

# STATES OF JERSEY ORDER PAPER

Tuesday, 8th February 2000

## A. COMMUNICATIONS BY THE BAILIFF

## B. TABLING OF SUBORDINATE LEGISLATION

*(Explanatory note attached)*

Weights and Measures (Prescribed Quantities No. 7) (Jersey) Order 2000. R & O 8/2000.  
*Industries Committee.*

Social Security (Overlapping Benefits) (Amendment No. 2) (Jersey) Order 2000. R & O 9/2000.  
*Employment and Social Security Committee.*

Royal Court (Amendment No. 15) Rules 2000. R & O 10/2000.  
*Superior Number of the Royal Court.*

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

## C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

## D. PRESENTATION OF PAPERS

### (a) Papers for information

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

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

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

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

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

**(b) Notification of Standing Order decisions**

Decisions under delegated functions.

Decisions of 17th January 2000.  
*Finance and Economics Committee.*

**(c) Notification of acceptance of tenders**

La Frontière and Douet de Rue, St. Mary and St. Lawrence: foul sewer extension.

La Ville à l'Evêque, Trinity: foul sewer extension  
*Public Services Committee.*

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

Draft Borrowing Control (Amendment No. 5) (Jersey) Law 200 .P.4/2000  
*Finance and Economics Committee.*

Draft Registration of Business Names (Amendment No. 2) (Jersey) Law 200 . P.5/2000  
*Finance and Economics Committee.*

Draft Collective Investment Funds (Amendment No. 2) (Jersey) Law 200 . P.6/2000  
*Finance and Economics Committee.*

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

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

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

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

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

Manual Workers Joint Council: Employers' Side membership. P.12/2000  
*Human Resources Committee.*

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

Union Street and Lemprière Street car parks: transfer of administration. P.14/2000  
*Public Services Committee.*

Draft Water Pollution (Jersey) Law 200 . P.15/2000  
*Public Services Committee.*

Special Needs Employment Service: Acorn Enterprises Limited and Oakfield Industries

Limited. P.16/2000  
*Employment and Social Security Committee.*

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

Lodged on 25th January 2000

Jersey Law Commission: appointment of additional members. P.1/2000  
*Legislation Committee.*

Draft Firearms (Amendment No. 2) (Jersey) Law 200 . P.2/2000  
*Deputy G.C.L. Baudains of St. Clement.*

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

**(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 agree that the following matters lodged “au Greffe” will 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.*

THE STATES are asked to agree that the following matters lodged “au Greffe” will be considered at the next meeting on 22nd February 2000 -

Old Street, St. Helier: purchase. P.201/99  
Lodged: 7th December 1999. (re-issue)  
*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.  
*Comité de Législation.*

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.*

Special Needs Employment Service: Acorn Enterprises Limited and Oakfield Industries Limited. P.16/2000  
Lodged: 8th February 2000.  
*Employment and Social Security Committee.*

**In accordance with Standing Order 17(6) the following Papers are deemed to have been withdrawn -**

An elected President of the States. P.3/99  
Lodged: 12th January 1999.  
*Senator S. Syvret.*

## **F. PRESENTATION OF PETITIONS**

## **G. QUESTIONS**

Deputy A. Breckon of St. Saviour will ask questions of the President of the Policy and Resources Committee about the inaugural meeting of the British-Irish Council.

The Deputy of St. John will ask questions of the President of the Home Affairs Committee about the use of police officers from the United Kingdom.

Deputy R.G. Le Hérisier of St. Saviour will ask questions of the President of the Finance and Economics Committee about the Committee's anti-inflation policy.

Deputy M.E. Vibert of St. Brelade will ask questions of the President of the Public Services Committee about the provision of bus shelters.

Senator P.V.F. Le Claire will ask a question of the President of the Employment and Social Security Committee about the possibility of an amalgamation of the social security systems of Jersey and Guernsey.

