

**THE STATES assembled on Tuesday,
23rd October 2001 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

**His Excellency the Lieutenant Governor,
Air Chief Marshal Sir John Cheshire, K.B.E., C.B.,
was present**

All members were present with the exception of -

Senator Frank Harrison Walker - ill
Senator Wendy Kinnard - out of the Island
John Baudains Germain, Connétable of St. Martin - out of the Island
Derek Ryder Maltwood, Deputy of St. Mary - out of the Island
Philip John Rondel, Deputy of St. John - out of the Island
Terence John Le Main, Deputy of St. Helier - ill
Jennifer-Anne Bridge- Deputy of St. Helier - ill

Prayers read by the Bailiff

Subordinate legislation tabled

The following enactments were laid before the States, namely -

Hospital Charges (Long-Stay Patients) (Amendment) (Jersey) Order 2001. R & O 143/2001.

Overseas Aid Committee - resignation of member

THE STATES noted the resignation of Deputy J.B. Fox of St. Helier from the Overseas Aid Committee.

Matters presented

The following matters were presented to the States -

**Funding of welfare (P.135/2001): comments -
P.135/2001. Com.**
Presented by the Human Resources Committee.

Jersey Mineral Strategy 2000 - 2020 - P.51/2001 Com.
Presented by the Human Resources Committee.

The following matters were presented on 16th October 2001 -

Public Sector Manpower Report for the period 1st January 2001 to 30th June 2001 - R.C.35/2001.
Presented by the Human Resources Committee.

Stabilisation of Property Prices and the Provision of Affordable Residential Accommodation (P.68/2001):

comments - P.68/2001. Com.(2)

Presented by the Policy and Resources Committee.

THE STATES ordered that the said reports be printed and distributed.

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 10th October 2001 recording the following decisions of the Treasurer of the States under delegated powers, in pursuance of Standing Orders relating to certain transactions in land -

- (a) as recommended by the Planning and Environment Committee, a Deed of Arrangement with Newchurch Limited (the owner of Sacré Coeur, Rouge Bouillon, St. Helier) to cancel the existing rights relating to the boundaries between the former Summerland premises and the Sacré Coeur, and to establish more appropriate and clearly defined rights and obligations for both parties (as set out in a letter dated 4th June 2001 from the Director of Property Services), with the Committee to be responsible for both parties' legal costs arising from this transaction;
- (b) as recommended by the Planning and Environment Committee, the renewal of the sub-lease to BMI Health Services of the ground floor office suite (left-hand side) at Axminster House, Devonshire Place, St. Helier, for the period from 23rd March 2001 to 31st December 2002, at a commencing annual rent of £17,533.56 payable quarterly in advance, with all other terms and conditions to remain the same as the existing agreement, each party to be responsible for its own legal costs arising from this transaction;
- (c) as recommended by the Health and Social Services Committee, the renewal of the lease from Mrs. Monica Billot Cotillard, née Le Quesne, of the property known as IHermitage Farm Flat, Les Varines, St. Saviour, for a period of three years from 24th April 2001 at a revised annual rent of £11,700 payable quarterly in advance, with an option to extend for an additional 12 months to 23rd April 2005, if required, subject to annual rent reviews in line with the Jersey Retail Price Index, and subject also to three months notice on behalf of the tenant Committee only, with the Health and Social Services Committee to be responsible for the payment of both parties' legal costs in relation to the preparation of the lease documentation, and with all other terms and conditions to remain as contained in the existing lease;
- (d) as recommended by the Health and Social Services Committee, the renewal of the lease from Mrs. Evelyn Hefford, née Hervé, of the property known as 17 Court Drive, La Route de la Haule St. Lawrence for a further period of two years from 1st August 2001, at a revised annual rent of £15,000 payable quarterly in advance, subject to annual rent reviews in line with the Jersey Retail Price Index, and subject also to three months' notice on behalf of the tenant Committee only, with each party to be responsible for its own legal costs arising from this transaction, and with all other terms and conditions to remain as contained in the existing lease;
- (e) as recommended by the Public Services Committee, a Deed of Arrangement with the Channel Islands Co-Operative Society Limited in respect of a boundary wall between the Bellozanne Scrap Metal Plant, Bellozanne Valley, St. Helier and the neighbouring property owned by the Company, in order to recognise the alteration of the boundary wall by the construction of a new walkway by the Company as part of a new building being erected on the site, on the basis of terms and conditions set out in a letter dated 1st August 2001 from the Director of Property Services, with the Company to be responsible for both parties' legal costs arising from this transaction.

