

Price : £3.00

THE STATES assembled on Tuesday,
16th January 1996 at 10.15 a.m. under
the Presidency of the Bailiff,
Philip Martin Bailhache, Esquire

His Excellency the Lieutenant Governor,
General Sir Michael Wilkes, K.C.B., C.B.E,
was present.

All Members were present with the exception of -

Senator Patricia Ann Bailhache - out of the
Island
Leonard Rene Hamel, Connetable of St.
Clement - ill
John Nicolle Le Fondré, Deputy of St.
Lawrence - ill.

Prayers

Senator R.R. Jeune, C.B.E. - congratulations on
award

The Bailiff, on behalf of all the members,
congratulated Senator Reginald Robert Jeune on
his appointment as a Commander of the Most
Excellent Order of the British Empire.

The Hon. Bob Ives, M.L.C. of Victoria,
Australia - welcome

The Bailiff welcomed to the Island the Hon. Bob
Ives, member of the Legislative Council of
Victoria, Australia.

Subordinate legislation tabled

The following enactments were laid before the

States, namely -

1. Road Traffic (Saint Martin)
(Amendment No. 6) (Jersey) Order 1996.
R & O 8902.
2. Road Traffic (Saint Lawrence)
(Amendment No. 7) (Jersey) Order 1996.
R & O 8903.

Matters presented

The following matters were presented to the States -

Jersey Council for Safety and Health
at Work: report for the period 1st October
1994 to 30th September 1995 - R.C.1/96.
Presented by the Employment and
Social Security Committee.

Presented on 2nd January 1996 -

Draft Disability Transport Allowance
(Jersey) Law 199 (P.159/95): amendments
(P.184/95) - comments - P.7/96.
Presented by the Finance and
Economics Committee.

Matters noted - land transactions

THE STATES noted Acts of the Finance and
Economics Committee dated 18th December 1995 and
8th January 1996, showing that, in pursuance of
Standing Orders relating to certain transactions
in land, the Committee had approved -

- (a) as recommended by the Tourism
Committee, the lease to Mr. Brian
Michael Fagan and Mrs. Sheila Anita
Fagan, née Needham, of the land upon
which the Café Casino, Grève de Lecq,
St. Ouen, stood for the period from 1st
December 1995 to 24th December 1997, at
an annual rent of £3,000 subject to an
increase of 2.5 per cent from 25th
December 1995 in line with States'
policy;
- (b) as recommended by the Public
Services Committee -
 - (i) the acquisition from the Parish of
St. Helier of an area of land

(measuring 53.2 square metres) at The Yard, Lempriere Street, St. Helier, for a consideration of £10, with each side being responsible for its own legal costs; and

(ii) the sale to the Parish of St. Helier of an area of land (measuring 52.3 square metres) in Lempriere Street, St. Helier, for a consideration of £10, with each side being responsible for its own legal costs;

in order to facilitate the re-alignment of the area adjacent to Cyril Le Marquand House, The Parade, St. Helier;

(c) as recommended by the Finance and Economics Committee, the lease from Victorian Holdings Limited of Flat 2, Victoria House, Victoria Street, St. Helier, to provide accommodation for contract employees, for a further period of two years from 21st January 1996, at the current annual rent of £8,498, subject to review on 21st January 1997, on the existing terms and conditions;

(d) as recommended by the Housing Committee, the granting to Mrs. Rosemary Edith Colley, née Kent, of a wayleave and rights over public land adjacent to the property 'La Mondine', Eureka Avenue, St. Clement, in order to connect the property to the mains water supply, at a total cost of £3,250, subject to all legal expenses associated with the transaction being met by Mrs. Colley;

(e) as recommended by the Housing Committee, the entering into of a Deed of Arrangement with Mr. Stewart Edgar Mourant, Mr. Paul Herbert William Stephens and Mrs. Anna Stephens, née Maccioni, Mr. Andrew Samuel Hood and Mrs. Denise Cecilia Hood, née Moore, Mr. John Sunderland Gleave and Mrs. Sheila Elizabeth Gleave, née Carter, and Mr. Ricky Brian Le Huquet and Mrs. Colleen Mary Le Huquet, née Festou, in order to ratify boundaries at Le Clos de Mon Sejour, St. Helier, subject to

the Committee contributing the sum of £1,500 towards the settlement sum in addition to being responsible for all reasonable legal costs arising from the transaction;

(f) as recommended by the Harbours and Airport Committee, the lease to Jersey European Airways Limited of an area measuring approximately 400 square feet within departure gate No. 10 in the Airport passenger pier, for a period of nine years commencing from a date early in 1996 (to be confirmed), at the undermentioned annual rents -

	rate a square foot:
Year 1 - £6,000	£15
Year 2 - £7,200	£18
Year 3 - £9,200	£23

with rent reviews at the commencement of years 4, 5, 6, 7 and 8;

