

**THE STATES assembled on Tuesday,  
20th July 2004 at 9.30 a.m. under  
the Presidency of the Bailiff,  
Sir Philip Bailhache.**

All members were present with the exception of –

Senator Terence Augustine Le Sueur– out of the Island  
Senator Paul Vincent Francis Le Claire– out of the Island  
Senator Edward Philip Vibert– out of the Island  
Kenneth Priaulx Vibert, Connétable of St. Ouen– out of the Island  
Maxwell Robert de la Haye, Connétable of St. Brelade– out of the Island  
Geoffrey William Fisher, Connétable of St. Lawrence– out of the Island  
Terence John Le Main, Deputy of St. Helier– out of the Island  
Celia Joyce Scott Warren, Deputy of St. Saviour– out of the Island

Prayers

**Tribute to the late Mr. Bobby Smale, former member of the States**

The Bailiff paid tribute to the late Mr. Bobby Smale, former Deputy of St. Helier.

The States observed one minute’s silence as a mark of respect.

**Welcome – Right Reverend William Muchombo, Bishop of the diocese of Eastern Zambia**

The Bailiff, on behalf of all members, welcomed to the States the Right Reverend William Muchombo, Bishop of the diocese of Eastern Zambia.

**Subordinate legislation tabled**

The following enactments were laid before the States, namely –

Insurance Business (General Provisions) (Amendment No. 4) (Jersey) Order 2004.	R&O 68/2004.
Island Planning (Designation of Sites of Special Interest) (No. 10) (Jersey) Order 2004.	R&O 69/2004.
Island Planning (Designation of Sites of Special Interest) (No. 11) (Jersey) Order 2004.	R&O 70/2004.
Island Planning (Tree Preservation) (St. Brelade) (Jersey) Order 2004.	R&O 71/2004.

**Matters presented**

The following matters were presented to the States –

Public Employees Contributory Retirement Scheme – Actuary’s Valuation Report. <i>Presented by the Policy and Resources Committee.</i>	R.C.33/2004.
States of Jersey Law 1966, as amended: delegation of functions – harbours.	R.C.34/2004.

*Presented by the Harbours and Airport Committee.*

Draft Act annulling the Island Planning (Designation of Sites of Special Interest) (No. 9) (Jersey) Order 2004 (P.109/2004): comments. P.109/2004.  
Com.  
*Presented by the Environment and Public Services Committee.*

Sale of properties (P.119/2004): addendum to comments. P.119/2004.  
Com.Add.  
*Presented by the Policy and Resources Committee.*

Sale of properties (P.119/2004): comments. P.119/2004.  
Com.(3)  
*Presented by the Environment and Public Services Committee.*

Minimum Wage: proposed rates (P.130/2004) – comments. P.130/2004.  
Com.  
*Presented by the Finance and Economics Committee.*

Fields 181, 182 and 183, St. Peter: restriction on development (P.133/2004)–  
comments. P.133/2004.  
Com.  
*Presented by the Environment and Public Services Committee.*

The following matters were presented on 13th July 2004 –

Jersey Appointments Commission: Annual Report for 2003.  
*Presented by the Policy and Resources Committee.*

Composition and Election of the States Assembly (P.115/2004): comments. P.115/2004.  
Com.(3)  
*Presented by the Finance and Economics Committee.*

Sale of Properties (P.119/2004): comments. P.119/2004.  
Com.(2)  
*Presented by the Finance and Economics Committee.*

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

### **Matters lodged**

The following matters were lodged “au Greffe” –

Composition and Election of the States Assembly (P.115/2004): amendment. P.115/2004.  
Amd.  
*Presented by Senator L. Norman, and referred to the Policy and Resources Committee and the Special Committee on the Composition and Election of the States Assembly.*

Regulatory Reforms. P.134/2004.  
*Presented by the Policy and Resources Committee.*

States Resource Plan 2005 to 2009. P.135/2004.  
*Presented by the Policy and Resources Committee.*

Channel Islands Lottery: allocation of profits. P.136/2004.  
*Presented by the Economic Development Committee.*

Draft Transfer of Functions (Environment and Public Services Committee) (No. 2) (Jersey) Act 200. P.137/2004.  
*Presented by the Environment and Public Services Committee.*

Court and Case Costs: investigation. P.138/2004.  
*Presented by Deputy A. Breckon of St. Saviour, and referred to the Finance and Economics Committee.*

**Court and Case Costs: investigation by Legal Budgets Limited – P.126/2004 – withdrawn**

THE STATES noted that, in accordance with Standing Order 22(3), Deputy Alan Breckon of St. Saviour has instructed the Greffier of the States to withdraw the proposition regarding Court and Case Costs: investigation by Legal Budgets Limited, (P.126/2004 lodged "au Greffe" on 29th June 2004), and set down for consideration at the present meeting, the Deputy having lodged "au Greffe" a revised proposition at the present meeting.