Matters lodged

The following matters were lodged "au Greffe" -

6 Plaisance Terrace, La Route du Fort, St. Saviour: transfer of administration- P.159/2001.
Presented by the Health and Social Services Committee.

States members' income support and expense allowance: annual increases - P.160/2001.
Presented by the House Committee.

Hotel Cristina, Mont Félard, St. Lawrence: development in the Green Zone - P.161/2001.
Presented by the Planning and Environment Committee.

Draft Shipping (Jersey) Law 200- P.162/2001.
Presented by the Harbours and Airport Committee.

The following matters were lodged on 16th October 2001 -

Meetings of the States of Jersey in 2002: suspension of Standing Order 4(1) - P.149/2001.
Presented by the House Committee.

Draft Gambling (Betting) (Amendment No. 11) (Jersey) Regulations 200 P.150/2001.
Presented by the Gambling Control Committee.

Projet d'Acte (200-) mettant en vigueur la Loi (2001) (Amendement No. 8) réglant la procédure criminelle- P.151/2001.
Présenté par le Comité de Législation.

Draft Law Reform (Disclosure and Conduct Before Action) (Jersey) Law 1999 (Appointed Day) Act 200- P.152/2001.
Presented by the Legislation Committee.

Draft Criminal Justice (International Co-operation) (Jersey) Law 2001 (Appointed Day) Act 200- P.153/2001.
Presented by the Finance and Economics Committee.

Draft Criminal Justice (International Co-operation) (Jersey) Regulations 200- P154/2001.
Presented by the Finance and Economics Committee.

Draft Collective Investment Funds (Amendment No. 3) (Jersey) Law 200 P.155/2001.
Presented by the Finance and Economics Committee.

Draft Banking Business (Amendment No. 3) (Jersey) Law 200P. 156/2001.
Presented by the Finance and Economics Committee.

Draft Insurance Business (Amendment No. 3) (Jersey) Law 200 P.157/2001.
Presented by the Finance and Economics Committee.

Draft Financial Services (Amendment) (Jersey) Law 200- P.158/2001.
Presented by the Finance and Economics Committee.

Arrangement of public business for the next meeting on 30th October 2001

THE STATES confirmed that the following matters lodged "au Greffe" would be considered at the next meeting on 30th October 2001 -

Meetings of the States of Jersey in 2002: suspension of Standing Order 4(1) - P.149/2001.
Lodged: 16th October 2001.
House Committee.

Draft Gambling (Betting) (Amendment No. 11) (Jersey) Regulations 200 P.150/2001.
Lodged: 16th October 2001.
Gambling Control Committee.

Projet d'Acte (200-) mettant en vigueur la Loi (2001) (Amendement No. 8) réglant la procédure criminelle-
P.151/2001.
Logé au Greffe le 16 octobre 2001.
Comité de Législation.

Draft Law Reform (Disclosure and Conduct Before Action) (Jersey) Law 1999 (Appointed Day) Act 200-
P.152/2001.
Lodged: 16th October 2001.
Legislation Committee.

Draft Criminal Justice (International Co-operation) (Jersey) Law 2001 (Appointed Day) Act 200-
P.153/2001.
Lodged: 16th October 2001.
Finance and Economics Committee.

Draft Criminal Justice (International Co-operation) (Jersey) Regulations 200- P.154/2001.
Lodged: 16th October 2001.
Finance and Economics Committee.

Draft Collective Investment Funds (Amendment No. 3) (Jersey) Law 200 P.155/2001.
Lodged: 16th October 2001.
Finance and Economics Committee.

