

STATES OF JERSEY ORDER PAPER

Tuesday, 16th May 2000

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Road (Spring Rally) (Jersey) Order 2000. R & O 39/2000.
Home Affairs Committee.

Court of Appeal (Remuneration of Ordinary Judges) (Jersey) Order 2000. R & O 40/2000.

Royal Court (Remuneration of Commissioners) (Jersey) Order 2000. R & O 41/2000.

Collective Investment Funds (Restriction of Scope) (Jersey) Order 2000. R & O 42/2000.
Finance and Economics Committee.

Pet Travel Scheme (Pilot Arrangements) (Amendment) (Jersey) Order 2000. R & O 43/2000.
Agriculture and Fisheries Committee

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

Resignation of the Deputy of Grouville from the Employment and Social Security Committee.

Nomination of Deputy H.H. Baudains of St. Clement as a member of the Employment and Social Security Committee.

D. PRESENTATION OF PAPERS

(a) Papers for information

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

States members income support and expense allowance: annual increases (P.57/2000):
comments. P.57/2000

House Committee.

Com.

1999 Financial Report and Accounts.

Finance and Economics Committee.

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

(b) Notification of Standing Order decisions

Decisions under delegated functions.

Finance and Economics Committee.

(c) Notification of acceptance of tenders

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

Draft Road Traffic (No. 51) (Jersey) Regulations 200- (P.40/2000): third amendment.

P.68/2000

Deputy G.C.L. Baudains of St. Clement.

Draft Magistrate’s Court (Miscellaneous Provisions) (Amendment No. 8) (Jersey) Law

200 . P.69/2000

Legislation Committee.

Draft Civil Proceedings (Vexatious Litigants) (Jersey) Law 200 .P.70/2000

Legislation Committee.

Draft Friendly Societies (Immovable Property) (Jersey) Law 200 .P.71/2000
Legislation Committee.

Draft Maintenance Orders (Enforcement) (Amendment) (Jersey) Law 200 . P.72/2000
Legislation Committee.

Draft Statutory Nuisances (Jersey) Law 1999 (Appointed Day) Act 200 . P.73/2000
Health and Social Services Committee.

Church of England: Draft Ecclesiastical Offices (Age Limit) (Channel Islands) Order 200 .
P.74/2000
Legislation Committee.

States members income support and expense allowance: increase for 2000. P.75/2000
Finance and Economics Committee.

Draft Amendment (No. 20) of the Standing Orders of the States of Jersey. P.76/2000
House Committee.

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

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

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

THE STATES are asked to note that the President of the Education Committee will request that the following matter be considered as the first item of public business at the present meeting -

Mont Nicolle School, St. Brelade: approval of drawings. P.67/2000
Lodged: 2nd May 2000.
Education Committee.

THE STATES are asked to note that the matters below, set down for the present meeting, have been deferred to a later date -

Draft Road Traffic (No. 51) (Jersey) Regulations 200 . P.40/2000
Lodged: 28th March 2000.
Home Affairs Committee.

Draft Road Traffic (No. 51) (Jersey) Regulations 200 (P.40/2000): amendment. P.43/2000
Lodged: 4th April 2000.
Deputy G.C.L. Baudains of St. Clement.

Draft Road Traffic (No. 51) (Jersey) Regulations 200 (P.40/2000): amendments (P.43/2000) -
report. P.43/2000
Presented: 11th April 2000. Rpt.
Home Affairs Committee.

Draft Road Traffic (No. 51) (Jersey) Regulations 200 (P.40/2000): second amendments.
P.62/2000
Lodged: 2nd May 2000.
Home Affairs Committee.

States members income support and expense allowance: annual increases. P.57/2000
Lodged: 18th April 2000.
Deputy R.G. Le Hérisier of St. Saviour.

Deputy G.C.L. Baudains of St. Clement will seek leave to withdraw the draft Road Traffic (No. 51) (Jersey) Regulations 200 (P.40/2000): amendment (P.43/2000 lodged “au Greffe” on 4th April 2000), having lodged a revised proposition at the present meeting.