(g) as recommended by the Health and Social Services Committee -

(i) the lease from Mr. Roy Huelin Vibert of the property 7 Baycroft Close, St. Clement, for a period of two years and seven months from 1st December 1995 at an annual rent of £10,223, subject to review on 1st July 1996 and 1st July 1997;

(ii) the renewal of the lease from Mr. Ian Richard Jayes and Mrs. Viviane Alice Jayes, née Pourteau, of the property Bechet Cottage, La Rue Bechet, St. John, for a period of one year from 20th February 1996 at an annual rent of £10,400;

(iii) the renewal of the lease from Mrs. Joan Annie Perée, née Swift, of the property Flat 4, 73 Rouge Bouillon, St. Helier, for a period of one year from 1st December 1995 at an annual rent of £5,013.86;

required in order to provide

staff accommodation;

(h) as recommended by the Public Services Committee, the entering into of a Deed of Arrangement with Mr. Victor Emile Feron in order to clarify the boundary at 163 Quennevais Park, St. Brelade, subject to the wall which had been constructed on the northern boundary with the Railway Walk being declared in the entire ownership of 163 Quennevais Park, with access granted onto the Railway Walk in order to repair and maintain the wall, on the basis that Mr. Feron would pay in full all legal expenses arising from the transaction;

(i) as recommended by the Public Services Committee,

(i) the acquisition from Communicare of an area of land (measuring 786 square feet) at the entrance to Don Farm, St. Brelade for a consideration of £876;

(ii) the acquisition from the Parish of St. Brelade of an area of land (measuring 302 square feet) at the entrance to Don Farm for a consideration of £10; and

(iii) the sale to the Parish of St. Brelade of an area (measuring 2,400 square feet) at the entrance to Don Farm for a consideration of £10;

subject to the Sport, Leisure and Recreation Committee being responsible for all the costs of the road improvement, land acquisition and associated legal costs;

(j) as recommended by the Sport, Leisure and Recreation Committee, the sale to Mr. Alan O'Prey and Mrs. Elizabeth O'Prey, née Macnamara, of an area of land (measuring 20 square feet) in Springfield Lane, St. Helier, for a consideration of £20 with the Committee being responsible for all reasonable legal costs involved in the transaction;

(k) as recommended by the Planning and Environment Committee, the lease to Mr.

Bernard Anthony Copple of the undermentioned four plots of land at Les Mielles des Morville, La Grande Route des Mielles, St. Ouen, for a further period of three years from 28th February 1995, with an option to renew for a further term of three years subject to the rent being reviewed in line with open market rentals, for the following rents -

- (i) £30 a year for the general grazing rights in respect of -
 - A. an area of open land which incorporated Field No. 1565, St. Ouen (measuring approximately 47.5 vergées); and
 - B. land to the north of Les Laveurs slipway which incorporated Field No. 1321, St. Ouen (measuring approximately 9.5 vergées);
- (ii) £80 a year for plot 102 comprising Fields Nos. 1580 and 1605, St. Ouen (measuring 14 vergées); and
- (iii) £100 a year for plot 121 comprising Field No. 1605, St. Ouen (measuring 7.5 vergées);

subject to the same terms and conditions as at present with the following restrictions -

- 1. no pesticides (including weedkillers) or fertiliser to be applied to the land;
 - 2. no ploughing or cultivation to be undertaken without prior consultation with the Conservation Officer; and
 - 3. no trees or hedgerows to be damaged or removed;
- (l) as recommended by the Housing Committee, the lease to the Jersey Electricity Company Limited of electricity sub-station No. 354 at Clos de L'Eglise, Grouville, for a period of 99 years at an annual rent of £1, on the basis that each party would be responsible for its own legal costs, with the sum of £100 being paid in full at the commencement of the contract

representing the rent due for the new and original agreements, and with the lease to include the granting of a wayleave across Le Clos de L'Eglise, Grouville, as notified to the States on 24th May 1995;

- (m) as recommended by the Housing Committee, the incorporation of a section pillar, free of charge, into the corpus fundi of the existing lease to the Jersey Electricity Company Limited of a sub-station at Nicholson Park, St. Saviour.

Matters noted - financial transactions

THE STATES noted Acts of the Finance and Economics Committee dated 18th December and 8th January 1996, showing that, in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that -

- (a) the Housing Committee had accepted the lowest of six tenders, namely that submitted by J.F. Marett and Son Limited in the sum of £516,667.00 in a contract period of 44 weeks, for the redevelopment of St. Helena House, 9/11 Don Street, St. Helier;
- (b) the Education Committee had accepted the lowest of six tenders, namely that submitted by J.F. Marett and Son Limited in the revised sum of £2,165,800, for the extension and refurbishment of Plat Douet School, St. Saviour;
- (c) the Harbours and Airport Committee had accepted the lowest of eight tenders, namely that submitted by Charles Le Quesne (1956) Limited in the sum of £427,659.00 for the extension to the cafeteria at the Elizabeth Harbour Terminal, St. Helier.

