

THE STATES assembled on Tuesday,
9th December 1997 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache

All members were present with the exception of -

Francis Herbert Amy, Connétable of
Grouville - ill
Jack Roche, Connétable of St. Saviour -
ill.

Prayers

Subordinate legislation tabled

The following enactments were laid before the
States, namely -

Telecommunications
(Telephones) (Amendment No. 28) (Jersey)
Order 1997 - R & O 9185.

Data Protection (General
Provisions) (Amendment No. 2) (Jersey)
Order 1997 - R & O 9186.

Matter presented

The following matter was presented to the
States -

Working Party on Policing of the
Island: report - R.C.41/97.
Presented by the Defence Committee.
THE STATES ordered that the said report be
printed and distributed.

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee, dated 24th November 1997, recording the following decisions of the Treasurer of the States under delegated powers, in pursuance of Standing Orders relating to certain transactions in land -

(a) as recommended by the Health and Social Services Committee, the renewal of the lease from Miss Josephine Dorothy Hamon of the property known as 'Newlands', Le Mont du Coin, La Haule, St. Brelade, for a period of three months from 12th October 1997 at a quarterly rent of £2,585 (representing an annual rate of £10,340), on the same terms and conditions as the existing lease;

(b) as recommended by the Agriculture and Fisheries Committee, the acquisition from the undermentioned eight beneficial owners of Field No. 121, Crabbé, St. Mary, namely -

Mrs. Dulcie Gertrude Samson, née
Le Cornu
Mrs. Daphne Muriel Picot, née Le
Cornu
Mrs. Thelma Daphne Lean, née Le
Cornu
Mr. Kenneth William Grimshaw
Mr. Charles William Stanley
Mrs. Edna May Le Ruez, née
Ferbrache
Mr. Michael Leonard Godel
Mr. Terence John Bardin

of a piece of land measuring
2.19.13 vergées for a consideration of
£12,500, with the Committee being
responsible for all the legal costs
arising, including negotiation,
preparation and registration of the
powers of attorney and the conveyance
of the land in lieu of rent as the
Committee had occupied the land for
eight years without formal consent;

(c) as recommended by the Health and Social Services Committee, the renewal of the lease from Mrs. Patricia Frances Bree, née Baudains, of the three-bedroom 'j' category property known as Le Becquet Carré, Pontac, St. Clement, for a period of two years ending on 7th September 1999, at an annual rent of £14,250 to be increased annually in line with the Jersey Retail Prices Index, with the Committee having the

option to renew the lease for a further year, on the basis that each party would be responsible for its own legal costs arising from the transaction;

(d) as recommended by the Planning and Environment Committee, the lease to the Jersey Electricity Company Limited of the electricity sub-station at Morier House, Halkett Place, St. Helier, for a period of 99 years commencing from the completion of the contract, at an annual rent of £1 all to be paid in full at the end of the contract, on the basis that each party would be responsible for its own legal costs arising from the transaction.

Matters lodged

The following matters were lodged ``au Greffe" -

1. Draft Harbours (Amendment No. 27) (Jersey) Regulations 199 - P.192/97.
Presented by the Harbours and Airport Committee.
2. Decision conferencing procedure: review - P.193/97.
Presented by Senator R.J. Shenton.
3. Mortgage interest relief: limit - P.194/97.
Presented by Deputy A. Breckon of St. Saviour and referred to the Finance and Economics Committee.

Arrangement of public business for the present meeting

THE STATES acceded to the request of the President of the Policy and Resources Committee that consideration of the proposition regarding the St. Helier Waterfront area: acquisition of contested interest (P.171/97 lodged ``au Greffe" on 11th November 1997) be deferred from the present meeting.

THE STATES acceded to the request of the President of the Legislation Committee that the following matter lodged ``au Greffe" would be considered at the present meeting -

Jersey Law Commission: appointment of additional members - P.148/97.
Lodged: 23rd September 1997.

Legislation Committee.

Mr. Barrie R. Cooper: petition - P.195/97

Deputy Jeremy Laurence Dorey of St. Helier presented to the States a petition on behalf of Mr. Barrie R. Cooper praying that the States formally request Her Majesty in Council to establish an independent Commission of Inquiry to re-examine the circumstances surrounding his claim and subsequent receipt of compensation from the States.

