

**THE STATES assembled on Tuesday,
8th February 2000 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

**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 -

Derek Ryder Maltwood, Deputy of St. Mary - out of the Island
Shirley Margaret Baudains, Deputy of St. Helier - out of the Island

Prayers

Newly-elected Connétable of St. Lawrence - welcome

The Bailiff, on behalf of all members, welcomed to the States the newly-elected Connétable of St. Lawrence, Mr. Henry George Coutanche, former Deputy of St. Lawrence.

Subordinate legislation tabled

The following enactments were laid before the States, namely -

Weights and Measures (Prescribed Quantities No. 7) (Jersey) Order 2000. R & O 8/2000.
Social Security (Overlapping Benefits) (Amendment No. 2) (Jersey) Order 2000. R & O 9/2000.

Royal Court (Amendment No. 15) Rules 2000. R & O 10/2000.

Court of Appeal (Civil) (Judicial Review) (Jersey) Rules 2000. R & O 11/2000.

Education Committee: appointment of member

THE STATES appointed the Connétable of St. Lawrence as a member of the Education Committee.

Housing and Cottage Homes Committees: appointment of member

THE STATES appointed the Connétable of St. Lawrence as a member of the Housing and Cottage Homes Committees.

House Committee: appointment of member

THE STATES appointed the Connétable of St. Lawrence as a member of the House Committee.

Legislation Committee: appointment of member

THE STATES appointed the Connétable of St. Lawrence as a member of the Legislation Committee.

Etat Civil Committee: appointment of member

THE STATES appointed the Connétable of St. Lawrence as a member of the Etat Civil Committee.

Harbours and Airport Committee - resignation of member

THE STATES noted the resignation of the Deputy of St. John from the Harbours and Airport Committee.

Matters presented

The following matters were presented to the States -

States of Jersey Law 1966, as amended - delegation of functions: Agriculture and Fisheries - R.C.1/2000.
Presented by the Agriculture and Fisheries Committee.

Former St. James Church: structural works and conversion to Arts Centre - R.C.2/2000.
Presented by the Planning and Environment Committee.

Communiqué on the inaugural Summit of the British-Irish Council - R.C.3/2000.
Presented by the Policy and Resources Committee.

States of Jersey Law 1966, as amended: delegation of functions - Health and Social Services - R.C.4/2000.
Presented by the Health and Social Services Committee.

Administrative Decisions (Review) (Jersey) Law 1982, as amended: report of the Administrative Appeals Panel regarding complaints received between 1st January and 31st December 1999 - R.C.5/2000.

Presented by the Special Committee to consider the relationship between Committees and the States.

States of Jersey Law 1966, as amended: delegation of functions - public finances administration - R.C.6/2000.

Presented by the Finance and Economics Committee.

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

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 17th January 2000 showing that, in pursuance of Standing Orders relating to certain transactions in land, the Treasurer of the States, on the recommendation of the Planning and Environment Committee, had approved, under delegated powers, the purchase from Mr. Kevin Alan Nigel Burt and Mrs. Suzanne Louise Burt, née Lister, of Chantemerle, West Hill, Bellozanne Valley, St. Helier, a three-bedroom semi-detached house located within 100 metres of the “bad neighbour” operation at the waste disposal site administered by the Public Services Committee, for a consideration of £430,000, with the Committee being responsible for both parties’ reasonable legal costs arising from the transaction.

THE STATES noted an Act of the Finance and Economics Committee dated 17th January 2000 showing that, in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved, as recommended by the Public Services Committee, the purchase from Flying Flowers Limited of an area of land (measuring 1,247 square feet) within Field No. 771, La Rue de la Frontiere, St. Mary (detailed on Drawing No. 15/1726/1), required for the construction of a pumping station, for the sum of £1,247, with a further sum of £504 payable for the rent of 2,519 square feet of land required for a temporary working area for a period of 32 weeks, with the public being responsible for all reasonable costs and all accommodation works involved, including the construction of a new access track.

Matters noted - acceptance of tenders

THE STATES noted Acts of the Finance and Economics Committee dated 17th January 2000 and 31st January 2000 respectively showing that, in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Public Services Committee had accepted the lowest tender submitted for foul sewer extensions at -

- (a) La Frontiere and Douet de Rue, St. Mary and St. Lawrence, namely that submitted by Jayen (Jersey) Limited in the sum of £830,308.39 in a contract period of 40 weeks;
- (b) La Ville à l’Evêque, Trinity, namely that submitted by M.J. Gleeson (Jersey) Limited in the sum of £392,508.31.