Draft Banking Business (Amendment No. 3) (Jersey) Law 200 P.156/2001.
Lodged: 16th October 2001.
Finance and Economics Committee.

Draft Insurance Business (Amendment No. 3) (Jersey) Law 200 P.157/2001.
Lodged: 16th October 2001.
Finance and Economics Committee.

Draft Financial Services (Amendment) (Jersey) Law 200-P.158/2001.
Lodged: 16th October 2001.
Finance and Economics Committee.

Projets withdrawn under Standing Order 17(6)

THE STATES noted that, in pursuance of Standing Order 17(6), the following matters lodged "au Greffe" had been withdrawn -

St. Helier Waterfront: value of capital projects- P.176/2000.
Lodged: 10th October 2000.
Senator S. Syvret.

Draft Bankruptcy (Désastre) (Amendment No. 5) (Jersey) Law 200 P.179/2000.
Lodged: 24th October 2000.
Finance and Economics Committee.

States members' income support and expense allowance - P.74/2001.

THE STATES noted that under Standing Order 22(3) the President of the House Committee had instructed the Greffier of the States to withdraw the proposition regarding States members' income support and expense allowance: annual increases (P.74/2001 lodged "au Greffe" on 8th May 2001), the Committee having lodged "au Greffe" a revised proposition (P.160/2001) at the present meeting.

Cancellation of meeting

THE STATES decided not to meet on 6th November 2001.

Harbours and Airport Committee management - question and answer (Tape No. 687)

Deputy Roy George Le Hérissier of St. Saviour, asked Senator L. Norman, Vice-President of the Harbours and Airport Committee, the following question -

"Would the President -

- (a) identify the number of senior management posts in (i) the Harbours and (ii) the Airport, and the costs of (i) and (ii)?
- (b) indicate what plans are in place to rationalise management positions in both areas or to use management positions across both areas?"

Senator Leonard Norman, Vice-President of the Harbours and Airport Committee, replied as follows -

"The number of senior management posts at the Harbours is five and at the Airport six. The annual costs are £343,764 and £502,149 respectively.

There are no plans to further amend the management structures."

Current proposals and the Agriculture and Fisheries Committee's Policy Report 2001 (P.126/2001) - questions and answers (Tape No. 678)

Deputy Philip Francis Cyril Ozouf of St. Helier, asked Senator Jean Amy Le Maistre, President of the Agriculture and Fisheries Committee, the following questions -

"1.

- (a) Would the President explain the background to the Industry's Indoor Tomato Exit Strategy, including if and when (including dates) the Committee discussed the plan and whether the Committee supports or otherwise the plan?
 - (b) if the Committee supports the Exit Strategy what actions does it intend to take, including a timetable?
2. Would the President outline the timetable and budget for the work being carried out for a new Potato Marketing Export Scheme and would he explain what the principal purpose of the proposed new scheme is?

3.

Would the President explain the reason for setting up a special sub-committee to consider the services provided by his department, and advise members of the terms of reference, if any, and when it is due to report back to the Committee?

4. With regard to the Agriculture and Fisheries: policy report 2001 (P.126/2001), would the President

inform members -

(a) whether the Oxford Policy Management been asked to comment on its policy report?

(b) of the advice given by OXERA on its policy report, and the Committee's response to that advice?

(c) of his Committee's understanding of the reason or reasons for the collapse of the inter-Committee working party on the policy report 2001 (P.126/2001)?

(d) if and when his Committee intends seeking a date for a debate for the lodged policy report 2001?

(e) whether the Committee expects or proposes that there will need to be any amendments to the strategy and if so would the President advise members what they are?

(f) what the reasons for the latest delays are and whether the delays are having any consequences for farmers and growers?"

