



**THE STATES assembled on Tuesday,
14th March, 1989 at 10.15 a.m. under
the Presidency of the Bailiff,
Sir Peter Crill, C.B.E.**

All members were present with the exception of –

Senator Reginald Robert Jeune – out of the Island.

Senator Peter Geoffrey Kevitt Manton – absent.

Sir Martin Le Quesne, Deputy of St. Saviour – out of the Island.

Margaret Sylvia Rose Beadle, Deputy of St. Brelade – out of the Island.

Maurice Clement Buesnel, Deputy of St. Helier – ill.

Prayers

Subordinate legislation tabled.

The following enactments were laid before the States, namely –

- 1. Invalid Care and Disability Allowances (General Provisions) (Amendment No. 5) (Jersey) Order, 1989. R & O 7884.**
- 2. Road Vehicles (Registration and Licensing) (Amendment No. 4) (Jersey) Order, 1989. R & O 7885.**
- 3. Road Traffic (Saint Helier) (Amendment No. 5) (Jersey) Order, 1989. R & O 7887.**

Housing Committee: resignation of member.

THE STATES noted the resignation of Senator Peter Geoffrey Kevitt Manton from the Housing Committee.

Housing Committee: appointment of member.

There were nominated for appointment as a member of the Housing Committee –

Edwin Le Gresley Godel, Connétable of St. Mary – proposed by Deputy Hendricus Adolphus Vandervliet of St. Lawrence; and

Shirley Margaret Baudains, Deputy of St. Helier – proposed by Senator Terence John Le Main.

THE STATES, having proceeded to a secret ballot, the Bailiff declared that the Connétable of St. Mary had been elected a member of the Housing Committee.

The result of the ballot was as follows –

Connétable of St. Mary	30 votes
Deputy S.M. Baudains	18 votes

Troy Court, Grands Vaux, St. Helier: purchase – report. P.26/89.

The Housing Committee by Act dated 3rd March, 1989 presented to the States a report on the Proposition to purchase Troy Court, Grands Vaux, St. Helier (P.19/89).

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

Agricultural Loans: report for 1988. R.C.5.

The Agriculture and Fisheries Committee by Act dated 9th February, 1989, presented to the States a report on the Agricultural Loans and Guarantees Fund for the year ended 31st December, 1988 and commenting on the operation during 1988 of the Agriculture (Loans and Guarantees) (Jersey) Law, 1974, as amended, and the Agriculture (Loans) (Jersey) Regulations, 1974, as amended.

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

Dwelling Houses Loan Fund: statement for 1988. R.C.6.

The Housing Committee by Act dated 3rd March, 1989, presented to the States a statement showing the financial position of the Dwelling Houses Loan Fund for the year ended 31st December, 1988.

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

Public Lotteries: report for 1988. R.C.7.

The Gambling Control Committee by Act dated 7th February, 1989, presented to the States a report on Public Lotteries promoted and conducted during 1988.

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

The Jersey Electricity Co. Limited. Directors' Report and Statement of Accounts for 1988.

The Finance and Economics Committee by Act dated 6th February, 1989, presented to the States The Jersey Electricity Company

Limited Directors' Report and Statement of Accounts for the period 28th September, 1987 to 2nd October, 1988.

Matters noted – land transactions.

THE STATES noted an Act of the Finance and Economics Committee dated 6th March, 1989, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved –

- (a) as recommended by the Harbours and Airport Committee, the leasing to Air UK Limited of ticket and reservation facilities, measuring 147 square feet, in the Airport terminal building, for a period of three years commencing 1st April, 1989, at an annual rent of £1,176 to be reviewed each year in line with the Jersey Cost of Living Index;
- (b) as recommended by the Harbours and Airport Committee, the leasing of four industrial units at La Folie, South Pier, for a period of three years with effect from 1st March, 1989, as follows –

Unit One Island Yachts, 1,266 square feet,
at an annual rent of £3,798;

Unit Two Jersey Marine Electronics,
1,156 square feet, at an annual
rent of £3,468;

Unit Three W.P. Keating, 898 square feet, at
an annual rent of £2,694;

Unit Four John Fox, 1,524 square feet, at
an annual rent of £4,572;

- (c) as recommended by the Defence Committee, the assignment by Lazard Brothers & Co. (Jersey)

Limited of the unexpired portion of the lease to expire on 30th June, 1990, of 4, Grouville, Park, Grouville, a detached four-bedroomed house, owned by Mr. Brian Edward Troy, at a weekly rent of £180, required for occupation by the Project Officer of the Jersey Field Squadron Royal Engineers;

- (d) as recommended by the Island Development Committee, with the support of the Housing Committee, the purchase from Miss Phyllis Bessie Nicolle, of the property No. 9, Hue Street, St. Helier, for a consideration of £57,500, with each party being responsible for the payment of its own legal fees.