Matters lodged

The following matters were lodged “au Greffe” -

Draft Borrowing Control (Amendment No. 5) (Jersey) Law 200 - P.4/2000.

Presented by the Finance and Economics Committee.

Draft Registration of Business Names (Amendment No. 2) (Jersey) Law 200 - P.5/2000.

Presented by the Finance and Economics Committee.

Draft Collective Investment Funds (Amendment No. 2) (Jersey) Law 200 - P.6/2000.

Presented by the Finance and Economics Committee.

Draft Insurance Business (Amendment No. 2) (Jersey) Law 200 - P.7/2000.
Presented by the Finance and Economics Committee.

Draft Investment Business (Amendment No. 2) (Jersey) Law 200 - P.8/2000.
Presented by the Finance and Economics Committee.

Draft Arbitration (Jersey) Law 1998 (Appointed Day) Act 200 - P.9/2000.
Presented by the Finance and Economics Committee.

Draft Arbitration (Amendment) (Jersey) Law 1999 (Appointed Day) Act 200 - P.10/2000.
Presented by the Finance and Economics Committee.

Projet de Loi (200) (Amendement No. 4) sur la propriété foncière.- P.11/2000.
Presented by the Legislation Committee.

Manual Workers Joint Council: Employers' Side membership - P.12/2000.
Presented by the Human Resources Committee.

Estate of E.M. Bailhache: sale of 78 New Street, St. Helier - P.13/2000.
Presented by the Health and Social Services Committee.

Union Street and Lemprière Street car parks: transfer of administration - P.14/2000.
Presented by the Public Services Committee.

Draft Water Pollution (Jersey) Law 200 - P.15/2000.
Presented by the Public Services Committee.

Special Needs Employment Service: Acorn Enterprises Limited and Oakfield Industries Limited - P.16/2000.
Presented by the Employment and Social Security Committee.

Greffier of the States: appointment - P.17/2000.
Presented by the Human Resources Committee.

Administrative Decisions (Review) (Jersey) Law 1982, as amended: Administrative Appeals Panel - membership - P.18/2000.
Presented by the Special Committee to consider the relationship between Committees and the States.

The following matters were deemed to have been lodged on 25th January 2000 -

Jersey Law Commission: appointment of additional members - P.1/2000.
Presented by the Legislation Committee.

Draft Firearms (Amendment No. 2) (Jersey) Law 200 - P.2/2000.
Presented by Deputy G.C.L. Baudains of St. Clement and referred to the Home Affairs Committee.

Draft Social Security (Reciprocal Agreement with the Republic of Korea) (Jersey) Act 200 - P.3/2000.
Presented by the Employment and Social Security Committee.

Arrangement of public business for the present meeting

THE STATES confirmed that the following matters lodged "au Greffe" would be considered at the present meeting -

Draft Parish Rate (Administration) (Amendment No. 10) (Jersey) Law 200 - P.196/99.
Lodged: 7th December 1999.

Legislation Committee.

Jersey Law Commission: appointment of additional members - P.1/2000.

Lodged: 25th January 2000.

Legislation Committee.

Draft Social Security (Reciprocal Agreement with the Republic of Korea) (Jersey) Act 200 - P.3/2000.

Lodged: 25th January 2000.

Employment and Social Security Committee.

Arrangement of public business for the next meeting on 22nd February 2000

THE STATES confirmed that the following matters lodged "au Greffe" would be considered at the next meeting on 22nd February 2000 -

Old Street, St. Helier: purchase - P.201/99 (re-issue).

Lodged: 7th December 1999.

Planning and Environment Committee.

Union Street and Lemprière Street car parks: transfer of administration - P.14/2000.

Lodged: 8th February 2000.

Public Services Committee.

Draft Borrowing Control (Amendment No. 5) (Jersey) Law 200 - P.4/2000.

Lodged: 8th February 2000.

Finance and Economics Committee.

Draft Registration of Business Names (Amendment No. 2) (Jersey) Law 200 - P.5/2000.

Lodged: 8th February 2000.

Finance and Economics Committee.