## **H. MATTERS OF PRIVILEGE**

### **I. PERSONAL STATEMENTS**

### **J. COMMITTEE STATEMENTS**

The President of the Policy and Resources Committee will make a statement about telecommunications strategy.

The President of the Home Affairs Committee will make a statement about the establishment of the Police Authority.

## **K. PUBLIC BUSINESS**

Draft Human Rights (Jersey) Law 200 .  
Lodged: 7th December 1999.  
*Legislation Committee.*

P.197/99

***Subject to E***

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.*

**G.H.C. COPPOCK**

**Greffier of the States**

3rd February 2000

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

(See Item B)

**R & O 8/2000**

The effect of this Order is to amend certain Parts of the Third Schedule to the Weights and Measures (Jersey) Law 1967.

The Order amends Part VII of the Schedule to include certain metric weights applicable to pre-packed potatoes and to include in the produce covered by that Part additional fruit and vegetables.

The Order also amends Part VII of the Schedule to apply metric weights in respect of permitted weights for containers and makes other consequential changes to other Parts of the Schedule.

The Order also repeals Part XI of the Schedule since the Part only applies to the pre-packing of a limited range of goods that are not in fact pre-packed from bulk in Jersey.

The Order was made on 18th January 2000 and came into force on 1st February 2000.

**R & O 9/2000**

The purpose of this Order is to provide that persons in receipt of a War Pension from the United Kingdom and Jersey benefits should receive both those entitlements in full.

The Order was made on 20th January 2000 and came into force on 27th January 2000.

**R & O 10/2000**

For a number of years there have been concerns as to the adequacy of the procedure in relation to applications for judicial review in civil cases and, indeed, the Court of Appeal has strongly expressed this view on more than one occasion. The main areas of concern have been the lack of any screening procedure by way of application for leave, of any time period during which such an application should be brought, of a suitable procedure by way of filing of affidavits and of a suitable limit on interlocutory proceedings in relation to such applications.

The Rules are the outcome of a prolonged consultation process and are based upon the English system with some variations to suit local conditions. The Rules therefore create a comprehensive code of procedure for the exercise by the Royal Court of its supervisory jurisdiction over the proceedings and decisions of inferior courts, tribunals or other persons or bodies which perform public duties or functions.

The Rules will come into effect on the 3rd April, 2000.

**R & O 11/2000**

On 20th January 2000, the Superior Number of the Royal Court made the Royal Court (Amendment No. 15) Rules 2000, which provide a comprehensive code of procedure in relation to applications for judicial review in civil cases.

During the consultation and drafting process of the above Royal Court Rules, it became clear that it would be necessary to provide a comprehensive code of procedure for the Court of Appeal in relation to appeals which relate to judicial review matters and that code of procedure is embodied in these Rules.

These Rules were made on 26th January 2000 and will come into effect on 3rd April 2000.

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

17th January 2000

- (a) 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.

**NOTIFICATION OF STANDING ORDER DECISIONS -  
FINANCE AND ECONOMICS COMMITTEE**

17th January 2000

As recommended by the Planning and Environment Committee, 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.

**NOTIFICATION OF ACCEPTANCE OF TENDER UNDER RULE 5 OF THE PUBLIC FINANCES  
(GENERAL) (JERSEY) RULES 1967, AS AMENDED -  
FINANCE AND ECONOMICS COMMITTEE**

17th January 2000

The Public Services Committee has accepted the lowest tender submitted for the foul sewer extension at 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.

The other tenders received (all in a contract period of 40 weeks) were as follows -

P. Trant (Jersey) Limited	£856,231.12
M.J. Gleeson (Jersey) Limited	£879,826.31

31st January 2000

The Public Services Committee has accepted the lowest tender for the La Ville à l'Evêque, Trinity foul sewer extension, namely that submitted by M.J. Gleeson (Jersey) Limited in the sum of £392,508.31 in a contract period of 16 weeks.

The other tenders received (both in a contract period of 16 weeks) were as follows -

Jayen (Jersey) Limited	£419,487.60
P. Trant (Jersey) Limited	£437,723.50

**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**