THE STATES are asked to agree that the following matters lodged “au Greffe” will be considered at the next meeting on 23rd May 2000 -

Draft Separation and Maintenance Orders (Amendment No. 2) (Jersey) Law 200 .
P.46/2000
Lodged: 11th April 2000.
Legislation Committee.

Draft Maintenance Orders (Facilities for Enforcement) (Jersey) Law 200 . P.49/2000
Lodged: 11th April 2000.
Legislation Committee.

Draft Diseases of Animals (Amendment No. 5) (Jersey) Law 200 .P.54/2000
Lodged: 11th April 2000.
Agriculture and Fisheries Committee.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

Deputy R.G. Le Hérisssier of St. Saviour will ask questions of the President of the Employment and Social Security Committee about the business transformation programme.

The Deputy of St. John will ask questions of the President of the Sport, Leisure and Recreation Committee about expenditure on maintenance.

The Connétable of St. Helier will ask a question of the President of the Planning and Environment Committee about the Lesquende housing development.

The Connétable of St. Helier will ask a question of the President of the Planning and Environment Committee about the renovation of the Town Hall.

Senator P.V.F. Le Claire will ask questions of the President of the Planning and Environment Committee about the St. Helier Waterfront Hotel.

Senator P.V.F. Le Claire will ask a question of the President of the Home Affairs Committee about the report of Her Majesty's Inspector of Constabulary.

Senator P.V.F. Le Claire will ask a question of the President of the Finance and Economics Committee about tax relief on second mortgages.

Senator P.V.F. Le Claire will ask questions of the President of the Policy and Resources Committee about the St. Helier Waterfront.

Senator P.V.F. Le Claire will ask a question of the President of the Policy and Resources Committee about referendums.

The Deputy of St. Peter will ask questions of the President of the Harbours and Airport Committee about capital expenditure plans at Jersey Airport.

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

K. PUBLIC BUSINESS

Draft Police Force (Amendment No. 8) (Jersey) Law 200 . P.42/2000
Lodged: 4th April 2000.
Home Affairs Committee.

Projet de Loi (No. 6) (200) concernant la charge de Juge d'Instruction. P.47/2000
Lodged: 11th April 2000.
Legislation Committee.

Draft Petty Debts Court (Miscellaneous Provisions) (Jersey) Law 200 .P.48/2000
Lodged: 11th April 2000.
Legislation Committee.

Draft Petty Debts Court (Miscellaneous Provisions) (Jersey) Law 200 (P.48/2000): amendments.
P.66/2000
Lodged: 2nd May 2000.
Legislation Committee.

Television licence fees: rebate for senior citizens. P.53/2000
Lodged 11th April 2000.
Senator C. Stein.

Television licence fees: rebate for senior citizens (P.53/2000) - comments. P.53/2000
Presented: 25th April 2000. Com.
Finance and Economics Committee.

Television licence fees: rebate for senior citizens (P.53/2000): amendment.
Finance and Economics Committee.
(attached)

Draft Financial Services (Extension) (Jersey) Law 200 . P.55/2000
Lodged: 11th April 2000.
Finance and Economics Committee.

Draft Financial Services (Extension) (Jersey) Law 200 (P.55/2000): amendment. P.61/2000
Lodged: 2nd May 2000.
Finance and Economics Committee.

Clinique Pinel: approval of drawings. P.60/2000
Lodged: 2nd May 2000.
Health and Social Services Committee.

Draft Honorary Police (Amendment) (Jersey) Regulations 200 .P.63/2000
Lodged: 2nd May 2000.
Home Affairs Committee.

Draft Fire Service (Amendment No. 4) (Jersey) Law 200 . P.64/2000
Lodged: 2nd May 2000.
Home Affairs Committee.

Mont Nicolle School, St. Brelade: approval of drawings. P.67/2000
Lodged: 2nd May 2000.
Education Committee.

C.M. NEWCOMBE

Deputy Greffier of the States

11th May 2000

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

(See Item B)

R & O 39/2000

The purpose of this Order is to permit the Jersey Motor Cycle and Light Car Club to close Le Canibut, St. John between 1.00 p.m. and 6 p.m. on 27th May 2000 to allow the Club to hold a spring rally.