Draft Collective Investment Funds (Amendment No. 2) (Jersey) Law 200 - P.6/2000.

Lodged: 8th February 2000.

Finance and Economics Committee.

Draft Insurance Business (Amendment No. 2) (Jersey) Law 200 - P.7/2000.

Lodged: 8th February 2000.

Finance and Economics Committee.

Draft Investment Business (Amendment No. 2) (Jersey) Law 200 - P.8/2000.

Lodged: 8th February 2000.

Finance and Economics Committee.

Draft Arbitration (Jersey) Law 1998 (Appointed Day) Act 200 - P.9/2000.

Lodged: 8th February 2000.

Finance and Economics Committee.

Draft Arbitration (Amendment) (Jersey) Law 1999 (Appointed Day) Act 200 - P.10/2000.

Lodged: 8th February 2000.

Finance and Economics Committee.

Projet de Loi (200) (Amendement No. 4) sur la propriété foncière- P.11/2000.

Lodged: 8th February 2000.

Legislation Committee.

Manual Workers Joint Council: Employers' Side membership - P.12/2000.
Lodged: 8th February 2000.
Human Resources Committee.

Estate of E.M. Bailhache: sale of 78 New Street, St. Helier - P.13/2000.
Lodged: 8th February 2000.
Health and Social Services Committee.

Greffier of the States: appointment - P.17/2000.
Lodged: 8th February 2000.
Human Resources Committee.

Administrative Decisions (Review) (Jersey) Law 1982, as amended: Administrative Appeals Panel - membership - P.18/2000.
Special Committee to consider the relationship between Committees and the States.

An elected President of the States - P.3/99

THE STATES noted that, in accordance with Standing Order 17(6), the proposition of Senator Stuart Syvret concerning an elected President of the States (P.3/99 lodged "au Greffe" on 12th January 1999) had been withdrawn.

Senator Syvret presented to the Assembly a revised report and proposition concerning an elected President of the States. The proposition (P.19/2000) was lodged "au Greffe" by Senator Syvret and referred to the Policy and Resources Committee.

The inaugural meeting of the British-Irish Council - questions and answers (Tape No. 569)

Deputy Alan Breckon of St. Saviour asked Senator Pierre François Horsfall, President of the Policy and Resources Committee, the following questions -

"In order that the Island's presence and status at the inaugural meeting of the British-Irish Council held at Lancaster House, London, on 17th December 1999 be recorded in the minutes of this Assembly, would the President give members -

- (a) a brief account of his attendance at the meeting?
- (b) details of any responsibilities Jersey may have been given, and, if possible, an assessment of the opportunities and/or difficulties any such tasks may present?
- (c) the Committee's view of the potential for involvement of committees and departments other than Policy and Resources as the work of the Council progresses?"

The President of the Policy and Resources Committee replied as follows -

- (a) I attended the inaugural meeting of the British- Irish Council in London on 17th December 1999, with the Chief Executive of the Policy and Resources Department. Together we represented Jersey and formed one of eight delegations at the table. The communiqué agreed at the meeting and issued afterwards has been presented to the States today (R.C. 3/2000) in order to provide a permanent record.
- (b) In the papers prepared for the meeting by the Joint British-Irish Secretariat on the Council's future work programme, there was no reference to information and communications technology ('ICT'); nor was there any reference to Jersey as a potential lead administration in any area. This was

unsatisfactory on both counts. I therefore proposed that the work programme should be widened to include ICT, recalling as I did that in my opening statement to the Council I had emphasised the particular importance of ICT to Jersey's economy and our intention to have a comprehensive e-commerce Law in place in the near future. I am pleased to say that this proposal was readily accepted by the Council. I then immediately offered that Jersey should take the lead on the subject and this was also readily agreed. The subject title was refined to 'the knowledge economy'.

Our approach to Jersey's leading on this subject must have full regard to the main objective of the British-Irish Council, which is 'to promote the harmonious and mutually beneficial development of the totality of relationships among the peoples of the British islands'. We must also proceed in a realistic and professional manner which shows Jersey's skills and verve to full advantage. I shall shortly be meeting the Jersey Information Society Commission in order to take action forward, and I am confident of a very positive response. Several specific ideas have indeed already been outlined.

Our membership of the British-Irish Council, and the lead role we have secured on the 'knowledge economy' are an important opportunity for Jersey. We must seize it firmly. Our first task is to demonstrate tangible progress by the time of the next meeting of the Council, in Dublin in June.