Matters lodged

The following subjects were lodged ``au Greffe" -

1. Jersey Airport: lease to Shell UK Limited - P.8/96.
Presented by the Harbours and Airport Committee.
2. Jersey Airport: lease to Esso

Petroleum Limited - P.9/96.
Presented by the Harbours and
Airport Committee.

3. Jersey Airport: lease to
International Energy Group Limited and
Spellbound Limited - P.10/96.
Presented by the Harbours and
Airport Committee.

4. Elysée Estate redevelopment -
Phase I: approval of drawings - P.11/96.
Presented by the Housing Committee.

5. St. Ouen - homes for the elderly:
financial assistance - P.12/96.
Presented by the Finance and
Economics Committee.

6. 1 Newtown Buildings, David Place,
St. Helier: sale - P.13/96.
Presented by the Health and Social
Services Committee.

7. Environmental Adviser to the States
of Jersey: extension of contract -
P.14/96.
Presented by the Establishment
Committee.

8. Waterfront Enterprise Board
Limited: appointment of Chairman and
Directors - P.15/96.
Presented by the Policy and
Resources Committee.

Lodged on 2nd January 1996 -

8. Crabbé ranges, St. Mary: transfer
of administration - P.1/96.
Presented by the Defence Committee.

9. Fields 89 to 91, 108 to 110, 115,
328, 330 and 331, St. Mary: transfer of
administration - P.2/96.
Presented by the Defence Committee.

10. St. Agatha, Archirondel, St.
Martin: sale and transfer of land -
P.3/96 (Revised)
Presented by the Housing Committee.

11. Nicholson Park, Phases V and VI,
St. Helier: approval of drawings - P.4/96.
Presented by the Housing Committee.

12. St. Anne's School, St. Helier:
approval of drawings - P.5/96.
Presented by the Education
Committee.
13. Draft Gambling (Gaming and
Lotteries) (Amendment No. 10) (Jersey)
Regulations 199 - P.6/96.
Presented by the Gambling Control
Committee.

Arrangement of public business for the present
meeting

THE STATES confirmed that the following subjects
lodged ``au Greffe" should be considered at the
present meeting -

Draft Finance (Jersey) Law 199 -
P.179/95.
Lodged: 5th December 1995.
Finance and Economics Committee.

Draft Anatomy and Human Tissue
(Amendment) (Jersey) Law 1995 (Appointed Day)
Act 199 - P.181/95.
Lodged: 12th December 1995.
Health and Social Services Committee.

Draft Vienna Document (Privileges and
Immunities) (Jersey) Law 199 - P.117/95.
Lodged: 29th August 1995.
Policy and Resources Committee.

Licensing Law: proposed amendments -
P.178/95.
Lodged: 5th December 1995.
Tourism Committee.

St. Anne's School, St. Helier: approval
of drawings - P.5/96.
Lodged: 2nd January 1996
Education Committee.

European Convention for the Protection
of Human Rights and Fundamental Freedoms:
Articles 25 and 46 - P.187/95.
Lodged: 19th December 1995.
Policy and Resources Committee.

Projet de Loi (199) (Amendement No. 12)
sur l'Etat Civil - P.182/95.
Lodged: 12th December 1995.
Comité de l'Etat Civil.

First Tower School, St. Helier: purchase of property - P.185/95.
Lodged: 19th December 1995.
Planning and Environment Committee.

Crabbé ranges, St. Mary: transfer of administration - P.1/96.
Lodged: 2nd January 1996.
Defence Committee.

Fields 89 to 91, 108 to 110, 115, 328, 330 and 331, St. Mary: transfer of administration - P.2/96.
Lodged: 2nd January 1996.
Defence Committee.

St. Agatha, Archironde, St. Martin: sale and transfer of land - P.3/96 (Revised).
Lodged: 2nd January 1996.
Housing Committee.

Arrangement of public business for the next meeting on 30th January 1996

THE STATES confirmed that the following subjects lodged "au Greffe" would be considered at the next meeting on 30th January 1996 -

Field 1007, St. John: petition - P.8/95.
Lodged: 31st January 1995 and referred to the Planning and Environment Committee.
Senator V.A. Tomes.
Report of the Planning and Environment Committee presented to the States on 26th September 1995 - P.134/95.

Victoria College: Board of Governors - P.126/95.
Lodged: 12th September 1995.
Deputy F.J. Hill of St. Martin.

