



THE STATES assembled on Tuesday,
1st February, 1983 at 10.15 a.m. under
the Presidency of the Bailiff, Sir Frank
Ereaut.

All members were present with the exception of –

Senator Reginald Robert Jeune – out of the Island.

Donald George Filleul, Deputy of St. Helier – ill.

Michael Walter Bonn, Deputy of St. Peter – out of the Island.

Robin Ernest Richard Rumboll, Deputy of St. Helier – out of
the Island.

Prayers.

Subordinate legislation tabled.

The following enactments were laid before the States,
namely –

1. Importation of Equine Animals (Amendment No. 3)
(Jersey) Order, 1983. R & O 7142.
2. Depositors and Investors (Prevention of Fraud) (List
of Registered Persons) (Jersey) Order, 1983.
R & O 7143.
3. Invalid Care and Disability Allowances (General
Provisions) (Amendment No. 2) (Jersey) Order,
1983. R & O 7144.

Payment of Welfare – Report. R.C.3/83.

The Connétable of St. Ouen, as Chairman of the Committee of
Connétables presented to the States a Report on the Payment of
Welfare.

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

Matters noted – land transactions.

THE STATES noted an Act of the Finance and Economics Committee dated 27th January, 1983, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved –

- (a) as recommended by the Public Health Committee, the leasing to Mr. Barry Clement Rondel of Field 1347, Westmount, St. Helier for a period of one year from 1st January, 1983 at an annual rent of £40.00;
- (b) as recommended by the Public Health Committee, the leasing to Mr. Barry Clement Rondel of Field 1548, Westmount, St. Helier, for a consideration of £240.00 from 1st January, 1983, subject to Mr. Rondel's vacating that field by 15th May, 1983.

Matters noted – financial transactions.

THE STATES noted Acts of the Finance and Economics Committee dated 15th December, 1982 and 12th January, 1983 showing that in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules, 1967, as amended, the Committee had noted that –

- (a) the Education Committee had accepted the lowest of eight tenders, namely that submitted by Jersey Contractors (1981) Limited in the adjusted sum of £367,228.52 in a contract period of 52 weeks for extensions to First Tower School;
- (b) the Housing Committee had accepted the lowest of six tenders, namely that submitted by Thatcher Limited in the sum of £323,000 in a contract period of 44 weeks for the redevelopment of 3/4 St. Clement's Road to provide 12 one-bedroomed flats.

Matters lodged.

The following subjects were lodged "au Greffe" –

1. **Le Coin Flats, Ann Street: improvements and repairs. P.13/83.**
Presented by the Housing Committee. The States decided to take this subject into consideration on 15th February, 1983.
2. **Draft Family Allowances (Jersey) Regulations, 198 . P.14/83.**
Presented by the Social Security Committee. The States decided to take this subject into consideration on 22nd February, 1983.
3. **Draft Harbours (Amendment No. 12) (Jersey) Regulations, 198 . P.15/83.**
Presented by the Harbours and Airport Committee. The States decided to take this subject into consideration on 15th February, 1983.
4. **New Central Library: purchase of Halkett Place School site. P.16/83.**
Presented by the Education Committee. The States decided to take this subject into consideration on 22nd February, 1983.

The following subjects were lodged on 25th January, 1983 –

1. **Draft National Trust for Jersey Law, 198 . P.8/83.**
Presented by Senator Bernard Thomas Binnington. The States referred the draft Law to the Legislation Committee and the Island Development Committee.
2. **Health Service cards: photographs. P.9/83.**
Presented by Deputy Terence John Le Main of St. Helier.
3. **Payment of Income Tax. P.10/83.**
Presented by Deputy Terence John Le Main of St. Helier.
4. **Road Traffic Legislation: Amendment to Amendments. P.11/83.**
Presented by the Defence Committee.

Economic Policy Report. P.12/83.

The Policy Advisory Committee by Act dated 17th January, 1983, presented to the States the Report on Economic Policies.

THE STATES decided to discuss the Report in a Committee of the Whole House on 8th February, 1983, having rejected a Proposition of Deputy Sir Martin Le Quesne of St. Saviour that the subject be discussed on 22nd February, 1983.