### Arrangement of public business for the present meeting

THE STATES granted leave to Deputy Lyndon John Farnham of St. Saviour to defer consideration of the following matter set down for consideration at the present meeting to a later date –

Draft Act annulling the Island Planning (Designation of Sites of Special Interest) P.109/2004.  
(No. 9) (Jersey) Order 2004.  
Lodged: 1st June 2004.  
*Deputy L.J. Farnham of St. Saviour.*

Draft Act annulling the Island Planning (Designation of Sites of Special Interest) P.109/2004.  
(No. 9) (Jersey) Order 2004 (P.109/2004): comments. Com.  
Presented: 20th July 2004.  
*Environment and Public Services Committee.*

THE STATES rejected a proposition of Deputy Guy William de Faye of St. Helier that the following matter be not considered at the present meeting –

U.N. Convention on Wetlands of International Importance: designation of P.103/2004.  
offshore reefs.  
Lodged: 25th May 2004.  
*Environment and Public Services Committee.*

Members present voted as follows –

#### POUR: 15

Senator L. Norman  
Senator R.J. Shenton  
Connétable of St. Mary  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy of St. Martin  
Deputy of St. John  
Deputy G.C.L. Baudains (C)  
Deputy L.J. Farnham (S)  
Deputy S.C. Ferguson (B)  
Deputy of St. Ouen  
Deputy of Grouville  
Deputy of St. Peter  
Deputy G.W.J de Faye (H)

#### CONTRE: 26

Senator J.A. Le Maistre  
Senator S. Syvret  
Senator F.H. Walker  
Senator W. Kinnard  
Senator P.F. Routier  
Senator P.F.C. Ozouf  
Connétable of St. Martin  
Connétable of St. Saviour  
Connétable of St. Peter  
Connétable of St. Clement  
Connétable of Trinity  
Connétable of Grouville  
Connétable of St. John  
Deputy of Trinity  
Deputy M.F. Dubras (L)  
Deputy J.L. Dorey (H)  
Deputy P.N. Troy (B)  
Deputy F.G. Voisin (L)  
Deputy R.G. Le Hérisier  
(S)  
Deputy J.B. Fox (H)  
Deputy J-A. Bridge (H)  
Deputy J.A. Martin (H)

#### ABSTAIN:

Deputy J.A. Bernstein (B)  
Deputy of St. Mary  
Deputy M.A. Taylor (C)  
Deputy J.A. Hilton (H)

THE STATES agreed that the following matters lodged “au Greffe” be considered at the present meeting –

U.N. Convention on Wetlands of International Importance: designation of offshore reefs. P.103/2004.  
Lodged: 25th May 2004.  
*Environment and Public Services Committee.*

Draft Unlawful Public Entertainments (Jersey) Regulations 200-. P.128/2004.  
Lodged: 6th July 2004.  
*Home Affairs Committee.*

THE STATES adopted a proposition of the President of the Privileges and Procedures Committee that the items of public business set down for consideration at the present meeting be considered in the following order –

Jersey Competition Regulatory Authority: appointment of non-Executive Chairman.  
*Economic Development Committee.*

An Alcohol Strategy for Jersey. P.110/2003.  
Lodged: 15th July 2003.  
*Health and Social Services Committee.*

An Alcohol Strategy for Jersey (P.110/2003): comments. P.110/2003.  
Presented: 9th September 2003. Com.

An Alcohol Strategy for Jersey (P.110/2003): amendment. P.110/2003.  
Lodged: 6th July 2004. Amd.  
*Deputy G.W.J. de Faye of St. Helier.*

Sale of Properties. P.119/2004.  
Lodged: 22nd June 2004.  
*Housing Committee.*

Sale of Properties (P.119/2004): comments. P.119/2004.  
Presented: 7th July 2004. Com.

Sale of properties (P.119/2004): addendum to comments. P.119/2004.  
Presented: 20th July 2004. Com.Add.

Sale of Properties (P.119/2004): comments. P.119/2004.  
Presented: 13th July 2004. Com.(2)  
*Finance and Economics Committee.*

Sale of properties (P.119/2004): comments. P.119/2004.  
Presented: 20th July 2004. Com.(3)  
*Presented by the Environment and Public Services Committee.*

Sale of Properties (P.119/2004): amendment. P.119/2004.  
Lodged: 6th July 2004. Amd.  
*Deputy P.N. Troy of St. Brelade.*