Draft Island Planning (Amendment No. 7) (Jersey) Law 199 - P.173/95.
Lodged: 28th November 1995.
Planning and Environment Committee.

Draft Criminal Procedure (Connétables and Centeniers) (Jersey) Law 199 - P.180/95.
Lodged: 12th December 1995.
Legislation Committee.

Stopford Road/Gas Works Gyrotory Road

Scheme: purchase and sale of land - P.183/95.
Lodged: 12th December 1995.
Planning and Environment Committee.

Draft Health and Safety at Work
(Amendment No. 2) (Jersey) Law 199 -
P.186/95.
Lodged: 19th December 1995.
Employment and Social Security
Committee.

Nicholson Park, Phases V and VI, St.
Helier: approval of drawings - P.4/96.
Lodged: 2nd January 1996.
Housing Committee.

Draft Gambling (Gaming and Lotteries)
(Amendment No. 10) (Jersey) Regulations 199 -
P.6/96.
Lodged: 2nd January 1996.
Gambling Control Committee.

Jersey Airport: lease to Shell
UK Limited - P.8/96.
Lodged: 16th January 1996.
Harbours and Airport Committee.

Jersey Airport: lease to Esso Petroleum
Limited - P.9/96.
Lodged: 16th January 1996.
Harbours and Airport Committee.

Jersey Airport: lease to International
Energy Group Limited and Spellbound Limited -
P.10/96.
Lodged: 16th January 1996.
Harbours and Airport Committee.

Elysée Estate redevelopment - Phase I:
approval of drawings - P.11/96.
Lodged: 16th January 1996.
Housing Committee.

St. Ouen - homes for the
elderly: financial assistance - P.12/96.
Lodged: 16th January 1996.
Finance and Economics Committee.

1 Newtown Buildings, David Place,
St. Helier: sale - P.13/96.
Lodged: 16th January 1996.
Health and Social Services Committee.

Environmental Adviser to the States of
Jersey: extension of contract - P.14/96.

Lodged: 16th January 1996.
Establishment Committee.

Projet withdrawn

THE STATES noted that, in pursuance of Standing Order 17(6), the following subject, which had been lodged ``au Greffe" on 26th April 1994, had been withdrawn -

Côte du Nord Hotel, Trinity: petition -
P.56/94.
Deputy I.S. Nicholls of Grouville.
Report of the Planning and Environment
Committee presented to the States on 25th
April 1995 - P.51/95.

Manpower strategy - questions and answers (Tape
No. 320)

Deputy Gary Matthews of St. Brelade asked Deputy
Frank Harrison Walker of St. Helier, President of
the Establishment Committee, the following
questions -

- ``1. In his statement to members on 12th
December 1995 on Manpower Strategy,
the President of the Establishment
Committee advised members of the
Committee's policy that future
additional manpower requests would
need to be supported by compensatory
manpower savings. In the President's
view, does this policy amount to a
`job freeze'?
2. Also in the President's statement he
mentioned that the new five-point action
plan `will result in much greater
efficiency in the public sector and
savings of millions of pounds'. Would the
President advise members how much money
would be saved and in what particular
areas?"

The President of the Establishment Committee
replied as follows -

- ``1. In answering this question, I should
first like to remind the Deputy that
this part of my statement to the
House on 12th December, 1995, was not

new. Indeed, it is States policy, confirmed in the last two Strategic Policy debates, that additional manpower requests need to be supported by compensatory manpower savings.

I do not in any case accept that this policy amounts to a 'job freeze' as such and I consider this to be a misleading description. It suggests no movement or flexibility whereas the policy is specifically designed to allow those Departments who will inevitably, from time to time, need to increase their staff numbers to do so provided that the overall total for the public sector does not increase.

Despite these policies, and after a successful year in 1994/5, the 1996 wage bill, following the outcome of the cash limit exercise is estimated to rise by seven per cent.

My Committee views this quite unacceptable figure with dismay and is taking the action outlined in my statement of 12th December to address it.

2. In my statement on 12th December 1995, I said that my Committee is 'firmly of the view' that its five-point strategy will 'represent an excellent investment which will result in much greater efficiency in the public sector and savings of millions of pounds in the future. My Committee stands by that view.

However, it is clearly much too early, at this stage, to accurately forecast what those savings will be and from which areas they will come. Any figure I gave would be purely speculative, and would, in my view, be unhelpful and potentially misleading in this instance.

One of the main points of our plan is to commission externally conducted service reviews of Departments' efficiency. Once these are in progress, we will be in a better position to identify where the savings will come from. With a paybill of £169m for 1996, even a relatively modest increase in efficiency will result in annual savings of millions of pounds."