Draft Misuse of Drugs (Amendment) (Jersey) Law, 198 . P.5/83.

THE STATES acceded to the request of the President of the Public Health Committee that the draft Misuse of Drugs (Amendment) (Jersey) Law, 198 (lodged on 18th January, 1983) be considered on 13th February, 1983.

Amendments to Road Traffic Legislation. P.81/82.

THE STATES acceded to the request of Deputy Terence John Le Main of St. Helier that the Amendments to Road Traffic Legislation (lodged on 8th June, 1982) be considered on 8th February, 1983.

Surface Water Drainage Scheme: Causie Lane. Withdrawn. P.129/82.

THE STATES noted that Deputy Richard Francis O'Connor of St. Clement had withdrawn his Proposition regarding Surface Water Drainage Scheme: Causie Lane (lodged on 28th September, 1982).

Effect of Parish Rates on Water charges. Question and answer.

Deputy Michael Adam Wavell of St. Helier asked William John Morvan, Connétable of St. Lawrence, Vice-President of the Public Works Committee, the following question –

“Can the President inform the House of the effect the changes in the way Parochial rates are assessed, with particular reference to the proposals relating to properties which are owner occupied, will have on the way the Jersey New Waterworks Company Limited levies its charges?”

The Vice-President of the Public Works Committee replied as follows –

“Until the Parishes have finalised their adjustments to the rating assessments, the Jersey New Waterworks Company Limited does not intend to make any changes in the way in which it levies its charges.

No changes are therefore anticipated during the ensuing year.

I assure the House that the Committee is in regular communication with the Company on this and all other matters connected with the water supply, and will, as it has demonstrated in the past, swiftly inform the House of any circumstances where its powers need to be invoked.”

Sewage Disposal. Questions and Answers.

Deputy Michael Adam Wavell of St. Helier asked Deputy John Le Gallais of St. Saviour, President of the Resources Recovery Board, the following questions –

“In view of the fact that a sizeable proportion of the public are currently paying twice for the disposal of sewage, can the President inform the House whether his Board would be minded to introduce an Island sewerage rate, particularly as some aspects of the present system appear unfair.

If the answer to that question is in the negative, can the President give the Board’s reasons?”

The President of the Resources Recovery Board replied as follows –

“The answer is – NO, the Board is not proposing to introduce a Sewerage Rate at the present time.

The Board sees the introduction of such a rate as a fundamental departure from existing States Policy.

Since the system of sewers was first introduced 150 years ago, and all through the intervening years while the system has been developed and extended, it has been policy that the service should be paid for out of the general revenues of the States. My Board is aware of the interest that exists in the introduction of a Sewerage Rate but feels that it is beyond its own particular province to decide on a change in a long established policy. The Board feels that it should be for the Finance and Economics Committee, in the context of the Island’s total requirement to raise income by taxation, to decide whether such a change should be made. Furthermore, it would be logical to consider the matter in the light of raising charges for the Board’s other services, refuse disposal for example, and also services that are provided by other Committees and are at present paid for out of general taxation.

There are other problems which would militate against the introduction of a Sewerage Rate at the present time. For example the current inequality of the Parish rating system not only between property and property, but between Parishes. It is considered that rateable value, while not necessarily being the sole yardstick by which a Sewerage Rate might be assessed, would nevertheless be one of the principal ingredients.

A further problem is the nature of the present Sewerage and Drainage Laws which do not vest the whole responsibility for drainage with the Resources Recovery Board but involve other States Committees as well. I can tell the Deputy that my Board has a Sub-Committee investigating this problem with the intention of bringing these Laws up to date, so that they would then be more appropriate in the event of a Sewerage Rate being introduced.

I would like in my reply to the Deputy to make reference to his suggestion that the present system of making a

charge for emptying soakaways, while levying no charge for the treatment and disposal of sewage by main drains, is unfair. The contention being that those with private drainage systems are having to pay equally with those on main drains through taxation while also having to pay for the septic tanker service.