Having said this, it is important that I allude to the possibility of the Council's work being slowed by the unhappy turn of events in Northern Ireland. The Council was set up under the Good Friday agreement and would, I understand, technically stand suspended if direct rule were reimposed. My hope and prayer, for the sake of the people of Northern Ireland, is that this will not happen or that suspension would be but a short occurrence. Whatever happens, I do not think it would be in anyone's interests not to allow the work of the Council to proceed, for it represents a potentially important source of strength for people throughout the whole British Islands. We shall be making that point, if necessary, to all the other administrations involved and I believe the sentiment will be widely shared.

- (c) It is early days yet, but I am sure that as the Council beds down there will be a range of opportunities for wider involvement by other States Committees and departments, and indeed other institutions in Jersey, in the work of the Council. This will, of course, be extremely welcome."

Use of police officers from the United Kingdom - questions and answers (Tape No. 569)

The Deputy of St. John asked Deputy Alastair John Layzell, President of the Home Affairs Committee, the following questions -

- “1. During 1999 police officers from the United Kingdom were brought to Jersey to aid in an investigation concerning the disappearance of a sum of money at Police Headquarters. Would the President advise members -
 - (a) of the cost to date of this inquiry?
 - (b) of the outcome of the inquiry?
2. Would the President advise members if it is normal practice for officers from another force to undertake this type of investigation or is the normal practice to conduct such investigations internally?”

The President of the Home Affairs Committee replied as follows -

- “1.(a) On 30th November 1999, the Chief Officer of the States of Jersey Police requested assistance from the Devon and Cornwall Constabulary to investigate the disappearance of £2,880 from Police Headquarters.

Two officers were sent to the Island and have since been asked to widen their enquiry to include a separate allegation of criminal conduct against three police officers who were arrested and charged in December 1999. Three further officers joined this team on 9th December 1999 to assist this enquiry.

- (b) That enquiry is not complete so it follows that I cannot advise members of the cost or the outcome.
2. In order to maintain public confidence it is a well established principle - both here and in the United Kingdom - that serious allegations against police officers of one force are investigated by officers from a different force.

I am sure the Assembly would wish to join with me in publicly thanking the Chief Constable of Devon for his ready assistance on this occasion and on previous occasions.”

Finance and Economics Committee's anti-inflation policy - questions and answers (Tape No. 569)

Deputy Roy George Le Hérisser of St. Saviour asked Senator Frank Harrison Walker, President of the Finance and Economics Committee, the following questions -

- “1. Would the President advise members of the arrangements that are in place to ensure that States Committees abide by the Committee's anti-inflation policy, as set out in the Budget 2000 report, that public sector charges should not normally be increased by more than 2.5 per cent per annum?
2. Would the President advise members whether the Committee considers that this anti-inflation policy is working effectively and, if not, does the Committee propose to take steps to ensure that States' committees abide by the policy, particularly in respect of charges and fees?”

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

- “1. My Committee recognises that there is a need to mount a determined attack on Jersey's rate of inflation but this cannot be achieved by merely holding back increases in States fees and charges. Indeed initial information received by my Committee shows that there is little evidence to confirm that States charges are having the largest impact on the Retail Price Index. My Committee has continually over the past few years recommended that States fees and charges should not be increased by more than 2.5 per cent per annum but recognises the difficulty that this can cause when charges have not been reviewed on an annual basis or where Committees are following the 'user pays' policy. My Committee will, however, continue to monitor increases in fees and charges and hopes that all Committees will ensure that this policy is followed as far as is practicable.
2. I am unable to answer the Deputy's second question without referring to the issue of inflation in its wider context.

At its meeting of 31st January 2000 the Finance and Economics Committee considered a paper prepared by the Head of Statistics, Mr. John Imber, on Jersey's Retail Price Index and we have requested that he investigate the anomalies which exist between the Jersey, Guernsey and United Kingdom figures.

Notwithstanding the outcome of this further research my Committee accepts that Jersey's higher rate of inflation is to some degree the price we are having to pay for our prosperity and States policies that restrict population growth and support health and environmental duty increases specifically those targeting tobacco and petrol.