Draft Stamp Duties and Fees (No. 3) (Jersey) Regulations 200. Lodged: 6th April 2004. <i>Finance and Economics Committee.</i>	P.53/2004.
Draft Stamp Duties and Fees (No. 3) (Jersey) Regulations 200 (P.53/2004): second amendment. Lodged: 6th July 2004. <i>Finance and Economics Committee.</i>	P.53/2004. Amd.(2)
Public and political access to economic models. Lodged: 22nd June 2004. <i>Senator S. Syvret.</i>	P.121/2004.
Public and political access to economic models (P.121/2004): comments. Presented: 6th July 2004. <i>Finance and Economics Committee.</i>	P.121/2004. Com.
Fields 181, 182 and 183, St. Peter: restriction on development. Lodged: 6th July 2004. <i>Deputy of St. Peter.</i>	P.133/2004.
Fields 181, 182 and 183, St. Peter: restriction on development (P.133/2004)– comments. Presented: 20th July 2004. <i>Presented by the Environment and Public Services Committee.</i>	P.133/2004. Com.
Mr. William Richmond&Pickering: acceptance of bequest and establishment of Rivington Travelling Travelling scholarship. Lodged: 22nd June 2004. <i>Education, Sport and Culture Committee.</i>	P.117/2004.
Draft Jersey Association for Mental Health and Jersey Schizophrenia Fellowship (Integration with Jersey Focus on Mental Health) (Jersey) Law 2003 (Appointed Day) Act 200-. Lodged: 22nd June 2004. <i>Health and Social Services Committee.</i>	P.120/2004.
St. Clements Primary School: approval of drawings. Lodged: 29th June 2004. <i>Education, Sport and Culture Committee.</i>	P.125/2004.
Appointments Commission: re-appointment of member. Lodged: 6th July 2004. <i>Policy and Resources Committee.</i>	P.127/2004.
Draft Social Security (Amendment No. 14) (Jersey) Law 2000 (Appointed Day) Act 200-. Lodged: 6th July 2004. <i>Employment and Social Security Committee.</i>	P.129/2004.
Minimum Wage: proposed rates. Lodged: 6th July 2004. <i>Employment and Social Security Committee.</i>	P.130/2004.
Minimum Wage: proposed rates (P.130/2004) – comments. Presented: 20th July 2004. <i>Presented by the Finance and Economics Committee.</i>	P.130/2004. Com.
Minimum Wage: proposed rates: amendment. Presented: 20th July 2004. <i>Deputy G.P. Southern of St. Helier.</i>	

Draft Employment (Minimum Wage) (Jersey) Regulations 200-. Lodged: 6th July 2004. <i>Employment and Social Security Committee.</i>	P.131/2004.
Draft Nursing and Residential Homes (Amendment No. 2) (Jersey) Law 200. Lodged: 6th July 2004. <i>Health and Social Services Committee.</i>	P.132/2004.
U.N. Convention on Wetlands of International Importance: designation of offshore reefs. Lodged: 25th May 2004. <i>Environment and Public Services Committee.</i>	P.103/2004.
Draft Unlawful Public Entertainments (Jersey) Regulations 200-. Lodged: 6th July 2004. <i>Home Affairs Committee.</i>	P.128/2004.

### Arrangement of public business for the next meeting on 14th September 2004

THE STATES adopted a proposition of Senator Philip Francis Cyril Ozouf that the following matter be not considered at the next meeting on 14th September 2004 –

Composition and Election of the States Assembly. Lodged: 15th June 2004. <i>Deputy of St. Martin.</i>	P.115/2004.
Composition and Election of the States Assembly (P.115/2004): comments. Presented: 6th July 2004. <i>Privileges and Procedures Committee.</i>	P.115/2004. Com.
Composition and Election of the States Assembly (P.115/2004): comments. Presented: 6th July 2004. <i>Policy and Resources Committee.</i>	P.115/2004. Com.(2)
Composition and Election of the States Assembly (P.115/2004): comments. Presented: 13th July 2004. <i>Finance and Economics Committee.</i>	P.115/2004. Com.(3)
Composition and Election of the States Assembly (P.115/2004): amendment. Lodged: 20th July 2004. <i>Senator L. Norman.</i>	P.115/2004. Amd.

Members present voted as follows –

#### POUR: 27

Senator J.A. Le Maistre  
Senator S. Syvret  
Senator F.H. Walker  
Senator W. Kinnard  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Connétable of St. Martin  
Connétable of St. Ouen  
  
Connétable of St. Saviour

#### CONTRE: 16

Senator L. Norman  
Senator R.J. Shenton  
Connétable of St. Peter  
Deputy R.C. Duhamel (S)  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy of St. Martin  
Deputy of St. John  
Deputy G.C.L. Baudains  
(C)  
Deputy J.L. Dorey (H)  
Deputy R.G. Le Hérisier