I want to inform the House of some of the facts which may not be generally understood. Most properties unable to connect to the public sewer dispose of their sewage through a septic tank and soakaway and like every other form of building, these need maintenance to function satisfactorily. It is estimated that there are about 5,000 such properties in the Island. 3,000 of them need the service of the Board's emptying service at least once or more times per year. The remainder never use the service at all or use it less frequently than once a year. Of the Board's 3,000 regular customers, 2,730 used the service less than 10 times in 1982. However, 120 used the service more than 50 times and 2 properties each had more than 1,000 loads carted away.

I introduce these figures to illustrate the enormous variation in the demand between one property and another and to emphasise that for the vast majority of properties unable to connect to main drains there is either no charge or a very modest one.

It needs to be made clear that those who are not connected to the main sewerage system do derive a benefit from the Resources Recovery Board's drainage facilities and it is misleading to content that they are paying twice. If they have to use the tanker service, all that the service does is to lift their sewage by vehicle rather than by pipeline, to a pumping station. From that point their property enjoys the same facilities of sewers, pumping stations and the Sewage Treatment Works, as any property connected directly to a main sewer. If the septic tank and soakaway system operates without a demand for the tanker service, then the whole of the input eventually finds its way into one or other of the Island's watercourses. The majority of these are subject to some degree of control in order to avoid flooding before they discharge to sea at the expense of the taxpayer."

Importation of Semen Scheme: Questions and Answers.

Senator Jane Patricia Sandeman asked Senator Richard Joseph Shenton, President of the Agriculture and Fisheries Committee, the following questions –

- “1. Will the President say what assurances he has given on behalf of the Agriculture and Fisheries Committee to the Royal Jersey Agricultural and Horticultural Society that the Royal Jersey Agricultural and Horticultural Society will administer the importation of semen scheme?
2. Are these assurances binding either on the present or future Agriculture and Fisheries Committees?”

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

- “1. My Committee firmly believes in the importance of establishing a dialogue with the organisations representing the Agricultural and Horticultural Industries. The friendly relationship which has been forged in the last year between my Committee and the Jersey Farmers’ Union has proved to be invaluable in assisting growers and clearly this bond is one which the Committee will continue to nurture.
2. It has always been my hope that a similar dialogue would be established with the RJA&HS and, in the past month, meetings with the democratically elected representatives of that Society have created a rapport between the Committee and the Council, which promises much for the future. In the discussions which have taken place with regard to the Proposition relating to improvements to the Dairy Industry, my Department has derived much benefit from the wise counsel which we have received from the President and his Council. The RJA&HS asked for certain assurances from my Committee as to the future role of the Society in certain aspects of the Proposition, particularly with regard to the importation of semen. My Committee was more than

happy to assure the Society that, whilst the House would make the decision whether or not to proceed with the principle of importation, it would be left to the Department to ensure that this was carried out in such a manner as to exercise the tightest possible control on the experiment.

The obvious body to assist, and indeed to advise, the Department on the best way to exercise control and to derive greatest benefit would be the Breed Society itself. And my Committee were delighted when the President of the RJA&HS, on behalf of his Council, asked for the inclusion in the Debate of a recommendation which, if the Proposition is successful, would provide for the experiment to be carried out to the following specifications:

‘There should be a tightly controlled experiment to prove either one way or the other that importing semen would increase milk production and lessen the effects of inbreeding. Semen from two superior, plus proven Jersey bulls per year for two years would be imported from bulls which the RJA&HS would be asked to select following the same criteria that was used for local bull registrations. There would not be more than 200 inseminations per bull per year. The use of semen would be on a percentage basis in any herd, thus giving a fair comparison between local bulls and imported semen with regard to management. It would be a condition of taking part in the experiment that all heifer calves be registered. During the experiment only bull calves from planned mating by the RJA&HS would be registered. Semen would be taken from these bulls and then they would be destroyed, awaiting the development of their maternal sisters. Regarding disease, one is satisfied that there is no danger of semen carrying disease, but as a safeguard, before the use, the semen would be stored in isolation for six months, and in the meantime any disease occurring in the country exporting the semen would be

reported. The semen could then be disposed of.’.