Preliminary research, however, indicates that less than one quarter of the weight in the RPI relates to items influenced directly or indirectly by States policies. The Finance and Economics Committee hopes that Mr. Imber's research will highlight those elements of the RPI which are attributable to government activities in order to identify where the responsibility for the Island's high rate of inflation lies.

In recognition of the importance my Committee has given to this issue we have arranged a meeting with the Policy and Resources and Industries Committees to address the whole inflation issue. We are determined to work with these Committees, as well as with representatives from the private sector, to identify the underlying reasons for the high level of inflation in the Island and to draw up a workable policy which can be followed by all States Departments and the private sector."

Provision of bus shelters - questions and answers (Tape No. 569)

Deputy Michael Edward Vibert of St. Brelade asked Deputy Alan Simon Crowcroft, President of the Public Services Committee, the following questions -

- "1. Would the President advise members of the Committee's current position over the proposed provision of a number of new bus shelters and whether the Committee accepts there should be no delay in providing these much needed shelters?
2. Would the President advise members whether the Committee is prepared to co-operate in a proposed joint funding arrangement with the Planning and Environment Committee for the provision of the first batch of new bus shelters?"

The President of the Public Services Committee replied as follows -

- "1. The Public Services Committee, as previously constituted, considered the provision of additional bus shelters on a number of occasions last year, while the new Committee discussed the subject at its meeting on 31st January 2000. The Committee understands that the Planning and Environment Committee is progressing plans to provide ten bus shelters at locations around the Island which have been selected on grounds of their being positioned on popular bus routes, and where bus users currently enjoy no protection from the elements.

The Committee has been invited to share in the cost of providing the first ten bus shelters, a total sum in the region of £45,000. The Committee's reasons for not wishing to commit its funding to the project at the present time follow in response to the second question.

The Committee is aware that the total cost of funding the first ten shelters has been underwritten by the Planning and Environment Committee's Urban Renewal Sub-Committee. It does not, therefore, believe that its investigation into alternative funding mechanisms for future bus shelter provision should cause a delay in the provision of the first ten shelters.

2. The Committee is aware that in both Britain and France the private sector has been involved in the provision of bus shelters. The typical arrangement is for the cost of provision and of maintenance to be met by the company concerned in return for the use of advertising panels on the shelters. The Committee is aware of the Planning and Environment Committee's refusal to consider such an option for Jersey, and of its concerns about advertising generally.

However, before the Committee is willing to commit funds to States-funded bus shelters, it believes that the option of a private sector partnership should be investigated. To this end a visit from the United Kingdom firm Adshel has been arranged in March. Representatives of that firm will assess the suitability of our roads and the size of the current bus network and, if such a scheme could be viable in Jersey, the firm will make a presentation to the Committee.

If the result of this feasibility study is that bus shelter provision cannot be assisted in this way, the Committee will then be in a position to discuss the way forward for funding a rolling programme with the Planning and Environment Committee. If, however, it transpires that the Island could receive a comprehensive programme of bus shelter provision and maintenance at little or no cost to the taxpayer, the Committee is minded to seek the views of the States and the public over the Planning and Environment Committee's prohibition on this form of advertising.

The Committee wholeheartedly endorses the need for a comprehensive programme of bus shelter provision to enhance the improved bus service which it is determined to make happen in Jersey. However, the Committee believes most strongly that the expenditure of public funds should not be approved before the possibility of making significant financial savings has been ruled out."

Possibility of an amalgamation of the social security systems of Jersey and Guernsey - question and answer
(Tape No. 569)

Senator Paul Vincent Francis Le Claire asked Senator Terence Augustine Le Sueur, President of the Employment and Social Security Committee, the following question -

"Would the President advise members whether the Committee has any plans to investigate a possible amalgamation of the Jersey and Guernsey social security systems?"

The President of the Employment and Social Security Committee replied as follows -

"The simple answer to the question is 'No' - an amalgamation would not be possible in the foreseeable future for a variety of reasons, the main one being that Social Security systems in Jersey and Guernsey are substantially different (as are our respective health, taxation and other systems as well as our economy).

For example, we operate different Social Security Laws, funding arrangements differ, as do contribution and benefit rates (being set to reflect the particular economic needs of each Island); the criteria for award of benefits and the range of benefits are also different in many ways, as are the methods of payment. However, we do liaise closely with our Guernsey counterparts and share experiences. I have found over the years that our political priorities and Island cultures have diverged too much to be able to reach a stage where both Islands could introduce the same benefits under the same rules and then share the administration.