#### ABSTAIN:

Connétable of St. Mary	(S)
Connétable of St. Clement	Deputy J.B. Fox (H)
Connétable of Trinity	Deputy J-A. Bridge (H)
Connétable of Grouville	Deputy J.A. Martin (H)
Connétable of St. John	Deputy M.A. Taylor (C)
Deputy of Trinity	Deputy of St. Peter
Deputy M.F. Dubras (L)	
Deputy P.N. Troy (B)	
Deputy F.G. Voisin (L)	
Deputy L.J. Farnham (S)	
Deputy J.A. Bernstein (B)	
Deputy S.C. Ferguson (B)	
Deputy of St. Mary	
Deputy of St. Ouen	
Deputy of Grouville	
Deputy J.A. Hilton (H)	
Deputy G.W.J de Faye (H)	

THE STATES confirmed that the following matters lodged “au Greffe” would be considered at the next meeting on 14th September 2004, in the following order –

Draft The Law Society of Jersey Law 200-. Lodged: 11th November 2003. <i>Legislation Committee.</i>	P.154/2003.
Draft The Law Society of Jersey Law 200- (P.154/2003): amendments. Lodged: 27th April 2004. <i>Legislation Committee.</i>	P.154/2003. Amd.
Draft The Law Society of Jersey Law 200- (P.154/2003): second amendments. Lodged: 6th July 2004. <i>Deputy R.G. Le Hérisssier of St. Saviour.</i>	P.154/2003. Amd.(2) <i>(re-issue)</i>
States Resource Plan 2005 to 2009. Lodged: 20th July 2004. <i>Policy and Resources Committee.</i>	P.135/2004.
Speed Limits: revised policy. Lodged: 20th January 2004. <i>Environment and Public Services Committee.</i>	P.1/2004.
Machinery of Government: votes of no confidence in individual ministers. Lodged: 20th January 2004. <i>Senator S. Syvret.</i>	P.6/2004.
Machinery of Government: votes of no confidence in individual ministers (P.6/2004) – comments. Presented: 30th March 2004. <i>Privileges and Procedures Committee.</i>	P.6/2004. Com.
Machinery of Government: votes of no confidence in individual ministers (P.6/2004) – comments. Presented: 20th April 2004. <i>Policy and Resources Committee.</i>	P.6/2004. Com.(2).
Royal Court House/States Building: allocation of accommodation. Lodged: 20th April 2004. <i>Environment and Public Services Committee.</i>	P.69/2004.

Royal Court House/States Building: allocation of accommodation (P.69/2004) – amendment. Lodged: 27th April 2004. <i>Privileges and Procedures Committee.</i>	P.69/2004. Amd.
Sunday Trading legislation. Lodged: 1st June 2004. <i>Senator E.P. Vibert.</i>	P.107/2004.
Sunday Trading legislation (P.107/2004): amendment. Lodged: 8th June 2004. <i>Deputy J.L. Dorey of St. Helier.</i>	P.107/2004. Amd.
Draft Act annulling the Island Planning (Designation of Sites of Special Interest) (No. 9) (Jersey) Order 2004. Lodged: 1st June 2004. <i>Deputy L.J. Farnham of St. Saviour.</i>	P.109/2004.
Draft Act annulling the Island Planning (Designation of Sites of Special Interest) (No. 9) (Jersey) Order 2004 (P.109/2004): comments. Presented: 20th July 2004. <i>Presented by the Environment and Public Services Committee.</i>	P.109/2004. Com.
Regulatory Reform. Lodged: 20th July 2004. <i>Policy and Resources Committee.</i>	P.134/2004.

### **Connétable of St. Ouen– attendance**

The Connétable of St. Ouen returned to the Island during the consideration of the arrangement of public business for the next meeting on 14th September 2004, and was present for the remainder of the meeting.

### **Additional meetings**

THE STATES agreed to meet, if necessary, on Wednesday 15th September 2004, and Tuesday 21st September 2004, in order to complete consideration of the items of public business set down for consideration at the next meeting on 14th September 2004.

### **Composition and Election of the States Assembly – (P.115/2004) – referral**

THE STATES agreed that the proposition of the Deputy of St. Martin regarding the Composition and Election of the States Assembly, (P.115/2004 lodged “au Greffe” on 15th June 2004), be referred to the Special Committee on the Composition and Election of the States Assembly for a report prior to its consideration at a future date.

### **Projets withdrawn under Standing Order 17(6)**

THE STATES noted that, in accordance with Standing Order 17(6), the following matter had been withdrawn –

Waterfront Enterprise Board Limited: provision of information by the Policy and Resources Committee. Lodged: 8th July 2003. <i>Senator S. Syvret.</i>	P.106/2003.
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## Oral questions

The Deputy of St. John asked the following question of the President of the Economic Development Committee –

- “(a) In the Jersey Competition Regulatory Authority (JCRA): internal audit report (R.C. 31/2004), the Committee refers to a Service Level Agreement (SLA). Would the President advise members when the draft SLA was passed to the JCRA Board and whether any comments were forthcoming from the Board?
- (b) Would he also provide details about FourSight Consultants referred to in the report?”