2. My Committee’s assurances were made unreservedly bearing in mind that the wishes of the Council coincided almost entirely with the Committee’s own views on the matter. Whilst we cannot bind future Committees I would hope that our word would not be taken as lightly as the questioner suggests.”

Social Security Cards. Question and Answer.

Deputy Terence John Le Main of St. Helier asked Deputy Francis Hedley Morel of St. Saviour, the President of the Social Security Committee, the following question –

“Will the President inform the House, in view of the public comments by the Social Security Department on the question of the ease with which it is possible to obtain and exchange, at will, Social Security cards, whether he agrees that the Department has a duty to do its best to ensure that liabilities such as tax payments are not avoided.”

The President of the Social Security Committee replied as follows –

The Social Security Scheme is insurance based and there is a direct relationship between the contributions received and claims for payment of benefit. The purpose of the Social Security registration card is to identify to the employer accurately the contribution account to which the contributions are to be put.

It is not an offence for a person to call himself by a particular name and in so doing this does not lead to a Social Security Fraud. The Social Security Card is designed to have no value to another person for Social Security purposes for which it is solely designed. A person who has more than one employment needs more than one card.

People are encouraged to register for Social Security purposes so as to ensure that they are covered for accidents, sickness and other benefits. In no way should they be put off from doing this.

The Social Security Committee is responsible for running the efficient and cost effective administrative system for the insurance based Social Security System. It has not received representations from the Finance and Economics Committee over the years suggesting that the administration of the scheme, including the issue of Social Security registration cards has presented problems.”

Social Security cards. Questions and Answers.

Deputy Terence John Le Main of St. Helier asked Senator Ralph Vibert, President of the Finance and Economics Committee, the following questions –

- “1. Does the President agree that the present method of issuing Social Security cards without evidence of identity being produced could hinder the work of the income tax authorities?
2. If the answer to the first question is in the affirmative, will the President give an assurance that he will have discussions as soon as possible with the President of the Social Security Committee in order to ensure that there is effective co-ordination between the Departments concerned so that these difficulties cannot occur again?”

The President of the Finance and Economics Committee replied as follows –

- “1. Employers include the Social Security number of the employee on the return made to the Income Tax Department of the employee’s earnings, and the Department makes use of the number, if necessary, for identifying the employee. Any confusion of the identity of a potential taxpayer could cause difficulty in investigating and determining a tax liability, but

there is no present evidence that the method adopted for the issue of Social Security cards has caused any tax losses or other difficulties for the Department.

2. In the absence of evidence of tax losses or difficulties, there would not appear to be any advantage in such discussions, but if the Deputy can produce such evidence it will be thoroughly investigated and any necessary action taken”.

Pier Road land: transfer of administration. P.17/83.

THE STATES commenced consideration of a Proposition of the Public Works Committee to transfer the administration of land in Pier Road, St. Helier. After discussion, and on the proposition of Deputy Norman Stuart Le Brocq of St. Helier, the Proposition was lodged “au Greffe”.

La Motte Street School, St. Helier: transfer of administration.

THE STATES, adopting a Proposition of the Public Works Committee, approved the transfer of administration from that Committee to the Education Committee of the premises formerly occupied by La Motte Street School, La Motte Street, St. Helier.

Coastal walk from Jardin l’Olivet to Rozel – purchase of land and provision of car park.

THE STATES, adopting a Proposition of the Public Works Committee –

- (a) approved the purchase from Mr. David Francis Vautier and Mrs. Jacqueline Helene Vautier, née Le Gresley, his wife, of 15 vergées of land at White Rock, Rozel, Trinity outlined in red on Plan 27/C/10, for a consideration of £7,000 plus legal costs, the said land being required for completion of the section of coastal walk from Jardin d’Olivet to Rozel, and for the provision of a car parking area;

- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contract in the matter;
- (c) authorised the Treasurer of the States to make the appropriate payment, as agreed by the Island Development Committee, out of the Vote granted to that Committee under the heading Acquisition of Land Major Reserve – No. C.0904.

