b) and (c), the Presiding Officer informed the Assembly that paragraph (d) of the proposition was deemed to have been withdrawn.

THE STATES rejected paragraph (e) that–

- (i) the election of Chief Minister should then be undertaken by way of an open ballot and no longer by a secret ballot for States Members;
- (ii) the Privileges and Procedures Committee should be charged to bring forward for approval the necessary legislation to give effect to part (e)(i) so that it could be in place for the elections in the autumn of 2008.

Members present voted as follows –

POUR: 11

Senator B.E. Shenton
Senator F.E. Cohen
Connétable of St. Helier
Deputy of St. Martin
Deputy R.G. Le Hérisssier (S)
Deputy J.A. Martin (H)

CONTRE: 32

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

ABSTAIN: 0

Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy P.J.D. Ryan (H)
Deputy S. Pitman (H)
Deputy I.J. Gorst (C)

Senator J.L. Perchard
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 R.C. Duhamel (S)
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. Ouen
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (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

H.M. Solicitor General – welcome

The Presiding Officer, on behalf of all Members, welcomed Mr. Timothy John Le Cocq Q.C., who was present in the Chamber for the first time since his appointment as H.M. Solicitor General.

Health and Safety Appeal Tribunal: appointment of members P.56/2008

THE STATES, having acceded to a request of the Minister for Social Security, in accordance with Standing Order 32, to debate the proposition at the present meeting, adopted a proposition of the Minister for Social Security and agreed to appoint the undermentioned as members of the Health and Safety Appeal Tribunal, in pursuance of Article 17 of the Health and Safety at Work (Jersey) Law 1989, and the Health and Safety at Work (Appeal Tribunal) (Jersey) Regulations 1989, for a period of 3 years commencing 1st May 2008.

Advocate Charles Malcolm Belford Thacker, M.A., Chairman,
Mr. Philip William Syvret, LL.B (Lond), Solicitor, Deputy Chairman
Dr. Gwyn Llewelin, M.B., B.S., M.R.C.S., L.R.C.P., M.R.C.G.P.

Corporate Services Scrutiny sub-panel to review the Draft European Communities Legislation (Implementation) (Bovine Semen) (Jersey) Regulations 200 (P.43/2008)

THE STATES noted that, in accordance with Standing Order 139, the following members had been appointed as members of a sub-panel to review the Draft European Communities Legislation (Implementation) (Bovine Semen) (Jersey) Regulations 200 (P.43/2008) –

Deputy Patrick John Dennis Ryan of St. Helier– Chairman

Deputy Judith Ann Martin of St. Helier
Deputy Roy George Le Hérisier of St. Saviour
Connétable Graeme Frank Butcher of St. John
Connétable Peter Frederick Maurice Hanning of St. Saviour

Draft Financial Services (Amendment of Law) (No. 3) (Jersey) Regulations 200 P.45/2008

THE STATES commenced consideration of the Draft Financial Services (Amendment of Law) (No. 3) (Jersey) Regulations 200- and adopted the principles.

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

THE STATES, in pursuance of Article 4 of the Financial Services (Jersey) Law 1998, made Regulations entitled the Financial Services (Amendment of Law) (No. 3) (Jersey) Regulations 2008.

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 May 2008

Committee of Inquiry into the operation of Third Party Planning Appeals. Lodged: 26th February 2008. <i>Deputy C.J. Scott Warren of St. Saviour.</i>	P.35/2008.
Committee of Inquiry into the operation of Third Party Planning Appeals (P.35/2008): comments. Presented: 1st April 2008. <i>Minister for Treasury and Resources.</i>	P.35/2008. Com.
Family Nursing and Home Care Debt. Lodged: 19th March 2008. <i>Minister for Treasury and Resources.</i>	P.46/2008.
Channel Islands Lottery: Allocation of a percentage of profits for 2007-2008. Lodged: 20th March 2008. <i>Minister for Economic Development.</i>	P.47/2008.
Working Party to Review Appropriateness of Departmental Structure. Lodged: 20th March 2008. <i>Deputy G.C.L. Baudains of St. Clement.</i>	P.49/2008.
Working Party to review appropriateness of departmental structure (P.49/2008): comments. Presented: 28th April 2008. <i>Council of Ministers.</i>	P.49/2008. Com.
Draft Legal Deposit (Jersey) Law 2007 (Appointed Day) Act 200-. Lodged: 28th March 2008. <i>Minister for Education, Sport and Culture.</i>	P.50/2008.

