

# STATES OF JERSEY ORDER PAPER

Tuesday, 18th January 2000  
at 10.15 a.m.

## A. COMMUNICATIONS BY THE BAILIFF

## B. TABLING OF SUBORDINATE LEGISLATION

*(Explanatory note attached)*

Criminal Procedure (Alibis) (Jersey) Rules 1999. R & O 9490.  
*Superior Number of the Royal Court.*

Medicines (Prescription Only) (Amendment No. 2) (Jersey) Order 2000. R & O 1/2000.

Medicines (General Sale List) (Amendment No. 2) (Jersey) Order 2000. R & O 2/2000.

Medicines (Sale and Supply) (General Provisions) (Amendment No. 2) (Jersey) Order 2000. R & O 3/2000.

Medicines (Advertising) (Jersey) Order 2000. R & O 4/2000.  
*Health and Social Services Committee.*

## C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

## D. PRESENTATION OF PAPERS

### (a) Papers for information

**Matters presented under Standing Order 6A(1)(a)**

**Matters presented under Standing Order 6A(1)(b)**

Presented on 11th January 2000

Draft Parish Welfare (Appeals) (Jersey) Regulations 199 (P.194/99)- report. P.194/99  
*Employment and Social Security Committee.* Rpt.

### (b) Notification of Standing Order decisions

Decisions under delegated functions.  
*Finance and Economics Committee.*

### (c) Notification of acceptance of tenders

### (d) Papers to be lodged "au Greffe" under Standing Order 17A(1)(a)

### (e) Notification of Papers lodged "au Greffe" under Standing Order 17A(1)(b)

Lodged on 21st December 1999

Draft Weights and Measures (Prescribed Quantities No. 7) (Jersey) Order 200 . P.205/99  
*Industries Committee.*

Data Protection Tribunal: Constitution. P.206/99  
*Human Resources Committee.*

### (f) Papers for consideration by the States in Committee under Standing Order 38A

## E. STATEMENTS AND PROPOSITIONS RELATING TO THE ARRANGEMENT OF PUBLIC BUSINESS AT THIS OR ANY SUBSEQUENT MEETING

THE STATES are asked to agree that the following matters lodged “au Greffe” will be considered at the present meeting -

Draft Parish Welfare (Appeals) (Jersey) Regulations 199 .P.194/99

Lodged: 30th November 1999.

*Connétable of St. Lawrence.*

Draft Parish Welfare (Appeals) (Jersey) Regulations 199 (P.194/99)- report. P.194/99  
Presented: 11th January 2000. Rpt.  
*Employment and Social Security Committee.*

Draft Finance (Jersey) Law 200 : third reading. P.195/99  
Lodged in second reading: 30th November 1999.  
*Finance and Economics Committee.*

Draft Parish Rate (Administration) (Amendment No. 10) (Jersey) Law 200 . P.196/99  
Lodged: 7th December 1999.  
*Legislation Committee.*

Draft Firearms (Amendment) (Jersey) Law 200 . P.198/99  
Lodged: 7th December 1999.  
*Home Affairs Committee.*

Les Mielles, St. Ouen's Bay: revision of boundary. P.200/99  
Lodged: 7th December 1999.  
*Planning and Environment Committee.*

Oriel House, York Lane, St. Helier: lease of accommodation. P.202/99  
Lodged: 7th December 1999.  
*Planning and Environment Committee..*

Former Postal Headquarters, Mont Millais, St. Helier: transfer of administration. P.203/99  
Lodged: 14th December 1999.  
*Planning and Environment Committee.*

12 Halkett Street, St. Helier: sale of property. P.204/99  
Lodged: 14th December 1999.  
*Health and Social Services Committee.*

Draft Weights and Measures (Prescribed Quantities No. 7) (Jersey) Order 200 . P.205/99  
Lodged: 21st December 1999.  
*Industries Committee.*

Data Protection Tribunal: Constitution. P.206/99  
Lodged: 21st December 1999.  
*Human Resources Committee.*

THE STATES are asked to agree that the following matters lodged "au Greffe" will be considered at the next meeting on 8th February 2000 -

Draft Human Rights (Jersey) Law 200 . P.197/99  
Lodged: 7th December 1999.  
*Legislation Committee.*

## **F. PRESENTATION OF PETITIONS**

## **G. QUESTIONS**

The Deputy of St. John will ask questions of the President of the Agriculture and Fisheries Department about the removal of potato leachate from Beauport and Crabbé.

The Deputy of St. John will ask a question of the President of the Committee for Postal Administration about recent increases in the cost of rental of a post office box.