The Deputy of St. John asked the following question of the President of the Finance and Economics Committee –

“In response to a question on the Commission Amicale, the President of the Policy and Resources Committee stated that no additional funding from the Finance and Economics Committee had yet been agreed. Will the President notify members when the Committee intends dealing with funding to administer links with France and will he also advise the amount of funding being requested?”

Deputy Geoffrey Peter Southern of St. Helier asked the following question of the President of the Education, Sport and Culture Committee –

“What was the cost of producing the Interim Report of the 14 – 19 Working Group (R.C. 27/2004)?

Why did that group not include any teachers currently in 14 – 19 education? and,

What does the change from a content-based to the envisaged skills-based curriculum mean for –

- (a) 14+ transfers; and,
- (b) the 16+ provision?”

Deputy Roy George Le Hérisssier of St. Saviour asked the following question of the President of the Health and Social Services Committee –

- “(a) Would the President confirm that a detailed plan exists for providing for the future needs of children classed as profoundly mentally and physically disabled?
- (b) Is the Committee satisfied with the current and projected services? If not, what steps are contemplated to bring about improvements?”

Deputy Roy George Le Hérisssier of St. Saviour asked the following question of the President of the Health and Social Services Committee –

“Would the President indicate whether precautions are in place to ensure that there is no possibility of events occurring in Jersey such as those which occurred involving Dr. H. Shipman?”

Deputy Gerard Clifford Lemmens Baudains of St. Clement asked the following question of the President of the Home Affairs Committee –

“Would the President advise members what action, if any, the Committee is taking to improve cooperation and working practices between the States Police and the Honorary Police?”

Deputy Geoffrey Peter Southern of St. Helier asked the following question of the President of the Employment and Social Security Committee –

“On 26th May 2004, when proposing an income bar for Christmas bonus, the President stated that *“there is with all of our income bars the ability to have a 5 percent discretion limit for anybody*

*applying.*" Will the President inform members whether the 5 percent discretion only applies to Health Insurance Exemption?"

Deputy Gerard Clifford Lemmens Baudains of St. Clement asked the following question of the President of the Harbours and Airport Committee –

“Last week OXERA confirmed a previous JCRA finding that the St. Malo ferry route would be best served by a single operator because too much capacity would affect the long term viability.

Would the President explain why he subsequently questioned OXERA’s conclusions on competition and would he advise whether the Committee will be implementing the report’s conclusions?”

### **Connétable of St. Lawrence– attendance**

The Connétable of St. Lawrence returned to the Island during oral questions and was present for the remainder of the meeting.

### **Welcome – Mr. Richard Corkill, Chief Minister, Isle of Man**

The Bailiff, on behalf of all members, welcomed to the States Mr. Richard Corkill, Chief Minister, Isle of Man.

### **Hearing on sickness levels within the States of Jersey – statement**

Deputy S.C. Ferguson of St. Brelade, Shadow Chairman of the Shadow Public Accounts Committee made a statement in the following terms –

“Members cannot fail to have noticed that the Public Accounts Committee, (PAC), has been dealing with sickness levels in the Public Sector workforce. I have chosen to make a statement to the Assembly rather than conducting a discussion through the columns of the Jersey Evening Post. As most members are aware, I do not consider that the columns of the Jersey Evening Post, excellent an organ as it is, are the appropriate or primary place for policy discussions regarding States’ matters.

Both the Human Resources Division of Policy and Resources and the Public Accounts Committee agree that the cost of sickness and absenteeism to the Public Sector is of the order of £10 million annually. It is, therefore, of the utmost importance in the management of the Public Sector that this area of considerable expense should be addressed.

Moreover, the cost of sickness and absence is greater than the direct payment of wages and benefits paid during the absence. The States must also consider the indirect cost of staffing, scheduling, re-training, lost productivity, diminished morale, and opportunity cost. The indirect costs often exceed the direct cost of absenteeism.

Effective supervisory efforts in attendance management will generate substantial savings, increased productivity and improved morale.

The concentration on the details of a newspaper report, based on estimates in an explanatory paper, has diverted attention from what was the focus of the PAC enquiry; the obtaining of reliable and relevant statistical base lines for the States of Jersey and the development of good management techniques to reduce this significant expenditure on an ongoing basis.

Those members who have read the benchmarking report will have noticed that the sickness levels depend on the sectors being compared and which set of statistics are used for comparison. Depending on the sectors, Jersey can be shown to be performing less well than the U.K. or can be shown to be performing better.

The PAC has noted the overall benchmarking statistics but considers that it is more important to

establish the base level for Jersey and to reduce this in an orderly and constructive manner. The Chief Officer for Human Resources endorsed this approach. The estimated figures quoted, and the assumptions on which they were made, were used to emphasise the scale and cost of this aspect of public sector management. A reduction in the average absence levels of 1 day means a saving of approximately £1 million to the States.