THE STATES referred the petition to the Policy and Resources Committee and lodged ``au Greffe" a proposition of Deputy Dorey to the effect that the prayer of the petition be granted.

New Arrivals Hall at Jersey Airport - question and answer (Tape No. 424)

Deputy Philip John Rondel of St. John asked Deputy James Thomas Johns of St. Helier, President of the Harbours and Airport Committee, the following question -

``The former main hall at Jersey Airport, which honoured the name of the late Senator Wilfred Krichefski, O.B.E., has been demolished and replaced with a new building.

Would the President advise members if the Harbours and Airport Committee intends to honour afresh the name of one of the Island's foremost statesmen when the new Arrivals Hall is officially opened?"

The President of the Harbours and Airport Committee replied as follows -

``A plaque, which acknowledges the central contribution of Senator Krichefski, O.B.E., to the work extending the Airport in the 1960's, has been removed during the current redevelopment.

The section in question is being refurbished not demolished and will be completed shortly. The plaque will be displayed to remind travellers of that earlier phase in the life of Jersey Airport and of the late Senator's important part in it."

Arrangement of public business on 18th November

1997 - questions and answers (Tape No. 424)

Deputy Philip John Rondel of St. John asked Senator Pierre François Horsfall, President of the Policy and Resources Committee, the following questions -

- ``1. At the States meeting of 18th November 1997 the President asked members to re-arrange the order of business so that the continuation of the consideration of the Strategic Policy Review and Action Plan 1997 could take place that day on the grounds that he and the Vice-President had an important meeting in England the following day. Would the President advise members -
 - (a) of the names and functions of the persons that they met?
 - (b) the purpose of the meeting?
 - (c) whether the President and Vice-President were accompanied by the Chief Adviser to the States or another officer representing the States?"

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

- ``1. Before I reply to the specific questions I should like to put the record straight and clarify what took place in the early part of the States meeting held on 18th November 1997. Having listened to the tape of that sitting I can confirm that I told the House of my misunderstanding regarding two matters, the first was that I had not understood the House's previous decision to be that we sit for two days, and the second was that I was surprised that the semi-completed Strategic Policy debate had dropped to the last item on the agenda. This caused me problems because both my Vice-President and I had important meetings scheduled for the following day in London.

My words that followed were that I sought clarification as to what we were going to do that day and that I was in the hands of the House. I did not speak

again.

After a brief discussion the Connétable of St. Lawrence proposed that the House should continue with the Strategic Policy debate after the completion of three short but urgent items. This proposition was seconded by Deputy Johns and put to the vote by the Bailiff. An overwhelming majority of members voted to continue with the Strategic Policy Debate.

Turning now to the Deputy's specific questions -

- (a) together with Senator Walker I met individually four Members of Parliament in Westminster on Wednesday, 19th November all of whom are members of the Treasury Select Committee.
- (b) Because of difficulties in finding a mutually convenient day the date of some of the meetings had already been changed and I was very reluctant to cancel them all at what would have been two days' notice. The meetings formed part of a programme of briefings that Lord Williams of Mostyn Q.C., the Minister of the Home Office with responsibility for the Islands, encouraged us to undertake when he visited the Island in July. The briefings are designed to ensure that those M.P.'s that have a particular interest in financial affairs, such as the members of the Treasury Select Committee, are aware of the quality of the regulation we exercise over the finance industry, and the legislation that is in place or is in prospect to deal with those engaged in organised crime who may seek to use the Island. In addition, we wish to ensure that the contribution the Island makes to the United Kingdom's balance of payments and the flow of funds into the European capital markets and those of the City of London in particular, is fully understood;
- (c) the Vice-President and I are usually accompanied by the Chief Adviser and the Director of the Financial Services Department. On

19th November only the Director of the Financial Services Department accompanied us as the Chief Adviser had to attend a meeting of the Jersey Transport Authority in the Island."