The President of the Agriculture and Fisheries Committee replied as follows -

- “1. (a) The background is the low profitability of the tomato sector since 1996 and the projected trading losses in 2001 as a result of a 22 per cent increase in the cost of heating oil and a 13.75 per cent fall in the price of tomatoes arising from a glut this year in Europe. The background also includes the reduction in direct aid from the States since 1993. The growers recognise the extreme seriousness of their situation and have considered how, if they do not receive additional direct aid from the States as an outcome of the Policy Report, they could close down their sector of the industry in an orderly manner. They have developed ideas for a possible exit strategy and approached several States departments including Agriculture and Fisheries. There have been numerous meetings between the growers and the Agriculture and Fisheries Committee members over recent months. At the Committee meeting on 13th September 2001 the growers discussed both emergency funding and the possible exit strategy. The Committee most recently discussed the exit strategy ideas with the growers on 10th October and this was followed by a constructive meeting involving the Policy and Resources, Finance and Economics, Planning and Environment and Agriculture and Fisheries Committees.

The Agriculture and Fisheries Committee fully understands the growers' business predicament and has tried to assist them by arguing for additional States funding as an emergency measure similar to the additional aid provided by the British Government for British Indoor Tomato Growers. It is important to recognise that what has been put forward are only proposals and ideas that need detailed analysis and approval from several parties and organisations before a firm plan can be developed and agreed.

The Committee is supporting the growers in seeking a solution and will certainly play an active and constructive part in developing the ideas proposed.

- (b) This question has been largely answered in (a). It is clear, however, that analysing the exit ideas will probably take many months.
2. The timetable for developing a new Potato Export Marketing Scheme is being managed by the Jersey Growers Association (JGA). The draft Scheme, developed by the JGA, is currently in the public domain for consultation for three weeks (until 24th October), as required by the Agricultural Marketing (Jersey) Law 1953. After that, the Committee will consider all comments and suggestions received, make any appropriate amendments to the Scheme, seek JGA agreement and, if it is obtained, request the Assembly to approve the Scheme - this process is specifically required under the Law. If approved by the States, the growers would then be invited to take part in a ballot which would decide whether or not the Scheme

will go ahead. The date for this ballot is expected to be sometime in December.

Concerning the purposes of the Scheme, there are many purposes and these can be traced to the Horne Report in 2000, and to many earlier reports, which have advocated a united approach to marketing Jersey Royal potatoes, improving the quality of production, matching more closely production to demand, developing new markets and products etc. The main purpose can be summarised as achieving improvements in the management and standards of production and a united approach to marketing, in order to benefit all stakeholders in this sector of the agricultural industry.

It needs to be recognised that the present arrangements for marketing in particular are profoundly unsatisfactory, threatening the destruction of the sector. The Scheme will give the industry the long-overdue means of establishing sensible and fair arrangements for marketing.

3. The reason for setting up a working group, chaired by Deputy R.G. Le Hérissier, is to address the concerns that many people, inside and outside the industry, appear to have about the services provided by the Department of Agriculture and Fisheries and the manpower involved in their provision. The nature of the services, and the costs of them, are fully described in the Policy Report 2001. The manpower deployed to them in 2000 is also summarised in the Report. The terms of reference for the group are to review all the services provided and the manpower deployed to them and to recommend whether each of the services will be needed in future. If so, whether they should be provided by the Department or by some other organisation, whether the manpower deployed is appropriate or should change, and any other changes it considers appropriate, including the introduction of charges for services. The working group is a consultation group, and will be disbanded when its task is completed. The working group will make recommendations to the Committee, the intention being to do so at its meeting on 8th November 2001.
4. (a) The Director of the OPM team that prepared the Industry Review Report has been asked whether OPM would be willing to comment on the Policy Report 2001, which they have received. He responded that they would not wish to do so for two main reasons. First, because any comments they made, whether positive or negative on the policies as a whole or parts of them, would probably bring them into the political arena. Second, he pointed out that, as their report had made clear, the development of policies was a matter for policy makers in Jersey, not for them.

It needs to be recognised that OPM did not make specific recommendations in their report - this was beyond the scope of their terms of reference. Their report contains a number of what may be termed 'policy inferences' which have been incorporated in the proposed policies. For example, the proposals to 'de-couple' direct aid payments from the level of production; to encourage improved marketing; to place greater emphasis on agri-environmental policies and the integration of them into the overall policy framework.