The Human Resources Department is making significant steps to address the issue of absence management; a process which will be made simpler once the system of ministerial government is in place. Currently there are a number of different pay groups within the public sector and the new computerised reporting system is not yet fully or correctly in use throughout the public sector.

The Minutes of the public meeting of the Public Accounts Committee have been sent to all members. Members will note that the PAC has asked for further work to be done to produce relevant and reliable statistics. In particular, we have asked for statistics on sickness and absence in the private sector in Jersey. These will provide more meaningful comparisons but it is continuous improvement in the public sector which is the common goal for both the HR Department and the PAC.

It was also agreed that further work needed to be done in development of management techniques and procedures, and in a number of other areas relating to the management of sickness and absentee levels. The PAC was also pleased to note that the HR Department had already addressed a number of the issues in the Audit Commission Report of March 2001.

Comments on the explanatory paper released by the PAC, using estimated figures, were not received by the PAC until the morning of the hearing. It was, therefore, too late to include them in briefing papers. At the same time the PAC had no intention of a misleading discussion of questionable statistics. The statistics were discussed briefly towards the end of the meeting but unfortunately the JEP journalist had already left. The PAC asked for the additional statistics submitted to be included with the other information which has been requested. These will then be included in the report which the PAC intends to issue.

It was particularly inopportune that the letter to the Chairmen of the PAC was released to the Press before any comment was obtained from the PAC.

The Policy and Resources Executive met with representatives of the PAC last Thursday. It was agreed that there had been a breakdown in communications and it was also noted that it was unfortunate that the published report on the PAC hearing was based on a fraction of the meeting and focussed on peripheral matters rather than the substance of the meeting. The PAC also emphasised that the hearing concentrated on the establishment of a base level of sickness absences and the management techniques and procedures required for the management and reduction of absence.

I need hardly remind members that, in the members of the former Audit Commission, the PAC is blessed with independent members who have distinguished themselves in their chosen professions and who have a wealth of business experience. The Island is particularly fortunate in being able to draw on this pool of experience, especially as it is given in an honorary capacity.”

### **An Alcohol Strategy for Jersey – P.110/2003.**

#### **Comments – P.110/2003.Com.; Amendment – P.110/2003.Amd.**

THE STATES commenced consideration of a proposition of the Health and Social Services Committee concerning an Alcohol Strategy for Jersey, and, following discussion, adopted an amendment of Deputy Guy William John de Faye of St. Helier that in paragraph (b) for the word “should” there be substituted the word “may”, and, after the words “Finance and Economics Committee”, there be added the words “and the Economic Development Committee, having regard to –

- (i) the economic interests of the Island, with particular reference to any local brewing or distilling businesses;
- (ii) the impact on the Island’s hospitality industry;

- (iii) the impact upon consumers of alcohol within the Island as a whole; and
- (iv) concerns for public health;”.

Members present voted as follows –

**POUR: 33**

Senator L. Norman  
 Senator T.A. Le Sueur  
 Senator P.F. Routier  
 Senator M.E. Vibert  
 Senator P.F.C. Ozouf  
 Connétable of St. Martin  
 Connétable of St. Ouen  
  
 Connétable of St. Saviour  
 Connétable of St. Mary  
 Connétable of St. Peter  
 Connétable of St. Clement  
 Connétable of St. Helier  
 Connétable of St. Lawrence  
 Connétable of Grouville  
 Connétable of St. John  
 Deputy of Trinity  
 Deputy R.C. Duhamel (S)  
 Deputy A. Breckon (S)  
 Deputy J.J. Huet (H)  
 Deputy of St. John  
 Deputy M.F. Dubras (L)  
 Deputy G.C.L. Baudains (C)  
 Deputy J.L. Dorey (H)  
 Deputy F.G. Voisin (L)  
 Deputy L.J. Farnham (S)  
 Deputy J.B. Fox (H)  
 Deputy J.A. Bernstein (B)  
 Deputy S.C. Ferguson (B)  
 Deputy of St. Mary  
 Deputy of St. Ouen  
 Deputy P.J.D. Ryan (H)  
 Deputy of St. Peter  
 Deputy G.W.J de Faye (H)

**CONTRE: 10**

Senator J.A. Le Maistre  
 Senator S. Syvret  
 Senator W. Kinnard  
 Senator R.J. Shenton  
 Deputy of St. Martin  
 Deputy P.N. Troy (B)  
 Deputy R.G. Le Hérissier (S)  
 Deputy J-A. Bridge (H)  
 Deputy G.P. Southern (H)  
 Deputy of Grouville

**ABSTAIN:**

THE STATES, adopting a proposition of the Health and Social Services Committee, as amended –