Gambling (Amendment No. 4) (Jersey) Law 199 - questions and answers (Tape No. 320)

Deputy Gary Matthews of St. Brelade asked Deputy Thomas John du Feu of St. Peter, President of the Gambling Control Committee, the following questions -

1. On 19th December 1995, the States adopted the draft Gambling (Amendment No. 4) (Jersey) Law 199 (P.170/95) -

Would the President explain the meaning of the word 'stranger' in the context of the adopted Amendment Law and the Regulations that are proposed to be made as a result of the Amendment?

2. Would the President advise -

(a) what type of business the Committee is seeking to attract through the medium of the Regulations; and

(b) whether those attracted to bet in the Island within the scope of the proposed Regulations would be encouraged to avoid paying tax in their own countries?

3. Does the President consider that the arrangements contained in the adopted Amendment are in the best interests of the Island, and in what way will they contribute to the Island's good reputation overseas?"

The President of the Gambling Control Committee replied as follows -

1. 'A stranger' in the context of Article 10 of the Gambling Law 1964, as amended, means a person who is not actually present in the Island and includes a corporate body whether incorporated in the Island or elsewhere. The amendment would permit specified betting transactions, with persons in certain countries, but would exclude those persons in the Channel Islands, the United Kingdom and Northern Ireland from placing bets in the Island.

2. (a) The Committee will be removing the anomaly which exists between the Island and the United Kingdom on the handling of International Credit Betting transactions. The amendment would put the Island on the same plane as the United Kingdom where betting transactions are received from non residents on the outcome of a variety of sporting events.

(b) The Committee is aware that International Credit Betting clients world-wide currently also use other territories. This amendment would enable them to use Jersey and also avoid the effect of the United Kingdom betting duty, with the added advantage of being offered better odds. The proposed Regulations are not designed to encourage non residents to avoid paying tax in their own countries. Many countries do not have a betting tax. Non residents wish to place bets outside their own countries for a variety of reasons and the position taken by the Committee on the matter is in parallel with the general approach adopted in providing financial services to non residents.

3. The Committee at a very early stage, sought the assistance and guidance of the Chief Adviser, the Law Officers of the Crown and the Finance and Economics Committee, fully discussing the implications of the amendment with them, indeed, the Committee has received advice and input from all three which will be reflected in the Regulations and controls.

In order to protect the best interests of the Island only companies of the highest international reputation would be considered. Any prospective company wishing to apply for a strangers licence must first be a Jersey registered company which would naturally already have passed the stringent tests of the Finance and Economics Committee, for the incorporation of a Jersey company and for a licence under the Regulation of Undertakings and Development Law."

The 1996 legislation programme - statement

The President of the Policy and Resources Committee made a statement in the following terms -

1. The States on 28th September 1995 approved the States legislation programme for 1996 set out in Appendix 4.4 of the Strategic Policy Review 1995 Part II. Since that decision was made the Policy and Resources Committee has received requests from a number of States Committees for legislation that was not included in the prioritisation exercise upon which the 1996 legislation programme was based to be inserted into that programme.
2. The Committee therefore has decided that it should set out clearly for the benefit of all Committees of the States, and of States members generally, the procedure it will follow when a request is made for a new Law or an amendment to an existing Law to be included in the approved legislation programme for the current year.
3. When such a request is made the Committee will expect the procedures set out in paragraphs 5.4 to 5.7 of the Strategic Policy Review Part II to be followed and will not consider the request unless -
 - (i) a 'request' questionnaire has been completed satisfactorily;
 - (ii) a compliance cost/benefit assessment has been completed, clearly identifying the costs and benefits of the proposals to the Island;
 - (iii) the relevant Department has produced properly researched and comprehensive drafting instructions;
 - (iv) the Law Officers have been consulted and their advice obtained where it is appropriate that this should be done.

With the benefit of this information the Committee will then seek from the Law Draftsman an estimate of the law drafting resources required.

4. If the Committee is satisfied that the request -
 - (a) could not have been foreseen, is extremely urgent and cannot await the next comprehensive prioritisation exercise; and
 - (b) can be considered to have a very high priority in relation to the legislation already in the programme, if the criteria used in the prioritisation exercise upon which that programme was based are applied;

the Committee will insert the request into the current programme following consultation with the Committee(s) whose legislation has the lowest priority in the current programme and which therefore could be expected to be lost from that programme as a result of the insertion of the new request.

5. The Policy and Resources Committee would hope that all Committees of the States, and individual members, would accept and work with this procedure. Any Committee or member of the States can of course bring a proposition to the States calling upon the States for support in the drafting of legislation. The Committee would expect the States not to agree to debate such a proposition until the assessment process that I have outlined in this statement has been undertaken by the Policy and Resources Committee in conjunction with the Law Draftsman and the sponsoring Committee so that the result of that assessment can be reported to the States.
6. The Policy and Resources Committee would intend to report to the States as appropriate on the requests that have been received for legislation to be inserted into the approved legislation programme, and on what decisions the Committee has taken following its assessment of those requests.
7. In the Strategic Policy Review 1995 Part II, in the section on the legislation programme, reference is made to the importance of good drafting instructions being prepared by Departments. I can inform members that, with the assistance

of the United Kingdom Civil Service College, officers in a number of Departments have already attended an all-day seminar on the preparation of drafting instructions and one other seminar is planned to take place this year.