- (b) I am aware of OXERA comments on two aspects of the policy proposals.

First, I understand that they worked with the University of Strathclyde in undertaking computer-based simulations of the impact on the Island economy of the policy proposals. They have provided 'provisional estimates' - for example that 'raising taxation to finance the programme' would be to reduce Island income by a cumulative total of about 1.5 per cent over 10 years or 0.15 per cent each year. They also assessed that, assuming a 30 per cent increase in agricultural output as a result of the policies, there would be 'a further decline in Island Income of about 0.2 per cent over 10 years'.

The assumption of 30 per cent extra output is totally unrealistic if this is referring to the volume, as opposed to the value of output. (Increased value would, of course, have no negative effects on the Island's economy, quite the reverse.) It is regrettable that OXERA did not check this assumption, or any others they made, with the Department. The Island is simply incapable of increasing the volume of output by anything approaching that amount. That assumption does put significant doubt as to the value of the analysis and of the comments based on it.

Second, OXERA commented on the proposed Agri-Environment Scheme, although I understand that they may have commented on a draft of the Policy Report rather than on the published report. They expressed a number of cautions about the proposals, for example 'doubts whether farmers would wish to participate in the Programme'. On this point, the paper I have seen referring to OXERA's comments indicates that they have entirely missed the significance of 'conditionality' i.e. the proposal that receipt of Direct Financial Support by farmers and growers would be conditional on adequate participation in the Agri-Environment Scheme. This would obviously be a powerful incentive for them to participate and would, I believe, guarantee that most would do so.

- (c) The creation of the working party was suggested by myself as a possible means of addressing a number of questions that had been raised at the meeting with the Policy and Resources and Finance and Economics Committees on 4th October 2001. It was agreed that the representation would be one member of each of the three Committees present with Deputy D.L. Crespel as the Policy and Resources Committee representative and Chairman. Subsequently, I understand the Chairman felt it would be inappropriate for a member of the Agriculture and Fisheries Committee to be a member of the group, although that had been agreed by the three Committees at the meeting on 4th October 2001.

The terms of reference were never established but would presumably have been based on the questions identified in the meeting referred to - namely to assess whether the strategic aims and objectives identified in the Policy Report 2001 are appropriate and whether the policy framework, also described, is appropriate to meet these objectives. The terms of reference would presumably also have involved taking the views on these matters from the leaders of the industries and sectors, as I believe was agreed in the meeting. The Agriculture and Fisheries Committee would have had no problem with this approach.

- (d) The timing of the debate continues to depend on consideration of a number of matters that the Policy and Resources and Finance and Economics Committees have raised. We will be responding to these matters shortly and would wish to discuss these matters, and any others that these Committees may wish to raise. I have also had a number of meetings with members of the Industry but there are still a number of questions and issues to be resolved. Unfortunately there appears to be a great deal of misunderstanding and misinformation about the Policy Report but it is my intention to deal with these matters as speedily as possible.
- (e) Concerning possible amendments to the strategy, the Committee is willing, as it has been throughout the long and comprehensive consultation period, to listen to constructive ideas and suggestions. At this stage the Committee is not proposing amendments to the policies themselves, but that is not to say that there will be none. Details of implementation of the policies is another matter - and that will be the subject of consultation - as is made clear in the Policy Report.
- (f) Farmers and growers are understandably anxious about the outcome of the debate - after all they have been waiting for new policies since 1993. Most sectors of the industry currently have financial difficulties, some more serious than others, and they will require further financial support from the States if they are to be viable in future. I can understand farmers and growers being concerned that this support, and the indirect support through marketing and agri-environmental policies, may not be agreed by the States.

The glasshouse tomato growers are particularly anxious. They recognise that an exit strategy does not yet exist and that it may take some time to develop. Meanwhile they have an acute financial crisis. In other countries additional financial support has been provided to deal with the crisis. This has not been done in Jersey. The Assembly will soon have the opportunity to decide whether it will support its farmers and growers - and in so doing support the maintenance of our unique countryside."