Lodging houses registration fees - questions withdrawn

THE STATES noted that Deputy Jeremy Laurence Dorey of St. Helier had withdrawn his questions to the President of the Housing Committee regarding lodging houses registration fees.

Town drainage scheme - statement

The President of the Public Services Committee made a statement in the following terms -

``Introduction

I made a statement to the States on 8th April 1997, regarding the status of the St. Helier Surface Water Link and Storage Tank Project. The Public Services Committee has been reporting on this project to the Finance and Economics Committee at regular intervals, and it was agreed that my Committee would report to the States on the final cost of the project, at the appropriate time. As it has not been possible to finalise the costs in the current year, it is necessary to report to the States on the current status of the project.

Background

I would like to remind members of the purposes of the project, which are described briefly, as follows -

- (a) The sewer system which serves St. Helier suffers from serious overloading. The original system was constructed in the nineteenth century, as a combined system to carry both foul sewage and surface water, and to discharge to sea. When the Sewage Treatment Works (STW) and the main intercepting sewers were constructed in the 1950's, this new system was designed on the basis that all flows in the foul sewers in excess of that which could be treated at the STW would overflow at the Weighbridge, and discharge to the sea through the surface water outfall. Increased

development of the St. Helier area, and the extension of the foul sewers to the east and to the north east of the Island, have resulted in far greater flows of foul sewage and surface water through these sewers, causing the system to overflow more regularly. It has been recorded that overflow of foul sewage to sea from the Weighbridge takes place as often as 120 times a year, depending on rainfall. The surface water outfall, which presently carries this overflowed foul sewage, previously discharged into the area where the new Marina is being built, but has recently been extended to discharge outside the Marina. The discharge of foul sewage from this outfall, albeit only at times of heavy rainfall, is a main source of contamination of the sea in St. Aubin's Bay, and would have caused serious pollution of the area of the new Marina.

The storage tank, or cavern, part of the project is considered necessary to prevent this overflow of foul sewage to sea on a regular basis. The overflowed sewage will be stored in the tank, until conditions in the sewer system allow it to be returned to the sewers for treatment at the STW.

- (b) Serious flooding has been experienced in St. Helier, during high intensity rainstorms, by foul sewage overflowing from the overloaded sewers.

At such times, it is necessary to relieve the overloaded sewers, in the vicinity of Bath Street and Peter Street, by providing an overflow to take the surplus flow to the storage tank.

- (c) In order to reduce the amounts of surface water entering the foul sewers, it was necessary to provide a large diameter tunnel for surface water, to pick up flows from the Town brooks in the Gas Works area, and to allow for further separation of flows in the areas of St. Helier around and to the north of the Gas Works, where this is practical. The surface water collected by this sewer will be discharged into the existing surface water outfall at the Weighbridge. This large diameter sewer also provides the conduit for the

pipes which will carry the overflowed foul sewage from the Weighbridge and from the centre of town, to the storage tank. This type of solution to these problems is being used in many towns and cities, where it is recognised that it is impractical, due to the disruption involved, and uneconomic to replace the existing inadequate sewers. The accepted solution is, therefore, to provide as much separation of flows as can practicably be achieved, and to provide storage for peak flows.

Current status of project

(a) Civil engineering contract

The civil engineering construction was carried out by Balfour Beatty Civil Engineering Limited, and started on 25th April 1994, with completion programmed for the 18th November 1995. Construction of the cavern was completed in February 1997, and construction of the tunnels and shafts was completed, Snow Hill car park was reinstated, and Balfour Beatty vacated the site on 15th August 1997.

There are various reasons for the delays to the completion of construction. Some were due to additional works which were found to be necessary. On projects of this nature and complexity, it is difficult to foresee every aspect of construction which will be required. Typical examples were additional quantities of rock-bolts, and of shotcrete (sprayed concrete), due to geological features. The contract contains provisions for such variations.

There were some unforeseen conditions, such as ground conditions, or uncharted services and obstructions, which affect the construction of the shafts.

The contractor was granted an extension of time on the contract up to 25th April 1996, as a result of additional works instructed and delays due to unforeseen conditions.