Deputy A. Breckon of St. Saviour will ask questions of the President of the Policy and Resources Committee about the inaugural meeting of the British-Irish Council.

Senator P.V.F. Le Claire will ask questions of the President of the Harbours and Airport Committee about the Eurocontrol agreement.

Deputy A.S. Crowcroft of St. Helier will ask questions of the President of the Harbours and Airport Committee about the measures that are in place to deal with a major oil spillage.

Deputy S.M. Baudains of St. Helier will ask a question of the President of the Education Committee about the rental of 'j' category accommodation.

## H. MATTERS OF PRIVILEGE

## I. PERSONAL STATEMENTS

## J. COMMITTEE STATEMENTS

The President of the Finance and Economics Committee will make a statement about television licence fees for senior citizens.

## K. PUBLIC BUSINESS

Meetings of the States Assembly in 2000: suspension of Standing Order 4(1).  
*House Committee.*

### *Subject to E*

Draft Parish Welfare (Appeals) (Jersey) Regulations 199 . P.194/99  
Lodged: 30th November 1999.  
*Connétable of St. Lawrence.*

Draft Parish Welfare (Appeals) (Jersey) Regulations 199 (P.194/99)- report. P.194/99  
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*Employment and Social Security Committee.*

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*Industries Committee.*

Data Protection Tribunal: Constitution. P.206/99  
Lodged: 21st December 1999.  
*Human Resources Committee.*

**C.M. NEWCOMBE**

**Deputy Greffier of the States**

**Members are reminded that the Service of Dedication in the Parish Church of St. Helier will take place at 9.30 a.m. prior to the States' meeting.**

13th January 2000

**Explanatory Note regarding subordinate legislation  
tabled at this Meeting**

(See Item B)

**R & O 9490**

The effect of these Rules is to prescribe, for the purposes of Article 6 of the Criminal Justice (Evidence and Procedure) (Jersey) Law 1998, the manner in which an accused person shall be informed of the requirement in that Article that he must give notice of the particulars of any alibi on which he may rely in his defence.

The Rules were made by the Superior Number of the Royal Court on 16th December 1999, and came into force on 1st January 2000.

**R & O 1/2000**

This Order amends the Medicines (Prescription Only) (Jersey) Order 1997, which specifies medicinal products that may only be sold or supplied on prescription and also contains exemptions from that restriction.

The amending Order has the following effect -

- (a) The conditions on which minoxidil (which is already a prescription only medicine) may be sold without a prescription are revised in the way indicated in Schedule 1 to this amending Order.
- (b) The substances in Schedule 2 will become prescription only medicines, but may be sold or supplied without a prescription on the conditions set out in Schedule 2.
- (c) The substances in Schedule 3 will become prescription only medicines. (Those of them that are also specified in Schedule 4 may be sold or supplied without a prescription on the conditions set out in Schedule 4 - see (d) below.)

- (d) The prescription only medicines in Schedule 4 (which substitutes a new Part IV in the First Schedule to the principal Order) may be sold or supplied without a prescription on the conditions set out in that new Part.
- (e) Astemizole (which is a prescription only medicine) ceases to be a medicine that may in some circumstances be sold or supplied without a prescription.
- (f) Certified midwives may sell or supply phytomenadronne without a prescription, in the course of professional practice.
- (g) State registered chiropodists may administer mepivacaine hydrochloride without a prescription, in the course of professional practice.

The Order, which was made by the Health and Social Services Committee on 12th January 2000 after consultation with the Medicines Advisory Council, will come into force on 1st February 2000.

### **R & O 2/2000**

This Order amends the Medicines (General Sale List) (Jersey) Order 1997, which specifies medicinal products that may be supplied otherwise than under the supervision of a pharmacist.

The effect of the amendments is to revise existing provisions in the principal Order relating to lignocaine, to remove methionone, methionine, DL and phenolphthalein from the general sale list and to include new provisions for bugleweed, potassium chloride, benzocaine and lauromacrogols.

The amending Order, which was made by the Health and Social Services Committee on 12th January 2000 after consultation with the Medicines Advisory Council, and will come into force on 1st February 2000.



## **R & O 3/2000**

This Order revises the packaging requirements for medicinal products for human use that are in the form of non-effervescent tablets, or capsules, and are sold or supplied by retail elsewhere than at a pharmacy.

If such a product contains aloxiprin, aspirin or paracetamol, or any combination of those substances, the container in which it is presented must not include more than 16 tablets or capsules. At present, this restriction does not apply in respect of aloxiprin.