- (a) endorsed the strategy for concerted and co-ordinated action to reduce the harm to individuals and the community caused by the misuse of alcohol dated 2nd April 2003, and approved the key strategic aims set out in the Alcohol Strategy for Jersey;
- (b) agreed that, in an attempt to reduce per capita consumption of alcohol, impôts duties on alcohol may be increased annually over and above the level of inflation if deemed advisable, following consultation between the Health and Social Services Committee and the Finance and Economics Committee and the Economic Development Committee, having regard to –
  - (i) the economic interests of the Island, with particular reference to any local brewing or distilling businesses;

- (ii) the impact on the Island's hospitality industry;
  - (iii) the impact upon consumers of alcohol within the Island as a whole; and
  - (iv) concerns for public health ;
- (c) agreed that, in an attempt to reduce alcohol-related assaults, malicious damage, anti-social behaviour, public disorder and under-age drinking, and to promote a healthy lifestyle and discourage intoxication, there should be a comprehensive review and revision of the Licensing (Jersey) Law 1974, as amended, following consultation between the Health and Social Services, the Home Affairs and the Finance and Economics Committees;
- (d) agreed that measures should be introduced to reduce the incidence of alcohol consumption by persons under the age of 18 years of age by–
- (i) the introduction of proof-of-age cards through the States smart card scheme or another suitable method as soon as practicable;
  - (ii) the drafting of best practice guidelines for the education and awareness of staff employed where alcohol is sold;
- (e) agreed that steps should be taken to increase opportunities to access effective treatment and support services for those who misuse alcohol and to provide specialist support and advice to professional groups working with individuals who misuse alcohol; and,
- (f) requested the Health and Social Services Committee to report to the States within a period of three years on the progress of the Alcohol Strategy.

Members present voted as follows –

**POUR: 37**

Senator J.A. Le Maistre  
 Senator S. Syvret  
 Senator W. Kinnard  
 Senator T.A. Le Sueur  
 Senator P.F. Routier  
 Senator M.E. Vibert  
 Senator R.J. Shenton  
 Connétable of St. Ouen  
 Connétable of St. Saviour  
 Connétable of St. Mary  
 Connétable of St. Peter  
 Connétable of St. Clement  
 Connétable of St. Helier  
 Connétable of Trinity  
 Connétable of St. Lawrence  
 Connétable of Grouville  
 Connétable of St. John  
 Deputy of Trinity  
 Deputy R.C. Duhamel (S)  
 Deputy A. Breckon (S)  
 Deputy J.J. Huet (H)  
 Deputy of St. Martin  
 Deputy of St. John  
 Deputy M.F. Dubras (L)  
 Deputy P.N. Troy (B)  
 Deputy F.G. Voisin (L)  
 Deputy R.G. Le Hérisssier (S)

**CONTRE: 7**

Senator L. Norman  
 Senator P.F.C. Ozouf  
 Deputy J.L. Dorey (H)  
 Deputy J-A. Bridge (H)  
 Deputy of St. Ouen  
 Deputy M.A. Taylor (C)  
 Deputy G.W.J de Faye (H)

**ABSTAIN: 1**

Deputy G.C.L. Baudains  
 (C)

Deputy J.B. Fox (H)  
Deputy J.A. Martin (H)  
Deputy G.P. Southern (H)  
Deputy J.A. Bernstein (B)  
Deputy S.C. Ferguson (B)  
Deputy of St. Mary  
Deputy P.J.D. Ryan (H)  
Deputy of Grouville  
Deputy of St. Peter  
Deputy J.A. Hilton (H)

### **Senator Terence Augustine Le Sueur– attendance**

Senator Terence Augustine Le Sueur returned to the Island during consideration of the amendment of Deputy Guy William John de Faye of St. Helier to the Alcohol Strategy for Jersey, (P.110/2003 Amd. lodged ‘au Greffe’ on 6th July 2004), and was present for the remainder of the meeting.

### **Change in Presidency**

The Bailiff retired from the Chair during consideration of the proposition, as amended, of the Health and Social Services Committee concerning an Alcohol Strategy for Jersey, (P.110/2003 lodged ‘au Greffe’ on 15th July 2003), and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States.

### **Jersey Competition Regulatory Authority: appointment of non-Executive Chairman**

THE STATES, adopting a proposition of the Economic Development Committee, and in accordance with Article 3(1)(a) of the Competition Regulatory Authority (Jersey) Law 2001, appointed the Rt. Hon. The Lord Kingsland as a member and non-executive Chairman of the Jersey Competition Regulatory Authority for a period of 3 years with effect from 20th July 2004.