Growers: subsidised interest rate on monies borrowed.

THE STATES, adopting a Proposition of the Agriculture and Fisheries Committee, approved the continuation of the Scheme to provide growers with an interest subsidy on monies borrowed from the Clearing Banks and the Trustee Savings Bank of the Channel Islands, for the purchase of items used directly in the production and packaging of produce, in accordance with a list approved by the Agriculture and Fisheries Committee, the level of subsidy to be the difference between 6.5 per cent and the individual base lending rate of the Bank concerned, and the subsidy to apply in respect of interest on borrowings accrued during the period 1st December, 1982 to 31st October, 1983.

Producers: subsidy for imported farm commodities.

THE STATES, adopting a Proposition of the Agriculture and Fisheries Committee, agreed to provide a subsidy to producers to offset the harbour dues charged in respect of imports of fuel, fertiliser and animal feeding stuffs, on the basis that the subsidy would be paid direct to producers through the Export Marketing Bonus Scheme and the Milk Recording Incentive Scheme at a rate representing the difference between £0.65 and the harbour dues payable on those commodities per ton.

Members present voted as follows –

“Pour” (29)**Senators**

Shenton, de Carteret, Baal, Rothwell.

Connétables

St. Ouen, Grouville, St. Brelade, St. Lawrence,
St. Martin.

Deputies

St. Ouen, Le Maistre(H), Quenault(B), Perkins(C),
Troy(S), Le Gallais(S), Roche(S), Le Brocq(H), Trinity,
St. Martin, Vandervliet(L), Le Main(H), Farley(H),
Le Fondré(L), Buesnel(H), Grouville, St. Mary,
Beadle(B), Thorne(B), Wavell(H).

“Contre” (16)**Senators**

Vibert, Averty, Binnington, Sandeman, Horsfall.

Connétables

St. Clement, St. Helier, St. Mary, St. Saviour, St. John,
Trinity, St. Peter.

Deputies

Mourant(H), St. John, Le Quesne(S), Blampied(H).

Fishermen: La Collette Oil Premium Subsidy.

THE STATES commenced consideration of the Proposition of the Agriculture and Fisheries Committee regarding the provision of a subsidy to fishermen to compensate them for La Collette premium, and after discussion, acceded to the request of the Committee that it be withdrawn.

Amendment of Birth Certificate (Shortened Form) (General Provisions) (Amendment) (Jersey) Order, 1982.

THE STATES, adopting a Proposition of Deputy Norman Stuart Le Brocq of St. Helier, made an Act annulling the Birth Certificate (Shortened Form) (General Provisions) (Amendment) (Jersey) Order, 1982. (R & O.7125).

Loi (1983) au sujet des Assemblées Paroissiales.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Loi (1983) au sujet des Assemblées Paroissiales.

Members present voted for Article 1 as follows –

“Pour” (18)**Senator**

Horsfall.

Connétables

St. Helier, Grouville, St. Saviour, Trinity, St. Brelade.

Deputies

Mourant(H), St. John, Roche(S), Le Brocq(H), Trinity, St. Martin. Le Main(H), Farley(H), Buesnel(H), Grouville, St. Mary, Blampied(H).

“Contre” (14)**Senators**

Sandeman, Baal.

Connétables

St. Ouen, St. Clement, St. Mary, St. John, St. Lawrence, St. Martin, St. Peter.

Deputies

Quenault(B), Vandervliet(L), Le Fondré(L), Beadle(B), Wavell(H).

Règlements (1983) sur l’Etat Civil.

THE STATES, by virtue of Article 71A of the Loi (1842) sur l’Etat Civil, as amended, made Regulations entitled the Règlements (1983) sur l’Etat Civil.

Retirement of Mr. P.G. Baker, Connétable of St. Helier.

The Bailiff, on behalf of the States, thanked Mr. Peter Gorton Baker, on his retirement as Connétable of Saint Hélier, for his services to the Island over the past nine years and conveyed to him the best wishes of the Assembly.

THE STATES rose at 5.20 p.m.

R.S. GRAY,

Deputy Greffier of the States.