The Order, which was made by the Health and Social Services Committee on 12th January 2000 after consultation with the Medicines Advisory Council, and will come into force on 1st February 2000.

## **R & O 4/2000**

The purpose of this Order is to impose restrictions on the advertising of certain medicinal products.

*Article 1* contains the definitions, notably the definition of "relevant medicinal product". *Article 2* prohibits the issue of an advertisement for a relevant medicinal product unless a product licence is in force in respect of it or it is a registered homeopathic product. Advertisements are required to comply with the particulars listed in the summary of product characteristics and to be presented fairly.

*Part II* of the Order is concerned with advertising to the general public. Advertising to the public is prohibited if it is likely to lead to the use of a relevant medicinal product for the treatment, etc of a disease listed in the *Schedule* (but not for the prevention of neural tube defects) or to induce an abortion (*Article 4*). *Article 5* prohibits the advertisement of prescription-only products and *Article 6* prohibits the advertisement of certain narcotic drugs and psychotropic substances. *Article 7* specifies the form and content of advertisements (except name-only advertisements on promotional aids) and *Article 8* provides an exception to Articles 4(1)-6 in the case of advertisements placed as part of a vaccination campaign approved by the Health and Social Services Committee.

By virtue of *Article 9*, the maximum penalties for a breach of any provision of the Order are 2 years' imprisonment and/or a fine of level 3 on the standard scale.

Under the Criminal Justice (Standard Scale of Fines) (Jersey) Law 1993, the standard scale of fines is -

Level 1	£50
Level 2	£500
Level 3	£2,000
Level 4	£5,000

The Order was made on 12th January 2000 and comes into force on 1st February 2000.

**NOTIFICATION OF STANDING ORDER DECISIONS -  
FINANCE AND ECONOMICS COMMITTEE  
(delegated functions)**

20th December 1999

- (a) as recommended by the Housing Committee, the entering into of a Deed of Arrangement with the Trustees of the Roman Catholic Church in Jersey, in order to ratify and confirm the boundary between St. Thomas Roman Catholic Church and 29-31 Val Plaisant, St. Helier, as follows -
- (i) the wall to remain the property, without offset, of the public of the Island, the latter retaining access rights to fully maintain the said wall, such works being undertaken as quickly as possible and at minimum inconvenience to the trustees, subject to reinstatement or compensation in respect of any affected areas;
  - (ii) the trustees to have the right in future to join against both the boundary wall and the gable wall of St. Thomas' Villas; and
  - (iii) the public of the Island to be responsible for the trustees' legal fees relating to this transaction;
- (b) as recommended by the Harbours and Airport Committee, the assignment of the lease held by Channel Islands Marine Limited to Channel Islands Marine Properties Limited in respect of 6,563 square feet of land at the La Collette boat maintenance park, for the purpose of constructing a self-funded marine servicing workshop, at an annual rent of £9,844.50 (representing a rate of £1.50 a square foot), on the existing terms and conditions;
- (c) as recommended by the Harbours and Airport Committee, the lease to GP Express (CI) Limited of two units of warehouse accommodation (Freight Bay Lettings Nos. B120 and B121) and two units of office accommodation (Lettings Nos. B133 and B134) in the Airport Freight Terminal (measuring a total of 3,406 square feet), for a period of three years from 1st January 2000, at a total annual rent of £16,327.54 (representing a rate of £4.07 a square foot for the freight bays and £7.73 a square foot for the offices) to be reviewed annually on 1st January in line with the Jersey Retail Prices Index;
- (d) as recommended by the Harbours and Airport Committee, the lease to Lynx Express Parcels of two units of warehouse accommodation (Lettings Nos. B117 and B118) in the Airport Freight Terminal (measuring a total of 2,880 square feet) for a period of three years from 1st January 2000, at an annual rent of £7,603.20 per unit (representing a rate of £5.28 a square foot) to be reviewed annually on 1st January in line with the Jersey Retail Prices Index;
- (e) as recommended by the Harbours and Airport Committee -
- (i) the purchase from the Parish of St. Peter of an area of land measuring 10,290 square feet at Rue de la Commune St. Peter, for the sum of £10,290, on the basis that the public would be responsible for the Parish's reasonable legal costs associated with the conveyance of the land, with the Parish to be responsible for any legal costs it incurs in relation to the closing of the road; and
  - (ii) the purchase from the Mermaid Hotel Limited of an area of land at Field No. 293, St. Peter (measuring approximately 1.53 vergées), for the sum of £13,650, and compensation of £1,200 payable to the existing tenants of the field, Woodside Farms Limited, who would provide vacant possession by 31st December 1999, on the basis that the public would undertake all accommodation works in accordance with the planning permission which had been granted on 13th May 1999 including the provision of a new entrance to Field No. 293 and, upon completion of the closure of La Rue de la Commune and the onward sale of the land to the public, the granting of a right of way to the Mermaid Hotel to pass over the closed roadway in order to gain access to Field No. 293 which right was to be granted without responsibility for future maintenance. In addition, the public were to be responsible for the vendor's reasonable legal fees incurred in the negotiation of the heads of terms and in the conveyance of the land to the public;
- (f) as recommended by the Harbours and Airport Committee, the lease to Channel Island Handling Limited (Emeraude Lines) of office accommodation (Letting No. E45- measuring 174 square feet) in the Elizabeth Terminal, St. Helier Harbour as an addendum to the existing lease for office accommodation (Letting No. E8) commencing from 1st November 1999, at an annual rent of £1,700.20 (representing a rate of £9.77 a square foot) with rent reviews in conjunction with the existing lease from 1st November 2000;