Draft Legal Deposit (Jersey) Regulations 200-. Lodged: 28th March 2008. <i>Minister for Education, Sport and Culture.</i>	P.51/2008
Draft Civil Aviation (Jersey) Law 200-. Lodged: 1st April 2008. <i>Council of Ministers.</i>	P.53/2008.
Rent Control Tribunal: appointment of members. Lodged: 25th April 2008. <i>Minister for Housing.</i>	P.64/2008.
<u>3rd June 2008</u>	
Draft Taxation (Land Transactions) (Jersey) Law 200-. Lodged: 4th December 2007. <i>Minister for Treasury and Resources.</i> <i>(Principles adopted on 12th March 2008)</i>	P.185/2007.
Draft Taxation (Land Transactions) (Jersey) Law 200- (P.185/2007): comments. Presented: 10th March 2008. <i>Corporate Services Scrutiny Panel.</i>	P.185/2007. Com.
Draft Taxation (Land Transactions) (Jersey) Law 200- (P.185/2007): amendments. Lodged: 26th February 2008. <i>Minister for Treasury and Resources.</i>	P.185/2007. Amd.
Millennium Town Park: Funding from Strategic Reserve. Lodged: 3rd January 2008. <i>Deputy G.P. Southern of St. Helier.</i>	P.1/2008.
Millennium Town Park: Funding from Strategic Reserve (P.1/2008) – comments. Presented: 26th February 2008. <i>Minister for Treasury and Resources.</i>	P.1/2008. Com.
Census of Island's population. Lodged: 26th February 2008. <i>Deputy of Grouville.</i>	P.32/2008.
Draft Customs and Excise (Amendment No. 6) (Jersey) Law 200. Lodged: 7th April 2008. <i>Minister for Home Affairs.</i>	P.54/2008.
Draft Crime (Disorderly Conduct and Harassment) (Jersey) Law 200-. Lodged: 7th April 2008. <i>Minister for Home Affairs.</i>	P.55/2008.
Drainage Law: service of notices on owners. Lodged: 9th April 2008. <i>Senator B.E. Shenton.</i>	P.57/2008.
Draft Regulation of Investigatory Powers (British Broadcasting Corporation) (Jersey) Regulations 200-. Lodged: 16th April 2008. <i>Minister for Home Affairs.</i>	P.59/2008.

Esplanade Quarter, St. Helier: Masterplan. P.60/2008.
Lodged: 16th April 2008.
Council of Ministers.

Draft Marriage and Civil Status (Amendment No. 2) (Jersey) Law 200. P.61/2008.
Lodged: 21st April 2008.
Minister for Home Affairs.

Draft Non-Profit Organizations (Jersey) Law 200-. P.63/2008.
Lodged: 22nd April 2008.
Council of Ministers.

17th June 2008

Jersey Enterprise Board Limited: proposed establishment. P.194/2007.
Lodged: 19th December 2007.
Council of Ministers.

Jersey Enterprise Board Limited: proposed establishment (P.194/2007) – P.194/2007.
amendment. Amd.
Lodged: 28th December 2007.
Deputy J.B. Fox of St. Helier.

Jersey Enterprise Board Limited: proposed establishment (P.194/2007) – P.194/2007.
amendment – (P.194/2007 Amd.)– comments. Amd.Com.
Presented: 11th April 2008.
Minister for Treasury and Resources.

Jersey Enterprise Board Limited: proposed establishment (P.194/2007) – P.194/2007.
amendment (P.194/2007 Amd.)– amendment. Amd.Amd.
Lodged: 9th April 2008.
Deputy J.B. Fox of St. Helier.

Jersey Enterprise Board Limited: proposed establishment (P.194/2007) – third P.194/2007.
amendment. Amd.(3)
Lodged: 19th February 2008.
Public Accounts Committee.

Central European Time: referendum. P.62/2008.
Lodged: 21st April 2008. (re-issue)
Senator J.L. Perchard.

1st July 2008

Draft Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment) P.36/2008.
(Jersey) Regulations 200- – second reading.
Lodged: 6th March 2008.
Minister for Economic Development.
(Principles adopted on 29th April 2008)

15th July 2008

Draft European Communities Legislation (Implementation) (Bovine Semen) P.43/2008.
(Jersey) Regulations 200.
Lodged: 14th March 2008.
Chief Minister.

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

P.58/2008.

THE STATES rose at 5.42 p.m.

M.N. DE LA HAYE

Greffier of the States