Members present voted as follows –

#### **POUR: 32**

Senator J.A. Le Maistre  
Senator L. Norman  
Senator T.A. Le Sueur  
Senator P.F. Routier  
Senator M.E. Vibert  
Senator P.F.C. Ozouf  
Connétable of St. Saviour  
Connétable of St. Mary  
Connétable of St. Clement  
Connétable of St. Helier  
Connétable of Trinity  
Connétable of St. Lawrence  
Connétable of St. John  
Deputy of Trinity  
Deputy A. Breckon (S)  
Deputy J.J. Huet (H)  
Deputy M.F. Dubras (L)  
Deputy J.L. Dorey (H)  
Deputy P.N. Troy (B)  
Deputy F.G. Voisin (L)  
Deputy L.J. Farnham (S)

#### **CONTRE: 7**

Connétable of St. Peter  
Deputy R.C. Duhamel (S)  
Deputy of St. Martin  
Deputy of St. John  
Deputy G.C.L. Baudains (C)  
Deputy J-A. Bridge (H)  
Deputy J.A. Martin (H)

#### **ABSTAIN: 3**

Senator S. Syvret  
Senator W. Kinnard  
Senator R.J. Shenton

Deputy R.G. Le Hérisssier (S)  
Deputy J.B. Fox (H)  
Deputy G.P. Southern (H)  
Deputy J.A. Bernstein (B)  
Deputy S.C. Ferguson (B)  
Deputy of St. Ouen  
Deputy P.J.D. Ryan (H)  
Deputy M.A. Taylor (C)  
Deputy of Grouville  
Deputy of St. Peter  
Deputy G.W.J de Faye (H)

### **Change in Presidency**

The Bailiff returned to the Chamber during consideration of the proposition of the Economic Development Committee concerning the Jersey Competition Regulatory Authority: appointment of non-Executive Chairman, (presented at the present meeting), and the meeting continued under his presidency.

### **Mr. William Richmond-Pickering: acceptance of bequest and establishment of Rivington Travelling scholarship – P.117/2004**

THE STATES, adopting a proposition of the Education, Sport and Culture Committee –

- (a) accepted on behalf of the Public the generous bequest of Immovable Estate made by the late William Richmond-Pickering, which included the property known as Petit Zinj, Park Estate, St. Brelade, and the residue of his Movable Estate;
- (b) authorised the sale of the said property at a price to be agreed with the Finance and Economics Committee;
- (c) agreed that the administration and all benefits received from the property, which was bequeathed to the States of Jersey by the late William Richmond-Pickering, be vested in the Education, Sport and Culture Committee for the purpose of setting up and administering “The Rivington Travelling Scholarship” in accordance with the wishes expressed in his last Will and Testament of Movable Estate dated the 17th day of April 1980;
- (d) authorised the Attorney General and the Greffier of the States to sign, on behalf of the States, any documents as might be necessary; and,
- (e) authorised the Treasurer of the States to receive any monies which were receivable under the terms of the bequest.

### **Draft Jersey Association for Mental Health and Jersey Schizophrenia Fellowship (Integration with Jersey Focus on Mental Health) (Jersey) Law 2003 (Appointed Day) Act 200- P.120/2004**

THE STATES, in pursuance of Article 1 of the Jersey Association for Mental Health and Jersey Schizophrenia Fellowship (Integration with Jersey Focus on Mental Health) (Jersey) Law 2003, made an Act entitled the Jersey Association for Mental Health and Jersey Schizophrenia Fellowship (Integration with Jersey Focus on Mental Health) (Jersey) Law 2003 (Appointed Day) Act 2004.

### **St. Clements Primary School: approval of drawings – P.125/2004**

THE STATES, adopting a proposition of the Education, Sport and Culture Committee –

- (a) approved drawings nos. 2487/200B, 210B, 202A, 203A, 204B, 205B, 206B, 207B, 208B,

209D, 210B, 211A, 212C and 600A showing the proposed redevelopment of St. Clements Primary School;  
and,

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

**Appointments Commission: re-appointment of member – P.127/2004**

THE STATES, adopting a proposition of the Policy and Resources Committee, referred to their decision taken on 26th July 2002 to appoint Advocate Rose Edith Colley as a member of the Jersey Appointments Commission and approved the renewal of her appointment for an additional 4 years with effect from 26th July 2004.

**Draft Unlawful Public Entertainments (Jersey) Regulations 200- P.128/2004**

THE STATES, in pursuance of the Order in Council dated 28th March 1771, made Regulations entitled the Unlawful Public Entertainments (Jersey) Regulations 2004.

**Draft Social Security (Amendment No. 14) (Jersey) Law 2000 (Appointed Day) Act 200 P.129/2004**

THE STATES, in pursuance of Article 19(2) of the Social Security (Amendment No. 14) (Jersey) Law 2000 made an Act entitled the Social Security (Amendment No. 14) (Jersey) Law 2000 (Appointed Day) Act 2004.

**Adjournment**

THE STATES then adjourned, having agreed to reconvene on Wednesday 21st July 2004, and, if necessary, Thursday 22nd July 2004, in order to continue consideration of the outstanding items of public business.

THE STATES rose at 5.45 p.m.

**M.N. DE LA HAYE**

*Greffier of the States.*