If the object of this question is to explore economies of scale, then I can give members an assurance on several counts. Firstly, I believe that economies are to be had within the States of Jersey, particularly across the whole benefit and welfare system, and members will shortly be receiving my Committee's report to that effect. Secondly, though our administration costs are low compared to other schemes around the world, we continually look at means whereby we might improve our service to the public, in a manner consistent with States' strategic policies. Very recently, the Department has begun a major examination of all its main work processes (often referred to as re-engineering) with a view to using the newer technologies to help transform the business.

However, I would stress that our over-riding objective in everything we do is to safeguard the interests of the contributors to the Jersey Social Security system and maintain, in a cost-effective manner, the excellent benefits they receive."

Telecommunications strategy - statement

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

“Members will recall that in 1996 the States decided that Jersey Telecoms should be incorporated as a company wholly-owned by the States.

The proposal was that Jersey Telecoms should be licensed by the Telecommunications Board to run the Island’s public telecommunication systems for an initial period of 25 years. The Board would act as regulator for the provision of services by other operators outside Jersey Telecoms’ monopoly over core networks and services.

The reasoning behind the 1996 proposition was quite simple. Telecommunications had become a fast-moving world with an ever-increasing rate of change. To compete on equal terms Jersey Telecoms needed to be freed up from the constraints of being a States department subject to political pressure and competing with every other government department for funds. In the commercial environment in which it had to work this was increasingly impracticable and, without Jersey Telecoms being freed up in this way, Jersey itself would significantly lose ground because the development of its telecommunications infrastructure and services would be impeded. There was widespread support for this proposal from all quarters.

Work has been proceeding since 1996 on developing the plan for incorporation, including preparing the necessary draft law. It has taken rather longer than first envisaged, particularly because of the surprising complexity of the necessary legislative changes, but I am pleased to report that the work is now substantially complete.

But in the meantime, the world has not stood still. The rate of change, commercial and technological, in the global telecommunications market has continued to accelerate beyond all our expectations.

Members of this Assembly will readily appreciate what I mean. The use of mobile phones in the United Kingdom, for example, has grown in the last three years from about three million units to 24 million, covering almost half the population. We are now about to see the launch of so-called third-generation mobiles which will open the way to hand-held wireless communications of all kinds, including access by mobile phones to the Internet.

In 1996 the Internet was still little more than a gleam in the eyes of specialists. I do not think many people really knew then what ‘e-commerce’ meant, or even that the word existed. A very recent survey put global web revenues at \$2.7 billion in 1996 (a rise from almost zero in 1995), and at \$180 billion last year. The forecast for 2002 is \$1.2 trillion, or about three per cent of world GDP. By then it is expected there will have been a four-fold increase in active commercial web sites, to 1.6 million, mostly dealing with business to business transactions. The real consumer e-commerce revolution is no doubt set to follow that.

These are staggering statistics, even if the growth three years from now turns out to be only half what is being forecast. Only three years ago, when we were first considering the incorporation of Jersey Telecoms, they would have been viewed as quite unrealistic. But not now. The task for Jersey is clear. We must be ready, absolutely ready, to meet the challenges of this global revolution. We must ensure that, in every respect, we are able not only to protect Jersey’s continuing position as a place where internationally-mobile business wants to locate, but also to promote our particular strengths as one of the best places in the world to do such business. The challenges are enormous but so are the rewards, not least the opportunity for the Island to develop a fourth pillar to its economy, in a field with high added-value but relatively low employment requirements.

Much of the recent debate about maintaining and enhancing Jersey’s international position has been about difficult political issues such as the pressure from the OECD against so-called ‘harmful’ tax competition. Rest assured that we will keep on defending our position on such crucial matters but we must not forget

the basic infrastructure upon which business relies for global transactions. The key to this is telecommunications, alongside the appropriate legal framework for electronic transactions that we are about to put in place.

With these imperatives in mind, the Policy and Resources Committee has recently taken careful stock of the position, including considering an independent assessment of the overall global position on telecommunications and how Jersey fits into it. The clear conclusion of this review is that, while Jersey Telecoms has served the Island extremely well in the past, the nature of the market, and the expectations and requirements of customers, are now such that the Island needs to move without delay towards a competitive telecommunications environment.