Some of the delays were due to breakdowns of plant and equipment. Although breakdowns of equipment are common in underground projects, due to the harsh environment they are

operating in, the scale of the breakdowns on this project was much higher than would have been expected.

(b) Construction of the overflow shaft, to alleviate the risk of flooding in the vicinity of Bath Street and Peter Street, has still to be completed. This work had to be withdrawn from the contract, when negotiations to construct the shaft in the vicinity of Wests Centre failed. It is now proposed to construct this shaft, at a different location, starting early in 1998. The cost of this work will be met from the Committee's Sewer Reconstruction vote, by deferring some of the other reconstruction works planned in St. Helier.

(c) Mechanical and electrical contract

The mechanical and electrical contractor, Stavely Industries Plc, WHS Division, was appointed on 26th February 1997. Design and procurement of equipment and fittings has continued from that time and work on site started on 17th August 1997, on the installation of the equipment in the cavern. Installation and commissioning of the equipment is programmed to be completed in mid March 1998.

(d) The surface water tunnel, from the Gas Works to the Weighbridge, can now be commissioned, and the flow from the Gas Works brook is to be connected in January 1998. Once the cavern has been commissioned, in March 1998, it will be able to store the overflow of foul sewage from the Weighbridge.

Finance

The funds voted for the project were £10,300,000, to include the civil engineering and mechanical and electrical contracts, site supervision costs, loss of car parking revenue, and reinstatement works. Inflation on this amount took the total funds to £12,953,100. An additional amount of £2,074,400 was granted at the October 1996 Supply Day, towards costs of agreed contractual claims and legal and technical advisers. Funds of £1,060,800 were granted by the Finance and Economics Committee in February 1997, to allow the award of the mechanical and electrical contract. This gave total funds of

£16,088,300.

The tender sum for the civil engineering contract is £8,795,374, and the approximate division of the costs between the two main parts of this contract is as follows - Surface Water Tunnel and Shafts - £6.0 million, and Storage Tank, or cavern - £2.8 million. This illustrates that the majority of the cost is in the tunnel and the shafts, and not the cavern.

There have been increases in the quantities of measured works, unforeseen additional categories of work, and additional works instructed by variation orders. Examples of the types of additional works are - additional quantities of rock reinforcement which had to be placed in areas of unforeseen geological features, additional quantities of shotcrete or concrete in areas of over-excavation due to geological conditions, and additional ground treatment due to areas of high water ingress in shafts, etc.

Contractual claims have been submitted, for unforeseen conditions which have led to delays in progress. Most of these claims are related to ground conditions and the associated problems with plant and equipment. Over 80 per cent of the claims submitted are for matters concerned with the construction of the tunnel and shafts.

Even though a very extensive site investigation was carried out before construction started, and all of this information was given to the contractors, it is impossible to predict absolutely everything which is likely to be encountered underground. The contract requires the contractor to take a certain amount of the risk involved, but also requires the employer to accept part of this risk. It does not necessarily follow that all claims for unforeseeable conditions will be agreed. Such claims have to be assessed, on the basis of all circumstances and information available, and their validity determined through a procedure laid down in the contract.

On this project, 39 claims for delays and additional costs have been submitted by the contractor, and, to date, only 11 of these (nine of which are on the tunnel and the shafts) have been accepted in principle. Final evaluation of these claims has still to be completed, but their value

is presently estimated at £3,257,292 for delay and disruption, additional costs, and prolongation costs. Discussions have been continuing with the contractor on the claims. If agreement cannot be reached, then the contract provides for arbitration, but this is a lengthy and costly method of resolution, and should only be considered as a last resort.

Therefore, the total sum which has been paid to the contractor, for all work to date, and including the amount of £3,257,292 for agreed claims and prolongation costs, is £14,378,132. A sum of £131,930 is retained, under the conditions of contract, until 12 months after substantial completion. After payment of this sum, the total paid to the contractor will be just over £14.5 million. However, liquidated damages remain to be deducted from the contractor, for delays for which the contractor is responsible. The final value of these damages cannot be ascertained until the situation regarding the claims has been resolved, but, on the basis of the present agreed claims, would be £0.5 million.