Deputy Philip Francis Cyril Ozouf of St. Helier, President of the Etat Civil Committee, made a statement in the following terms -

“When the 2001 Jersey Census was launched this year we were determined that it should be the most accurate and complete Census the Island has ever undertaken.

We wanted to make the Census more relevant to today’s issues and the States endorsed our thorough rethink of the questions.

We then needed to locate every single dwelling unit in the Island so that a Census form could be delivered to each household. Our team of enumerators was encouraged to seek out additional dwellings and over 2,500 more Census forms were delivered to dwelling units in the Island than ever before.

The forms were designed so that Islanders would find them quick and easy to complete. We set up free-phone help-lines and held a series of surgeries on BBC Radio Jersey so that anybody still without a form could receive one and get advice on completing it.

For the first time we asked Islanders to post back the forms, enabling enumerators to focus on assisting those who needed help. The forms were generally fully and correctly completed; for those that were not, a follow-up telephone call or letter usually solved the problem. Once the forms had been received they were coded locally and then sent to off-island contractors for data entry and validation. The contractors have remarked on the high quality of the returns received.

Of course, whilst we strive to count everybody, no Census is 100 per cent perfect. In order to give confidence in the figure today, our Statistics Unit has made a determined attempt to estimate the number of Jersey residents we have failed to enumerate - this is known as the ‘under-count’. There are four potential categories where undercount can occur.

Firstly, the homeless who were sleeping rough on Census night (those in hostels were enumerated). After detailed consultations with various organisations seeking to assist the homeless, we estimate that there were about 35 people in this category.

Secondly, the 140 dwelling units, representing 330 residents, with returns outstanding. These relate to named householders who we have not managed to contact, despite a series of follow-up visits. I should mention that at the end of the exercise there has been no-one who has persistently refused to co-operate.

Thirdly, occupiers of dwellings mis-classified as ‘vacant’ on Census night. Further persistent follow-ups to a sample of these dwellings suggest that this could represent just over one hundred households - corresponding to 270 residents - who we may have failed to find.

Finally, there may be dwelling units that despite all efforts we have not found. We have consulted our own enumerators and supervisors, Parish officials and postal experts, and have determined that there could be approximately 75 residents from such units.

Adding all these four categories together we believe there were approximately 710 Jersey residents - less than one per cent of the total resident population - who were not enumerated. The Census Officer for the 1996 Census has estimated that the undercount on that occasion was between one and 1½ per cent; therefore, we now have the most complete Census in modern times.

The enumerated resident population on 11th March 2001 was 87,186.

The increase over 1996 of 2,036 is very much in line with the estimates made by the Statistics Unit earlier this year. Furthermore, it demonstrates that population growth, as in 1996, was not caused by immigration but by the excess of births over deaths in the Island. This natural increase accounts for more than two-thirds of the growth, while migration accounts for less than one-third.

The number of private households in the Island was recorded as 35,563, and there were on average 2.38 people per household, indicating that the long-term decline in household size continued between 1996 and 2001. It should be noted that there is a new and more appropriate definition of private households in the 2001 Census, encompassing individuals and families living independently in tied and lodging house accommodation. It is therefore not possible to make direct comparisons of household numbers with earlier Censuses. However, with the breakdown available by housing residential status, we will shortly have a much clearer picture of the make-up of the Island's population for the first time.

The purpose of this statement is to announce the total population count as soon as it was available. The results from the 2001 Census will provide Committees, members and the Island as a whole with accurate and relevant data. Over the coming months, my Committee intends to release a number of Census Bulletins which will be published on the Census Website. The data made available will provide unprecedented information to facilitate the shaping of future policies.

I should like to close this statement by expressing my sincere thanks, and those of my Committee, to the dedication and professionalism of the entire Census team of over 200, but particularly to Mr. John Imber (Census Officer), Mr. Ken Walker (Census Manager) and Mrs. Mary Austin (Office Supervisor) who have worked tirelessly throughout the entire process. Finally, I want to thank the Island community, whose goodwill and co-operation have made the 2001 Census the most informative and accurate Census in modern times."

Draft Public Elections (Jersey) Law 200- P.132/2001

Comments - P.132/2001 Com.