The Order was made on 3rd May 2000.

R & O 40/2000

This Order increases the daily rate of remuneration for ordinary judges of the Court of Appeal to £581 with effect from 1st April 2000.

The Order was made on 8th May 2000.

R & O 41/2000

This Order increases the daily rate of remuneration for Commissioners of the Royal Court to £581 with effect from 1st April 2000.

The Order was made on 8th May 2000.

R & O 42/2000

The purpose of this Order is to exclude any investment scheme from the scope of the collective investment fund legislation where -

- (a) the only or principal purpose of the scheme is the securitization or repackaging of assets that involves the issue of securities;
- (b) the appropriate consent has been obtained under the Control of Borrowing (Jersey) Order 1958; and
- (c) the listing particulars or offer document relating to the securities includes a warning to investors that the investments do not constitute a collective investment fund as they are designed for financially sophisticated investors fully capable of evaluating the risks involved and with assets sufficient to sustain any loss.

The Order was made on 8th May 2000 and comes into force on 1st June 2000.

R & O 43/2000

The purpose of this Order is to extend the pilot scheme allowing pet dogs and cats to be imported into the Island from Saint Malo by ferry without the need for quarantine where certain conditions are satisfied, to cover importation by foot passengers (*Article 2*). The carrier must issue a certificate to the foot passenger and attach a label to the pet's collar or its carrying cage indicating compliance with the scheme (*Article 3*). This label must not be removed until the foot passenger leaves the port and, as with pets travelling in vehicles, the relevant paperwork and the pet must be available for inspection (*Article 4*).

The Order was made on 10th May 2000 and comes into force on 15th May 2000.

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

8th May 2000

- (a) as recommended by the Public Services Committee, the purchase from Mrs. Elizabeth Frances Le Prévost, née Montier, of the reversionary ownership of an area of land adjacent to the Bunker (currently occupied by Faulkner Fisheries) at L'Etacq, St. Ouen, for the sum of £1,000, with the Committee to be responsible for both parties' reasonable legal fees incurred in relation to the transaction, it being further noted that, once acquired, the land would remain subject to the life enjoyment of Mr. Aime Ange Marie Joseph Rupert. (The Committee rescinded its Act No. A2 of 14th February 2000 reported to the States on 22nd February 2000);
- (b) as recommended by the Sport, Leisure and Recreation Committee, the lease to Mr. Maurice Francis Gotel of part of Fields Nos. 116 and 117, Crabbé, St. Mary (together measuring a total of 14 vergées), for the purpose of operating a clay pigeon shooting range, for a period of nine years from 25th December 1999, at a commencing annual rent of £750 payable yearly in advance, with rent reviews every three years in line with the percentage increase in the Jersey Retail Prices Index, subject to each party being responsible for its own legal fees arising from the agreement of the new lease (the Committee rescinded its Act No. A2(c) of 13th March 2000 reported to the States on 4th April 2000);
- (c) as recommended by the Housing Committee, the lease to the Jersey Electricity Company Limited of an area of land at Lord Coutanche Court, St. Helier, being the site of electricity sub-station No. 128, for a period of 99 years at an annual rent of £1 payable upon the passing of the contract, and the grant to the Jersey Electricity Company Limited of wayleave rights in association with the sub-station (as illustrated on Plan No. 22K reference P1608 dated 7th October 1999), free of charge, on the basis that each party will be responsible for its own legal fees arising from this transaction;