Matters lodged.

The following subjects were lodged “au Greffe” –

1. Le Douet Clement, St. Brelade: approval of drawings. P.27/89.
Presented by the Housing Committee. The States decided to take this subject into consideration on 4th April, 1989.
2. Projet de Règlement (198) sur le marquage d'œufs. P.28/89.
Presented by the Agriculture and Fisheries Committee.

Recording of States' proceedings. P.13/89.

THE STATES acceded to the request of the Vice-President of the House Committee that the Proposition regarding the recording of States' proceedings (lodged on 7th February, 1989) be considered on 4th April, 1989.

Troy Court, Grands Vaux, St. Helier: purchase. P.19/89.

THE STATES acceded to the request of Senator Richard Joseph Shenton that the Proposition regarding the purchase of Troy Court, Grands Vaux, St. Helier (lodged on 21st February, 1989 and referred to the Housing Committee) be considered on 4th April, 1989.

Increase in water rate – Queen’s Valley reservoir. Questions and answers.

Senator Terence John Le Main asked Senator Pierre François Horsfall, Vice-President of the Finance and Economics Committee, the following questions –

- “1. In view of the proposed 21 per cent increase to meet the cost of building the new Queen’s Valley reservoir can the President inform the House for how many years this capital cost will be borne by the water user?
2. Will the President inform the House whether this premium will be discarded once the project is paid for?”

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

“The increase in the water rate of 21 per cent recently announced by the Jersey New Waterworks Company is made up of two elements. One is an increase of 6 per cent to keep pace with increased wage costs and other costs incurred in running the Waterworks Company, which increase would have been faced irrespective of the building of the Queen’s Valley reservoir. This increase is below the 8 per cent increase in the Jersey cost of living index from December 1987 to December 1988.

The other is an increase of 15 per cent to meet in part the financing of the Queen’s Valley reservoir. For the future,

the effect of the investment in the reservoir on the water rate will depend on the company's overall cash flow position. However, it can be said that as a consequence of Article 14 of the Water (Jersey) Law, 1972, which Article provides for the States to determine the water rate in the public interest subject to certain conditions being met, the water rate in the future will be set taking fully into account any surplus cash accumulating as a result of the current increase in the water rate."

Regulation 1(1)(j) consents – essentially employed. Answers.

Deputy Hendricus Adolphus Vandervliet of St. Lawrence, President of the Housing Committee, replied to questions asked in the House by Senator Richard Joseph Shenton on 28th February, 1989, as follows –

- “1. In 1988, a total of 212 1(1)(j) consents to lease or purchase dwelling accommodation were issued. However, the majority of these consents related to existing essential employees moving from one property to another, renewing leases, and to replacements for essential employees leaving the Island. Only 32 new (that is, additional) consents in this category were granted in that year.
2. Categories of employment covered by the total number of 212 1(1)(j) consents granted in 1988 covered just about every sector of employment. The 32 new (additional) 1(1)(j) consents related to the following categories of employment –

Medical

Teaching

Accountancy

Banking

Service industries

Civil Service

Computers

Construction

Administration

Aviation.

3. Certain firms, and for the most part those providing stockbroking services, have announced redundancies over the past year. Other financial institutions have made adjustments to their staffing levels through natural wastage.

Of the firms affected, a number had not previously received any (j) consents. Other firms had employees for whom such a consent had been granted in the past, but who had completed ten years' residence in the Island and no longer occupied accommodation leased or purchased by their employer. In some cases, although there has been a reduction in the number of persons employed, that reduction did not involve those with the skills, or at the management level, that equated with the requirements of the position for which a (j) category consent had previously been granted.

Nevertheless, a number of (j) category consents have been, or will be relinquished as a result of the declaration of redundancies or the making of staff adjustments in response to the merging of separate institutions. In respect of six particular firms there have been, or will be a net reduction of five (j) consents. However, these reductions have been over-shadowed by the fact that the finance industry as a whole continues to expand and continues to experience difficulty in finding sufficient persons with residential qualifications to fill many of the senior posts on offer. The end result has been a continued increase in the number of (j) category persons employed in the finance industry.

4. The answer to Question 3 is not nil, but I should nevertheless like to respond to the reference in the question to the training of locally qualified people. My Committee, in considering applications for consent under Regulation (j), with the assistance of the Economic Adviser, places considerable weight on the evidence that applicant employers are required to supply, when making a (j) category application, of the efforts they have made to recruit and train locally qualified people to fill the posts concerned. For example, last month, in responding to an application by a financial institution, my Committee expressed the view, in the light of recent declared redundancies by firms of stockbrokers, that although those made redundant might not have all the skills being sought, they should with some training be able to meet the firm's requirements. What I can say is that my Committee has no evidence that those made redundant have had any difficulty in finding alternative employment.