- (g) as recommended by the Planning and Environment Committee, the variation of the lease to Mr. Bernard Anthony Copple of Field No. 1605 (Plot 121), Mielle de Morville, St. Ouen, so as to include part of Field No. 1580, Mielle d Morville (measuring approximately 3.32.00 vergées) in order to enable Mr. Copple to vacate Field No. 1605 (Plot 121 whilst this was excavated for sand extraction by Mr. Leonard Moon, at a reduced annual rent of £210 but to be readjusted to a rent to be agreed once Field No. 1605 has been returned to Mr. Copple, on the basis that each party would be responsible for its own legal costs incurred in connexion with the agreement of the deed of variation;
- (h) as recommended by the Public Services Committee, the sale to Antler Property C.I. Limited of the lane running along the eastern boundary of the property known as Les Vaux, Mont Les Vaux, St. Brelade (measuring a total of approximately 1,022 square feet) for the sum of £3,000, with the purchasers to be responsible for both parties' legal costs, subject to the following conditions -
- (i) that the company bear the costs involved in accurately measuring the extent of the land to be sold and the work involved in confirming the new boundaries;
  - (ii) that the company sell to the public a triangular piece of land, as detailed on drawing No. P429-02 (measuring approximately 270 square feet) for the sum of £10;
  - (iii) that, once that triangular piece of land had been acquired, the Committee would undertake to reset the granite kerbs on the new boundary line;
  - (iv) that the company would be responsible for taking down the remaining part of the wall of the old building situated at the north-western end of the site and which lay against the party wall with the Sacred Heart School;
  - (v) that, should the company be successful in acquiring the adjoining property, St. Julian's Hall, it would undertake to carry out works designed to improve the access/egress to/from Mont Les Vaux;
  - (vi) that the sheet metal piling encroaching over the southern boundary line of the site be cut back, capped with concrete and back-filled;
  - (vii) that all other terms and conditions remained as outlined in the original property transaction as shown in a letter from the Director of Property Services dated 6th April 1999 and notified to the States on 8th June 1999.

## **PROPOSITION**

### **MEETINGS OF THE STATES ASSEMBLY IN 2000: SUSPENSION OF STANDING ORDER 4(1)**

**THE STATES are asked to decide whether they are of opinion -**

to suspend Standing Order No. 4(1) to enable the States to meet on the days fixed for the holding of meetings in ordinary session in 2000.

HOUSE COMMITTEE

## **Report**

In order to ensure a reasonably regular pattern of States meetings in ordinary session during 2000 it was necessary to depart from the provisions of Standing Order No. 4(1) in some cases. Thus on one occasion, at the start of the session, there will be a three week gap between meetings, on three occasions the States will meet on successive Tuesdays while on 2<sup>nd</sup> May the States will meet on the day immediately following a bank holiday (these meeting dates are shown in italics on the list below). The full programme of meetings is as follows -

### **First Session**

January	18th
February	<i>8th</i> and 22nd
March	7th and 21st
April	4th and <i>11th</i>
May	<i>2nd</i> , 16th and <i>23rd</i>
June	6th and 20th
July	4th and 18th

### **Second Session**

September	12th and 26th
October	10th and 24th
November	7th and 21st
December	5th and 6th (Budget) and <i>12th</i>

**STATES MEMBERS LUNCHEON**

**No.3 Committee Room**

**I will require lunch at today's meeting.**

**Signed.....**

**Name.....**

**Please hand this slip to an usher before 10.00 a.m. today**