Progressive liberalisation of our telecommunications market will act as a driving force for economic development, and will ensure that the needs of business - especially our crucial finance sector - are met at the highest levels of quality and value.

Competitive telecommunications, at varying degrees of intensity and subject to regulation to protect customers' interests, is now the norm in virtually all the developed world. The Committee's judgement is that there is no other way forward in which the intense demand for telecommunications can best be met - both from local businesses wishing to expand in the electronic sphere and those throughout the world that will welcome the opportunity to make Jersey the hub of their e-commerce activities.

Within such a framework, there will naturally continue to be an important role for Jersey Telecoms in its new status as a commercial company. I want to emphasise that the policy development I am announcing today is in no way a criticism of Jersey Telecoms. Rather, it is the reverse. It is an expression of confidence that the new States-owned company, when it is formed, will be well-placed to continue serving the needs of all its customers, in a dynamic environment in which its own performance is sharpened by competitive pressures and independent regulation.

These matters have been considered by the Telecommunications Board and I have had lengthy discussions with the President. I am delighted to say that the Board supports these proposals and the President endorses the terms of this statement.

The immediate task is not to decide now exactly what market structures should be in place. Rather, it is to ensure that our draft Telecommunications Law - which will come before the States in the near future - is written in such a way that it facilitates the objective we are now setting, that is the progressive opening of the Island's telecommunications market.

This will be done through a licensing scheme for all public telecommunications operators within a framework of stringent, independent regulation that ensures that the interests of customers as regards price, quality and variety of service, are properly safeguarded. This includes ensuring that the provision of high quality basic telephone services are assured across the whole Island at best value - the so-called universal service provision. A small working group, chaired by the Chief Executive of the Policy and Resources Department, is currently working on detailed proposals for the legal and regulatory framework to give effect to this and this work will be given every priority.

The working group is also, as has already been reported, taking stock of the proposals for the incorporation of Jersey Post, from the point of view of ensuring the best interests of customers and the Island as a whole. The same issues regarding the need for independent regulation may well also arise in respect of Jersey Post, and once we have established an independent regulatory mechanism I expect that we shall want to extend its oversight to the whole utilities sector, and indeed to tackling competition policy issues in the Island more generally. This could, of course, have a potentially important bearing on our strategies to bear down on inflation and it is therefore very important to get independent regulatory arrangements up and running quickly.

The Policy and Resources and the Finance and Economics Committees expect to receive the working group's first report within the next few weeks. The two Committees asked the working group to ensure that it consulted Jersey Telecoms and Jersey Post before submitting its report. The Industries Committee

will also need to be closely involved.

In conclusion, let me emphasise how much is at stake here, and how big the prize is for Jersey if we actively enable our telecommunications market to develop in line with, or even ahead of, world trends. In answering questions earlier about the British-Irish Council I said how surprised and pleased I was at the extent to which the pledge I gave in front of the Prime Minister about Jersey's commitment to the knowledge economy and the growth of e-commerce had struck a chord with public opinion in the Island. Telecommunications is the other side of exactly the same coin.

If we are to capture the benefits of e-commerce and truly move towards the 'intelligent Island' then it is essential that we proceed quickly with the policy direction I have outlined in this statement. I am confident that what we are aiming to achieve will command wide public support precisely because there is now such a good understanding in the Island about the potentially enormous, but sustainable, benefits that can accrue to Jersey's economy from our meeting the challenge of the e-commerce revolution with grip and verve. I know that the same can be said for this Assembly."

Establishment of the Police Authority - statement

The President of the Home Affairs Committee made a statement in the following terms -

"On 18th May 1998 the States approved the establishment, by law, of a Police Authority and in September of that year appointed seven members of the Authority under the Chairmanship of Mr. Robin Rumboll for a period of four years. The Authority was required to bring forward, within two years, an action plan of legislative changes.

Since its establishment the Police Authority has acted in a 'shadow' capacity to both the Defence Committee, who have responsibility for the States of Jersey Police Force, and the Parish Connétables who have responsibility for the honorary police of their respective parishes. With the help of the Law Officers, the Authority has also embarked on the complex task of identifying the legislative changes necessary to implement the many recommendations contained in the report of the Working Party on Policing.

Following the creation of the new Home Affairs Committee, it is necessary to change certain members of the Police Authority and the Committee intends to bring a proposition to the States within the next few weeks.