Comments - P.132/2001 Com.(2)

Amendments - P.132/2001 Amd.

Third amendments

Fourth amendments

THE STATES resumed consideration of the draft Public Elections (Jersey) Law 200-.

Articles 8 to 19 were adopted, the States having accepted an amendment of Deputy Jeremy Lawrence Dorey of St. Helier that in Article 9(1), for the word "seven" there be substituted the figure "28".

THE STATES commenced consideration of Article 20 and granted leave to the Connétable of St. Helier to withdraw his amendment that there be omitted paragraphs (5), (6) and (7) and the remaining paragraphs be re-numbered accordingly.

Articles 20 to 62 were adopted.

Members present voted on Article 62 as follows -

"Pour" (39)

Senators

Horsfall, Le Maistre, Stein, Quérée, Bailhache, Norman, Le Sueur, Le Claire, Lakeman.

Connétables

Grouville, St. Helier, St. Ouen, St. Clement, St. Brelade, St. Lawrence, St. Mary, St. John, St. Peter.

Deputies

H. Baudains(C), Trinity, Duhamel(S), Routier(H), Layzell(B), Breckon(S), Grouville, Huet(H)
St. Martin, Vibert(B), St. Peter, Dubras(L), St. Ouen, G. Baudains(C), Dorey(H), Troy(B), Scott War

(S), Le Hérisier(S), Ozouf(H), Fox(H), Martin(H).

“Contre” (1)

Senators

Syvret.

Article 63 was adopted, the States having rejected an amendment of Deputy Paul Francis Routier of St. Helier that

(1) in Article 63, heading -

For the heading, there be substituted the following heading -

“Behaviour in and around polling station”.

(2) in Article 63(1) -

For the paragraph, there be substituted the following paragraph -

“(1) At a public election, a candidate or representative of a candidate shall not engage a voter in conversation inside a polling station or within 100 metres measured in a straight line outwards from the outside of the structure containing a polling station.”.

(3) in Article 63(2) -

For the paragraph, there be substituted the following paragraph -

“(2) At a public election, a person shall not attempt to influence a voter (whether by means of any sign or clothing, or otherwise), inside a polling station or within 100 metres measured in a straight line outwards from the outside of the structure containing a polling station.”.

Members present voted as follows on the amendment -

“Pour” (5)

Senators

Syvret.

Deputies

S. Baudains(H), Routier(H), Vibert(B), Farnham(S).

“Contre” (32)

Senators

Horsfall, Le Maistre, Stein, Bailhache, Norman, Le Sueur.

Connétables

St. Helier, St. Ouen, Trinity, St. Clement, St. Brelade, St. Lawrence, St. Mary, St. John, St. Peter.

Deputies

H. Baudains(C), Trinity, Duhamel(S), Layzell(B), Breckon(S), St. Martin, St. Peter, St. Oue
G. Baudains(C), Dorey(H), Troy(B), Voisin(L), Scott Warren(S), Le Hérisier(S), Ozouf(H), Fox(H),
Martin(H).

Articles 64 to 75 and Schedules 1 and 2 were adopted, the States having accepted an amendment of Deputy Jeremy Lawrence Dorey of St. Helier that in Article 72(2)(b) there be deleted the words "to their maker".

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

Draft Firearms (Jersey) Law 2000 (Appointed Day) Act 200- P.141/2001

THE STATES, in pursuance of Article 61 of the Firearms (Jersey) Law 2000, made an Act entitled the Firearms (Jersey) Law 2000 (Appointed Day) Act 2001.

Draft Firearms (Amendment) (Jersey) Law 2000 (Appointed Day) Act 200- P.142/2001

THE STATES, in pursuance of Article 5 of the Firearms (Amendment) (Jersey) Law 2000, made an Act entitled the Firearms (Amendment) (Jersey) Law 2000 (Appointed Day) Act 2001.

Jersey Child Care Trust: five year strategy (2002-2006) and the provision of funding - P.121/2001 Amendment

THE STATES commenced consideration of the proposition of the Education Committee regarding the Jersey Child Care Trust: five year strategy and adopted paragraph (a).