8. The Policy and Resources Committee would also wish to take this opportunity to remind members that, as stated in paragraph 5.7 of the Strategic Policy Review Part II, 'all legislation when presented to the States should have attached a report indicating what, if any, environmental, economic and social impact there will be of both a positive and negative nature. In addition, reference should be made to the general benefits to be derived and the costs to be incurred by residents of the Island arising from the legislation, and the resources required to put the legislation into effect including the knock-on effect the legislation might have on other Committees/ Departments'.
9. In conclusion I would very much hope that I and my Committee can count upon all Committees of the States, and members generally, to support it in the application of the procedure for considering requests for legislation as set out in this statement."

Home Office meeting regarding nuclear issues - statement

The President of the Policy and Resources Committee made a statement in the following terms -

``A meeting was held at the Home Office on Friday, 5th January 1996, at the request of the Insular Authorities, to discuss -

1. the dumping of radioactive material in the Hurd Deep, and any other areas adjacent to the Channel Islands;
2. the possible expansion of the French nuclear industry in the Cotentin Peninsular;
3. the shipment of nuclear materials to and from the nuclear reprocessing plant at La Hague through Cherbourg.

The meeting was of such importance that I believe it should be the subject of official record.

The meeting was attended by representatives from Jersey, Guernsey, Alderney and the Isle of Man. The Jersey and Guernsey delegations also were supported by their independent technical adviser, Sir John Knill, who for eight years until 1995 was Chairman of the Radioactive Waste Management Advisory Committee in the United Kingdom.

The meeting is generally considered to have been a useful first step in obtaining the information necessary before Island residents can be assured that their interests are being adequately safeguarded. The meeting also gave the Insular Authorities the opportunity to impress upon the many officials of Her Majesty's Government who attended the meeting, which was arranged without delay and chaired most effectively by Mr. Peter Honour of the Home Office, the importance the Authorities attach to resolving the matters under discussion in a manner satisfactory to the Islands. I wish to take this opportunity to inform the House that the Home Office officials, as always, gave the Insular Authorities considerable assistance and I have every reason to expect them to continue to do so in the future.

The meeting identified a number of areas where further information is required and further action needs to be taken. The further steps to be taken include -

1. obtaining further details of the dump sites from the United Kingdom Atomic Energy Authority at Harwell;
2. obtaining details of French dumping in the Channel, if any, from the French Authorities;
3. reviewing the adequacy of the present monitoring programme;
4. assessing the costs of a seabed survey and considering how best this might be undertaken;
5. requesting Her Majesty's Government to approach the French authorities to ask them to agree to enter into consultations,

involving Island representatives in a similar way to the discussions that have taken place with the French through the Foreign Office on the territorial waters and fishing limits issues, in accordance with Article 17 of the Convention on Nuclear Safety that both the British and French Governments have recently ratified;

6 Obtaining further information regarding the shipment of nuclear materials.

The next step will be for Sir John Knill together with the relevant officers from Jersey and Guernsey to meet to discuss what further information is required and how it might be best obtained. The Policy and Resources Committee, and the Advisory and Finance Committee in Guernsey, have complete confidence in Sir John Knill as a person of considerable ability and experience who has shown already ample evidence that he will serve the Island's interests extremely well in further investigating and evaluating the information that has been and is to be obtained. Once the Policy and Resources Committee and the Advisory and Finance Committee in Guernsey have had an opportunity of considering the additional information to be received through technical level meetings, with the benefit of advice from Sir John Knill, a decision will be taken on what further meetings are required between representatives of the Insular Authorities and Her Majesty's Government including, if necessary, a meeting at ministerial level with the Jersey and Guernsey delegations being led by the Bailiff of each Island.

I will keep the House informed of further progress on these matters."

Disability Transport Allowance - statement

The President of the Employment and Social Security Committee made a statement in the following terms -

``Members perhaps expected to have debated today a proposition (P.159/95) lodged by my Committee in November 1995, and the amendments (P.184/95) lodged by Senator Stuart Syvret.

Following publication of the comments of the Finance and Economics Committee (P.7/96) on the latter, when it was noted that the

Finance and Economics Committee would make available to my Committee a sum of up to £2 million a year for this allowance, to be targeted to those disabled most in need, a meeting was held last week, and a further meeting yesterday, between Senator Horsfall (as President of the Finance and Economics Committee), Senator Syvret and myself, together with officers from both Departments, to seek the best way of delivering this benefit within the financial limit of £2 million.