- (d) as recommended by the Public Services Committee, the purchase from Moyade Limited or La Rocquaise Association as appropriate, an area of land at La Rocquaise (formerly Beauport Nursing Home) measuring 1,447 square feet to the west of the junction of La Route des Genets and Mont Sohier, St. Brelade (as shown on Drawing No. 906/A), for a consideration of £10 to enable a roadside footpath of a minimum width of 1.5 metres to be constructed, with all accommodation work, including the footpath construction, to be carried out by the vendor who would also be responsible for both parties' legal fees arising from this transaction;
- (e) as recommended by the Planning and Environment Committee, the entering into of a Deed of Arrangement with Mr. Geoffrey Le Vesconte Fiott in order to establish the boundary between Fields Nos. 563, 565 and 568, St. Brelade, which were in public ownership, and Fields Nos. 564 and 567, St. Brelade, which were owned by Mr. Fiott, with the Committee to be responsible for the professional survey and legal costs associated with this transaction;
- (f) as recommended by the Harbours and Airport Committee, in relation to the purchase from the Parish of St. Peter of land at La Rue de la Commune, St. Peter to facilitate the Airport Alpha Taxiway Realignment Project, the payment upon completion of the transaction of the legal fees incurred by the Parish of St. Peter in extinguishing the roadway.

QUESTION PAPER

(See Item G)

Deputy R.G. Le Hérisier of St. Saviour will ask the following questions of the President of the Employment and Social Security Committee -

- “1) Would the President outline the objectives and the full costs of the Business Transformation Programme?
- 2) Would the President indicate whether the position of Business Transformation Director is an additional post or, if not, which post(s) have been surrendered to create this position?
- 3) Would the President indicate the number of additional posts of all categories i.e. full, part-time, permanent, contract, which have been created in his Department during the last six years?”

The Deputy of St. John will ask the following questions of the President of the Sport, Leisure and Recreation Committee -

- “1) Since the building of Springfield Stadium, what percentage of the Committee’s annual budget for these premises is set aside for maintenance?
- 2) What percentage of the Committee’s budget is set aside for maintenance on all properties administered by the Committee?”

The Connétable of St. Helier will ask the following question of the President of the Planning and Environment Committee -

“Would the President confirm that the Committee required the construction of brick chimneys on the 42 houses being built at the Lesquende site, St. Brelade by the Jersey Homes Trust, at a cost of £1,350 per house (a total of £56,700) and would the President explain why the same requirement was not imposed on the adjacent private development?”

The Connétable of St. Helier will ask the following questions of the President of the Planning and Environment Committee -

- “a) Would the President explain to members why the Committee imposed a condition on the planning consent for the Town Hall that Welsh slates had to be used instead of Spanish slates leading to an additional £14,500 cost?
- b) Would the President explain why the Committee insisted on the use of wooden frames in the fibreglass dormers even though the windows replaced were made of aluminium?”

Senator P.V.F. Le Claire will ask the following questions of the President of the Planning and Environment Committee -

- “1) At the Committee’s special meeting held on 9th March, 2000, four members of the Committee approved the design for the proposed hotel on the Waterfront. Would the President advise members what plans and other supporting documents were presented to the Committee for its approval?
- 2) Is the President satisfied that it was appropriate for the Committee to take this decision even though only four members were present?
- 3) Would the President advise members of the date when the plans were first advertised in the Jersey Evening Post?”

Senator P.V.F. Le Claire will ask the following question of the President of the Home Affairs Committee -

- “Would the President inform members whether the Committee has received the results of the recent review conducted by H.M. Inspector of Constabulary into the policing of the streets of St. Helier at night and, if so, would the President summarise the findings for members?”

Senator P.V.F. Le Claire will ask the following question of the President of the Finance and Economics Committee -

“Would the President advise members what progress the Committee has made in deciding when, if at all, it will recommend to the States that the tax relief on second mortgages should be removed and does it agree that this issue should be considered as a way of tackling inflation?”

Senator P.V.F. Le Claire will ask the following questions of the President of the Policy and Resources Committee -

“1) Would the President advise members if the Crowne Plaza Organization has signed legally binding agreements with the Waterfront Enterprise Board Limited to operate the proposed hotel on the Waterfront and, if so, would he inform members of the arrangements made and advise whether the agreement is available to members for viewing?

2) Would the President advise members which organization has been commissioned by W.E.B. Ltd to develop a computer model of the St. Helier Waterfront, and give details of the brief and projected cost?

3) Would the President advise whether this proposed model will show comparisons with St. Helier?”