The Committee continues to be of the opinion that the establishment of the new Police Authority by law is a matter of urgency and has requested that a full report be presented by the end of this year. Meanwhile, the Chairman of the Authority has been invited to attend all meetings of the Home Affairs Committee and to participate in all matters relating to policing which form part of the Committee's current responsibilities."

Change in Presidency

The Bailiff retired from the Chamber prior to consideration of the draft Human Rights (Jersey) Law 200 and the Greffier of the States, Geoffrey Henry Charles Coppock, Esquire, presided for the remainder of the meeting.

Draft Human Rights (Jersey) Law 200 - P.197/99

THE STATES commenced consideration of the draft Human Rights (Jersey) Law 200 and adopted the preamble.

Members present voted as follows -

“Pour” (49)

Senators

Horsfall, Le Maistre, Stein, Bailhache, Syvret, Norman, Walker, Kinnard, Le Sueur, Le Claire, Lakeman.

Connétables

St. Mary, St. Peter, Grouville, St. Helier, St. Martin, St. Ouen, St. John, Trinity, St. Saviour, St. Clement, St. Brelade, St. Lawrence.

Deputies

H. Baudains(C), Trinity, Duhamel(S), Routier(H), Layzell(B), Breckon(S), Grouville, Huet(H), St Martin, St. John, Le Main(H), Crowcroft(H), M. Vibert(B), St. Peter, Dubras(L), St. Ouen, Dorey (H), E. Vibert (H), Troy (B), Voisin (L), Scott Warren (S), Farnham (S), Le Hérissier (S), Ozouf (H), Fox (H), Bridge (H).

“Contre” (1)

Deputy

G. Baudains(C).

Articles 1 to 16 were adopted.

Members present voted as follows on Article 16 -

“Pour” (45)

Senators

Horsfall, Le Maistre, Stein, Bailhache, Syvret, Norman, Kinnard, Le Sueur, Le Claire, Lakeman.

Connétables

St. Mary, St. Peter, Grouville, St. Helier, St. Martin, St. Ouen, St. John, Trinity, St. Saviour, St. Clement, St. Brelade, St. Lawrence.

Deputies

H. Baudains(C), Trinity, Duhamel(S), Routier(H), Layzell(B), Breckon(S), Grouville, Huet(H), St Martin, St. John, M. Vibert(B), St. Peter, Dubras(L), St. Ouen, E. Vibert(H), Troy(B), Voisin(L), Sc Warren(S), Farnham(S), Le Hérissier(S), Ozouf(H), Fox(H), Bridge(H).

“Contre” (2)

Deputies

G. Baudains(C), Dorey(H).

Articles 17 and 18 and the Schedules were adopted.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Human Rights (Jersey) Law 200 .

Draft Parish Rate (Administration) (Amendment No. 10) (Jersey) Law 200 - P.196/99

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Parish Rate (Administration) (Amendment No. 10) (Jersey) Law 200 .

Jersey Law Commission: appointment of additional members. - P.1/2000

THE STATES, adopting a proposition of the Legislation Committee, referred to their Act dated 30th July 1996 in which they approved the establishment of a Jersey Law Commission, and appointed the following persons to be members of the Commission for a period of five years with effect from 8th February 2000 -

Advocate John Gerald Patrick Wheeler
Advocate Alan Richard Binnington
Mr. Clive Aubrey Charles Chaplin.

Draft Social Security (Reciprocal Agreement with the Republic of Korea) (Jersey) Act 200 - P.3/2000

THE STATES, in pursuance of Article 48 of the Social Security (Jersey) Law 1974, as amended, and of all other powers enabling them in that behalf, made an Act entitled the Social Security (Reciprocal Agreement with the Republic of Korea) (Jersey) Act 200 .

H.M. Attorney General - thanks

Senator Pierre François Horsfall, on behalf of all members, paid tribute to the service which Mr. Michael C. St. J. Birt, Q.C., who was present in the Assembly for the last time as H.M. Attorney General, had given to the Island and the States during his term of office.

The President, on behalf of the officers of the States, added his thanks to those of Senator Horsfall and wished H.M. Attorney General well in his forthcoming appointment as Deputy Bailiff.

THE STATES rose at 4.16 p.m.

G.H.C. COPPOCK

Greffier of the States.