We are now of the opinion that financial assistance for those people who are able to leave their home only with assistance is best considered in two different ways if we are to stay within the £2 million available. Firstly, it is proposed that disabled people, principally not in employment, who already receive a benefit from States revenues, administered by my Department - these include Attendance Allowance, Adult Disablement Allowance and Child Disablement Allowance - would receive an increase in these allowances to help with the added cost due to their disability. Secondly, it is proposed that persons currently in employment and not receiving any of these benefits would be entitled to apply for Disability Transport Allowance, in conformity with the draft Law lodged by my Committee, but suitably amended.

I should like to reassure potential beneficiaries that these arrangements will not delay the implementation of an allowance which has been expected for some time. Indeed, increases in existing benefits can be made very quickly and simply and well before any Disability Transport Allowance Law could be in place. I hasten to add that there is no major disagreement on these principles between Senator Horsfall, Senator Syvret or myself, subject to seeing my Committee's actual proposals. However, in order to give members the chance to consider these proposals without undue pressure, my Committee feels that the propositions originally intended for debate today are better deferred for a short time until a full report on these latest proposals can be circulated both to all members and also to representatives of the disabled. It is hoped that this report will be issued within the next ten days."

Manual Workers' Joint Council Employers' Side membership

THE STATES, adopting a proposition of the Establishment Committee, and in accordance with their Act dated 9th November 1961, concerning the membership of the Manual Workers' Joint Council, approved the appointment of the six representatives of the States to serve as members of the Employers' Side of the Council, as follows -

Mr. Jack Roche, Connétable of St. Saviour
Deputy Shirley Margaret Baudains of St. Helier
Deputy Frank Harrison Walker of St. Helier
Deputy David Leon Crespel of St. Helier
Mr. Christopher John Mulready, Chief Executive Officer, Public Services Department
Mr. Brian Grady, Director of Education.

Finance (Jersey) Law 1996 - P.179/95

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Finance (Jersey) Law 1996.

Anatomy and Human Tissue (Amendment) (Jersey) Law 1995 (Appointed Day) Act 1996 - P.181/95

THE STATES, in pursuance of Article 3 of the Anatomy and Human Tissue (Amendment) (Jersey) Law 1995, made an Act entitled the Anatomy and Human Tissue (Amendment) (Jersey) Law 1995 (Appointed Day) Act 1996.

Vienna Document (Privileges and Immunities) (Jersey) Law 1996 - P.117/95

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Vienna Document (Privileges and Immunities) (Jersey) Law 1996.

Licensing Law: proposed amendments - P.178/95

THE STATES commenced consideration of a proposition of the Tourism Committee regarding proposed amendments of the Licensing Law (Jersey) Law 1974, as amended.

THE STATES adopted an amendment of the Committee that in sub-paragraph (a), after the figures ``1974" there should be inserted the following -

``in respect of -

- (i) extended Sunday opening for public houses;
- (ii) consuming alcohol without food in restaurants;
- (iv) drinking-up time in membership clubs;
- (v) access by fire officer to licensed premises at any time."

Sub-paragraph (iii) ``extended opening for `off` licences;" was rejected and the subsequent sub-paragraphs re-numbered..

Members present voted on sub-paragraph (iii) as follows -

``Pour" (24)

Senators

Shenton, Rothwell, Le Main, Stein, Tomes.

Connétables

St. Mary, St. Peter, St. Helier, St. Saviour,
St. Ouen, St. John.

Deputies

Rumboll(H), Norman(C), Coutanche(L), St. Mary,
Crespel(H), Carter(H), Johns(H), Duhamel(S),
Matthews(B), Breckon(S), Grouville, St.
Martin, St. John.

``Contre" (24)

Senators

Jeune, Le Maistre, Quérée, Chinn, Syvret.

Connétables

St. Lawrence, St. Brelade, Grouville, Trinity,
St. Martin.

Deputies

Wavell(S), St. Peter, H. Baudains(C), Le
Sueur(H), St. Ouen, Huelin(B), S. Baudains(H),
Le Geyt(S), Pullin(S), Trinity, Routier(H),
Dorey(H), Layzell(B), Huet(H).

There being an equality of votes, the President of the Assembly exercised his casting vote against sub-paragraph (iii) to maintain the status quo.

THE STATES adopted an amendment of the Committee to delete paragraph (b) of the proposition.

THE STATES, adopting the proposition, as amended, supported the general principles outlined in the Tourism Committee's report dated 28th November 1995, regarding further amendments of the Licensing (Jersey) Law 1974 in respect of -

- (i) extended Sunday opening for public houses;
- (ii) consuming alcohol without food in restaurants;
- (iii) drinking-up time in membership clubs;
- (v) access by fire officer to licensed premises at any time.