Senator P.V.F. Le Claire will ask the following question of the President of the Policy and Resources Committee -

“On 28th September 1999, in response to my question on the legislation required to implement a referendum, the President informed the Assembly that “as was clearly stated at the time of the debate, a referendum can be held in accordance with the States decision without new legislation”.

Despite the President’s response it is clear that no practical mechanism is currently in place for the organisation of a referendum.

Would the President inform members whether the Committee is willing to take steps to put in place a practical mechanism without further delay to enable a referendum to be held in accordance with the decision of the States of 21st October 1997?”

The Deputy of St. Peter will ask the following questions of the President of the Harbours and Airport Committee -

“1) In the light of British Airways’ announced withdrawal from the Heathrow route, would the President advise members whether the Committee intends to review its plans for capital expenditure at the Airport considering the size of aircraft being withdrawn?

2) Scheme S14 for the realignment of Taxiway Alpha adopted a Code C standard to accommodate aircraft with a maximum wingspan of 24 to 36m and was then further modified to accommodate the Boeing 757 with an extra 2m of wingspan. In the light of current developments, would the President advise members if the Committee considers it cost-effective to maintain this standard?

3) Would the President inform members -

(a) how many landings occurred in 1999 by Code C aircraft?

(b) what were the types of aircraft involved and the corresponding number of landings in each case?

(c) how many of each type were on scheduled flights as opposed to charter flights?”

TELEVISION LICENCE FEES: REBATE FOR SENIOR CITIZENS (P.53/2000): AMENDMENT

In paragraph (a) of the proposition, for the words “65 years” substitute the words “75 years”; and for the words “50 per cent” substitute the words “100 per cent”.

FINANCE AND ECONOMICS COMMITTEE

Report

In a statement made to the Assembly at the end of last year, the President of the Finance and Economics Committee gave an assurance to the then Senator Shenton that the situation regarding the provision of concessionary television licences for the elderly would be investigated and proposals would be brought back early in 2000.

Details of the UK scheme for free TV Licences for the over 75s are only now being finalised. It appears, however, that the majority of the administration for that scheme is to be undertaken by the British Broadcasting Corporation (BBC).

It is widely accepted that the UK Government introduced the concession on TV Licences because this year's increase in UK pensions for the elderly was minimal (75 pence per week compared with the Jersey increase of £8.96). The information below shows the weekly equivalent single pension for the Channel Islands, Isle of Man and the UK. It can be seen that Jersey pensioners continue to receive in excess of their counterparts elsewhere:

	£ per week
Jersey	114.17
Guernsey	101.25
Isle of Man	76.20
UK	67.50

The Finance and Economics Committee believes it is important that any benefit should be targeted on the basis of need to all members of the community who require assistance including the elderly, the disabled and those less fortunate. The Employment and Social Security Committee - Low Income Support review aims to achieve this. It is recognised, however, that this review will take some time to complete, therefore in the interim the Finance and Economics Committee supports the introduction of free television licences for the over 75's for the following reasons:-

- a) The UK scheme has already been adopted by the Isle of Man and is also being considered by the Guernsey authorities. Accordingly, the scheme may become the standard for the UK, Isle of Man and the Channel Islands.
- b) The scheme for free TV Licences for the over 75s will be heavily promoted through the media especially on television. This will form a source of confusion to local elderly residents who will question their entitlement and how they should go about applying for this benefit if the system that Jersey adopts is different.
- c) The UK scheme, if adopted by Jersey, will be administered by the BBC on the Island's behalf. The alternative scheme being proposed would have to be entirely administered by the Employment and Social Security Committee. The Employment and Social Security Committee has already commented that this would inevitably have additional manpower implications.
- d) A 50% reduction in TV Licence fees for the over 65's would cost approximately £555,000 per annum excluding administration costs. Providing free TV Licences for the over 75's has a similar cost (cost £575,000) but the Finance and Economics Committee believes that the funds will be more effectively targeted as a higher percentage of over 75's are less mobile and generally this group have lower incomes than those aged 65 to 75. It will also cost considerably less to administer.

STATES MEMBERS LUNCHEON

No.3 Committee Room

I will require lunch at today's meeting.

Signed.....

Name.....

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