The Bailiff in accordance with Standing Order 18(2) acceded to the request of Senator Christopher Gerard Pellow Lakeman to put forward the following amendment.

THE STATES adopted an amendment of Senator Christopher Gerard Pellow Lakeman that -

(1) After paragraph (a) of the proposition, there be inserted the following paragraphs-

“(b) to request each Committee of the States listed in the Strategy to report annually to the Director of the Jersey Child Care Trust on progress made towards meeting the objectives set out in the Strategy;

(c) to request the Education Committee to present to the States each year the Annual Report of the Trust setting out progress in meeting the objectives identified in the Strategy”

(2) Paragraph (b) be re-lettered as paragraph (d).

THE STATES, adopting a proposition of the Education Committee, as amended, -

referred to their Act dated 18th February 1997 in which they approved the establishment of a Child Care Trust to co-ordinate, promote and facilitate expansion of child care provision in the Island and -

(a) received the Jersey Child Care Trust's Five Year Strategy for Child Care (2002-2006) and approved the key objectives set out in the report, namely -

(i) to increase the number of high quality child care places,

(ii) to create a trained, motivated and well supported child care workforce,

(iii) to ensure that every working or studying parent can afford a high quality child care place,

(iv) to create a child-friendly Island environment, and

- (v) to support parents and relatives in their role;
- (b) requested each Committee of the States listed in the Strategy to report annually to the Director of the Jersey Child Care Trust on progress made towards meeting the objectives set out in the Strategy;
- (c) requested the Education Committee to present to the States each year the Annual Report of the Trust setting out progress in meeting the objectives identified in the Strategy
- (d) agreed, in principle, that the additional sum of £130,300 should be made available to the Jersey Child Care Trust to enable it to undertake the work outlined in this Strategy and charged the Finance and Economics Committee to identify the appropriate source of funding for making the funds available each year from 2002 - 2006.

Members present voted as follows -

“Pour” (39)

Senators

Horsfall, Le Maistre, Stein, Quérée, Bailhache, Syvret, Norman, Le Sueur, Le Claire, Lakeman.

Connétables

Grouville, St. Helier, St. Ouen, Trinity, St. Saviour, St. Clement, St. Brelade, St. Lawrence, St. M St. John, St. Peter.

Deputies

H. Baudains(C), S. Baudains(H), Trinity, Duhamel(S), Breckon(S), Huet(H), St. Martin, Vibert(B St. Peter, Dubras(L), St. Ouen, Dorey(H), Troy(B), Scott Warren(S), Farnham(S), Le Hérissier(S), F(H), Martin(H).

“Contre” (7)

Deputies

Routier(H), Layzell(B), Grouville, Crowcroft(H), G. Baudains(C), Voisin(L), Ozouf(H).

Draft Health Care (Registration) (Amendment) (Jersey) Law 200- P.145/2001

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

Arrangement of public business for the present meeting

THE STATES acceded to the request of Deputy Alan Breckon of St. Saviour that the following matter set down for consideration at the present meeting be deferred to 30th October 2001 when it would be considered as the first item of public business -

Stabilisation of Property Prices and the Provision of Affordable Residential Accommodation - P.68/2001.
Lodged: 24th April 2001.
Deputy A. Breckon of St. Saviour.

Stabilisation of Property Prices and the Provision of Affordable Residential Accommodation (P.68/2001):
comments - P.68/2001 Com.
Presented: 4th September 2001.
Finance and Economics Committee.

Stabilisation of Property Prices and the Provision of Affordable Residential Accommodation (P.68/2001):
comments - P.68/2001 Com.(2).
Presented: 16th October 2001.
Policy and Resources Committee.

Change in Presidency

The Bailiff retired from the Chamber for a time during consideration of the Jersey Child Care Trust: five year strategy (2002-2006) and the provision of funding, and Miss Catherine Mary Newcombe, Greffier of the States, took over the presidency.

THE STATES rose at 4.44 p.m.

C.M. NEWCOMBE

Greffier of the States.