

STATES OF JERSEY ORDER PAPER

Tuesday, 29th June 1999

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

Nomination of the Connétable of St. Saviour as a member of the Committee for Postal Administration.

D. PRESENTATION OF PAPERS

(a) Papers for information

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

Social rented and first-time buyer housing: proposals for future funding (P.74/99): comments.
P.74/99

Policy and Resources Committee.

Com.(3)

(b) Notification of Standing Order decisions

(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)

(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 note that the list of matters lodged "au Greffe" to be considered at the next meeting on 6th and 7th July 1999 was agreed at the last meeting on 22nd June 1999.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

K. PUBLIC BUSINESS

Draft Conservation of Wildlife (Jersey) Law 199 : continuation of second reading. P.223/98

Lodged: 2nd November 1998. (Preamble and Articles 1 to 5 adopted on 22nd June 1999).

Planning and Environment Committee.

Draft Conservation of Wildlife (Jersey) Law 199 . (P.223/98): amendments. P.29/99

Lodged: 2nd March 1999.

Planning and Environment Committee.

Draft Conservation of Wildlife (Jersey) Law 199 . (P.223/98): second amendments. P.49/99
Lodged: 13th April 1999. (amendment to Article 1 withdrawn and amendment to Article 3 rejected on
22nd June 1999).
Deputy of Grouville.

Draft Conservation of Wildlife (Jersey) Law 199 . (P.223/98): third amendments. P.56/99
Lodged: 27th April 1999. (amendment to Article 5 adopted on 22nd June 1999).
Deputy G.C.L. Baudains of St. Clement.

Draft Conservation of Wildlife (Jersey) Law 199 . (P.223/98): fourth amendments.
Planning and Environment Committee.
(attached).

Draft Conservation of Wildlife (Jersey) Law 199 . (P.223/98): report.P.223/98
Presented: 2nd March 1999. Rpt.
Planning and Environment Committee.

Draft Regulation of Undertakings and Development (Amendment No. 10) (Jersey) Regulations
199 . P.69/99.
Lodged: 25th May 1999.
Finance and Economics Committee.

Marine leisure industry: lease of land to Channel Islands Marine Limited. P.70/99
Lodged: 25th May 1999.
Harbours and Airport Committee.

Marine leisure industry: lease of land to GT Marine Limited. P.71/99
Lodged: 25th May 1999.
Harbours and Airport Committee.

Mr. D.R. Manning: grant of a loan (Field 1007, St. John). P.72/99
Lodged: 25th May 1999.
Finance and Economics Committee.

Draft Criminal Hoaxes (Jersey) Law 199 . P.75/99
Lodged: 8th June 1999.
Defence Committee.

Sustainable Island Transport Policy
Lodged: 11th May 1999.
Public Services Committee.

P.60/99

G.H.C. COPPOCK

Greffier of the States

24th June 1999

PAGE 19, ARTICLE 7 -

For paragraph (2) substitute the following paragraph -

“(2) Paragraph (1) does not apply -

- (a) to any person acting with authority of and in accordance with a licence; or
- (b) where the act which would otherwise constitute an offence under it relates to a dead protected wild bird or anything derived from such a bird which is shown to have been killed otherwise than in contravention of this Law or was lawfully imported.”.

PAGE 28, ARTICLE 15 -

For paragraph (1) substitute the following paragraph -

“(1) Subject to paragraph (4), it shall be an offence for any person to release or allow to escape into the wild

- (a) any animal or bird which is of a kind which is not ordinarily resident in or a regular visitor to the Island in a wild state; or
- (b) any pheasant (*Phasianus colchicus*), red-legged partridge (*Alectoris rufa*) or partridge (*Perdix perdix*).”.

PAGES 29-30, ARTICLE 16 -

In paragraph (2) -

- (a) *after the words “a licence” insert the words “, other than a licence authorizing the release of pheasants (*Phasianus colchicus*), red-legged partridges (*Alectoris rufa*) or partridges (*Perdix perdix*) into the wild,”;*
- (b) *in sub-paragraph (b), after the words “any wild bird” insert the words “or wild animal”;*
- (c) *in sub-paragraph (h), for the words “or fisheries” substitute the words “, fisheries or other forms of property, whether movable or immovable.”.*

Report

Public consultation on the draft Conservation of Wildlife (Jersey) Law 199- has identified some minor points which should be addressed.

1. The Committee has accepted that pheasants and partridges have been bred and released into the wild for many years, and the population is now established in the Island. Accordingly the Committee, with the support of local experts, has concluded that pheasants are “wild birds” within the context of this Law. The result is that the draft Law would prohibit the keeping of pheasants *Phasianus colchicus* and partridges (*Alectoris rufa* and *Perdix perdix*) but would not regulate their release.

The proposed amendments to the draft Law will -

- amend Article 7(2) [p.19] to allow the sale of dead wild birds (which will include pheasants and partridges) which have been lawfully killed or imported, without the need for a licence;
 - amend Article 15(1) [p.28] to make it an offence to release pheasants and partridges into the wild without a licence;
 - amend Article 16(2) [p.29] to allow the Committee to licence the release of pheasants and partridges into the wild. The Committee will carefully consider the effects of the release of pheasants and partridges on the environment when applications for licences are received.
2. An amendment is proposed to Article 16(2)(b) to allow the granting of a licence for the purpose of attaching any identifying or tracking device to a wild animal (as well as a wild bird) or examining such a device.
 3. A further amendment to Article 16(2) is intended to comply more closely with Article 9 of the Berne Convention. On legal advice, this will now be achieved by adding “other forms of property whether movable or immovable” to sub-paragraph (h).

STATES MEMBERS LUNCHEON

Old Library/No.3 Committee Room

I will require lunch at today's Sitting.

Signed.....

Named.....

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