St. Anne's School, St. Helier: approval of drawings - P.5/96

THE STATES, adopting a proposition of the Education Committee -

- (a) approved drawing Nos. 9246/AL/4/06 to 08, 405, 406, 451 to 454, 470 to 473, 503 to 507, 554, 555, 557, 571, 572, 602, 603, 615, 701, 751 to 753, 770, 803, 815, 816, 851, 852, 901, 902, 951 to 953, 1203, 1215, 1216, 1251, 1252, 1302, 1351 to 1354, 1403, 1452, 1453, 1461, 1462, 1502, 1554, 1558, 1570, 1602, 1603, 1615, 1701, 1751 to 1755, 9246/A/C/4/5400, 9246/PL/04 and 05, showing the proposed new secondary school to be constructed on Fields Nos. 1207, 1243, 1244 and part of Field No. 1219, St. Helier; and
- (b) authorised the Greffier of the States to sign the said drawings on behalf of the States.

European Convention for the Protection of Human Rights and Fundamental Freedoms: Articles 25 and 46 - P.187/95

THE STATES, adopting a proposition of the Policy and Resources Committee, requested the Bailiff to inform the Secretary of State that it was their wish that the appropriate declarations be made extending to the Bailiwick, for a further period of five years, the provisions of Articles 25 and 46 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Loi (199) (Amendement No. 12) sur l'Etat Civil - P.182/95

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Loi (199) (Amendement No. 12) sur l'Etat Civil.

First Tower School, St. Helier: purchase of property - P.185/95

THE STATES, adopting a proposition of the Planning and Environment Committee -

- (a) authorised the purchase on behalf of the public from the Parish of St. Helier of the land and buildings known as First Tower School, St. Aubin's Road, First Tower, St. Helier, and any interest therein, as shown on drawing No. 493/1, for £200,000, with the public being responsible for the vendor's legal fees; and to authorise the Greffier of the States to sign the said drawing on behalf of the States;
- (b) agreed that should the property be developed for an alternative use, other than that of primary and/or nursery education, within a period of 50 years from the date of passing of contract before the Royal Court, the public would pay an additional sum, being the difference between £200,000 and the open market value of a property with that alternative use at the date on which the property ceased to be used for primary or nursery education;
- (c) authorised the payment of additional surveyor's and legal adviser's fees, amounting to £3,835, incurred by the Parish of St. Helier through the

investigation of encroachments,
preparation of plans, estimates and
general advice;

- (d) authorised the Attorney General and the Greffier of the States to pass on behalf of the public any contracts which it might be found to be necessary to pass in connexion with the said purchase;
- (e) authorised the payment or discharge of the expenses incurred in connexion with the purchase of the said land and buildings, and of all interests therein, from the Planning and Environment Committee's Capital Vote of Credit - "Acquisition of Land - Major Reserve" (C0904).

Crabbé ranges, St. Mary: transfer of
administration - P.1/96

THE STATES, adopting a proposition of the Defence
Committee -

- (a) approved the transfer of administration from the Defence Committee to the Sport, Leisure and Recreation Committee of the shooting ranges and farmhouse at Crabbé, St. Mary, as shown on drawing No. 466/1;
- (b) authorised the Greffier of the States to sign the said drawing on behalf of the States.

Fields 89 to 91, 108 to 110, 115, 328, 330 and 331,
St. Mary: transfer of administration - P.2/96

THE STATES, adopting a proposition of the Defence
Committee -

- (a) approved the transfer of administration from the Defence Committee to the Agriculture and Fisheries Committee of Fields 89, 90, 91, 108, 109, 110, 115, 328, 330 and 331, St. Mary, together with an area of land to the north of the farmhouse, as outlined on drawing No. 467/1.
- (b) authorised the Greffier of the States to sign the said drawing on behalf of the States.

St. Agatha, Archirondel, St. Martin: sale and transfer of land - P.3/96 (Revised)

THE STATES, adopting a proposition of the Housing Committee -

- (a) approved the sale of the property known as St. Agatha, La Route de la Côte, Archirondel, St. Martin, as shown cross-hatched on drawing No. 486/1 to Mr. Hamish Batley MacDonald Scott and Mrs. Barbara Alice Scott, née Cam, in the sum of £350,000 for the realty, with each party being responsible for the payment of its own legal costs;
- (b) authorised the Attorney General and the Greffier of the States to pass on behalf of the public any contracts which it might be found necessary to pass in connexion with the said sale;
- (c) approved the transfer of administration from the Housing Committee to the Planning and Environment Committee of an area of land measuring 2.75 vergées adjacent to the said property as shown hatched on drawing No. 486/1.

THE STATES rose at 3.23 p.m.

G.H.C. COPPOCK

Greffier of the States.