The Housing Law has been, and continues to be used to help ensure that employers recruit and train locally qualified persons, and I know that this is also the case in the application of the Regulation of Undertakings and Development Law. It has also been put to my Committee, however, on a number of occasions that locally qualified people have not always been prepared to spend the time away from the Island required for the wider experience to be obtained upon which appointment to many senior positions depend.

Experience to date would suggest that it is less a lack of training than a lack of sufficient suitable local persons to cope with the continued business growth in the finance industry and in other services (e.g. nursing) that gives rise to the need for an increase in the number of (j) consents, a business growth from which the Island obviously derives

considerable benefit both from the contribution made to tax revenues upon which the undertaking of the States housing programme, among other things, depends, and from the employment opportunities made available each year to a substantial number of young local persons.”

Manual Workers’ Joint Council Employers’ Side Membership.

THE STATES, adopting a Proposition of the Establishment Committee, and in accordance with an Act of the States dated 9th November, 1961, concerning the membership of the Manual Workers’ Joint Council, approved the nomination of the six representatives of the States to serve as members of the Employers’ Side, as follows –

Senator Richard Joseph Shenton

Senator John Stephen Rothwell

Deputy Robin Ernest Richard Rumboll of St. Helier

Deputy Corrie Stein of Grouville

Deputy Thomas James Jordan of St. Brelade

Deputy Shirley Margaret Baudains of St. Helier.

Commissioners of Appeal for Income Tax.

THE STATES, adopting a Proposition of the Finance and Economics Committee –

- (a) approved the appointment as Commissioners of Appeal for Income Tax for a three year period commencing 1st January, 1989, of Colonel Henry Robert Hall, O.B.E., and Anthony John Cooper Paines, Esq.; and

- (b) approved the re-appointment as Commissioners of Appeal for Income Tax for a period of three years commencing 1st January, 1989, of –

Richard Raymond Grandin Gallichan, Esq., D.S.C.
Harry Wookey Hall, Esq.

Thomas Charles Walker, Esq.

New North Quay, Port of St. Helier: lease of accommodation.

THE STATES, adopting a Proposition of the Harbours and Airport Committee –

- (a) approved the lease to Brit-European Transport (C.I.) Limited of 4,760 square feet of warehouse accommodation on the New North Quay, Port of St. Helier, designated Letting N16 for a further period of three years, with effect from 1st February, 1989 at a rent of £14,280.00 a year, representing a rate of £3.00 a square foot;
- (b) authorised the Greffier of the States to sign the necessary agreement;
- (c) authorised the Treasurer of the States to receive the rent as it becomes due.

St. Luke's Primary School: new classroom.

THE STATES, adopting a Proposition of the Education Committee –

- (a) approved Drawings Nos. 2597/11 and 2597/12 showing the construction of a new classroom at St. Luke's School;

- (b) authorised the Greffier of the States to sign the said drawings on behalf of the States.

Information technology in the Public Service. P.18/89.

THE STATES, adopting a Proposition of the Establishment Committee, agreed –

- (a) that the States' information technology policy be developed in accordance with the objectives outlined in the report dated January 1989 of the Establishment Committee;
- (b) that the States' central computer development vote of credit be administered by the Establishment Committee.

Family Allowances (Jersey) Regulations, 1989. P.168/88 and P.175/88.

THE STATES rejected an amendment of Senator Dereck André Carter that in Article 1, sub-paragraph (d) for the figures £4,400 there should be substituted the figures £5,330 and that in sub-paragraph (e) for the figures £7,900 there should be substituted the figures £8,950 and, in pursuance of Article 7 of the Family Allowances (Jersey) Law, 1972, as amended, made Regulations entitled the Family Allowances (Jersey) Regulations, 1989.

Costs in Criminal Cases (Witnesses' Allowances) (Amendment No. 2) (Jersey) Regulations, 1989. P.24/89.

THE STATES, in pursuance of Article 6 of the Costs in Criminal Cases (Jersey) Law, 1961, made Regulations entitled the Costs in Criminal Cases (Witnesses' Allowances) (Amendment No. 2) (Jersey) Regulations, 1989.

Draft Motor Traffic (Third-Party Insurance) (Amendment No. 7) (Jersey) Law, 198 . (P.176/88) and amendment. (P.25/89).

THE STATES deferred consideration of the draft Motor Traffic (Third-Party Insurance) (Amendment No. 7) Law, 198 (lodged on 20th December, 1988) to a later date.

THE STATES rose at 12.30 p.m.

R.S. GRAY

Deputy Greffier of the States.