The delays on the civil engineering contract have caused additional costs for site staff supervising the works, and for loss of car parking revenue. These costs were budgeted at £840,000 on the original length of the contract, but are estimated to be £1,745,000 by the end of 1997 (a small number of staff has had to be retained beyond the end of construction, to deal with the claims). The liquidated damages are incorporated in the contract, to meet these extra costs where the contractor is responsible for the delays. However, in this case, they will not meet all of the additional cost, as there was an extension of the contract to April 1996, for which the contractor was not responsible.

Dealing with the complex technical, legal and contractual issues relating to the works, especially claims, has required the expenditure of fees for technical, legal and contractual advisers, in order to safeguard the employer's liability under the contract. These costs are estimated to be of the order of £1,190,200 by the end of 1997.

Funds for the mechanical and electrical works were originally estimated at

£600,000. Increases in specifications for safety issues, inflation, additional design costs, and delays in acceptance of the tender for this work, due to delays in completion of the civil engineering contract, have increased the cost of this part of the project to £1,170,787. It is estimated that the expenditure on this contract at the end of 1997 will be £1,034,000.

This brings the total estimated expenditure, at the end of 1997, to £18,480,000, which is £2,391,700 more than the funds already voted.

Sir, as I have said earlier, these matters have been reported to the Finance and Economics Committee. It has not been possible to finalise the costs on this project in the current year, due to delays in overall completion and to the inability to reach agreement with the civil engineering contractor. Therefore, the Finance and Economics Committee has agreed that, as an interim measure, the additional funds required to the end of 1997 will be made available from the General Reserve, in order to avoid the Capital Vote being overspent at the end of the year. The discussion of the claims in public could prejudice ongoing negotiations, but, on conclusion of the project, the Public Services Committee will report to the States on all aspects of the project, and the project will be the subject of an Audit Commission report."

European Union Tax Code of Conduct - statement

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

“On Monday, 1st December the European Council of Economic and Finance Ministers agreed a package of proposals to tackle harmful tax competition in the European Union. As part of the package ministers agreed a Code of Conduct for business taxation the provisions of which will apply within the European Union.

The Code has been described as a political document without legal force to be implemented within the European Union through peer review pressure. The Code includes a clause which states that the Council wish to see the principles of the

Code aimed at eliminating harmful tax competition promoted beyond the Community. In this context reference is made in the Code to the application of the principles in Member States' dependent or associated territories.

I am pleased to inform the House that in making reference to Member States dependent or associated territories the Code fully recognises that any application of the principles embodied in the Code in those territories will be within the existing constitutional relationships.

The Code therefore does not affect the constitutional relationship between the Island and Her Majesty's Government which includes the acceptance over many centuries of the Island's right to self determination on matters of taxation. This position was confirmed at the latest of the regular six monthly meetings between Island representatives and officials of Her Majesty's Government to consider international matters affecting the Islands which was held at the Home Office on Friday of last week.

The purpose in making this statement is to keep members fully informed but also to assure the House that the Island's constitutional position and its responsibilities on matters of taxation are unaffected by the Code. Should there be further developments I will keep members fully informed. I would also confirm that we will continue to work closely with Guernsey and the Isle of Man on this matter."

Manual Workers' Joint Council Employers' Side Membership

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

Mr. Jack Roche, Connétable of St. Saviour
Deputy Shirley Margaret Baudains of St Helier
Deputy David Leon Crespel of Trinity
Deputy Maurice François Dubras of St. Lawrence

Mr. Graham Edward Jennings, Chief Executive, Health and Social Services Department
Dr. Clive Jerry Swinnerton, Chief Executive Officer, Public Services Department.

Data Protection Registrar: appointment

THE STATES, adopting a proposition of the Establishment Committee -

- (a) in accordance with Part I of the Second Schedule to the Data Protection (Jersey) Law 1987, approved the appointment, on a part-time basis, of Mr. Howard Michael Smith as Data Protection Registrar for a period of three years with effect from 1st January 1998 at a proportionate fee equivalent to Grade 12 of the Civil Service salary scales;
- (b) authorised the Establishment Committee to review and, if necessary, to adjust the terms and conditions relating to the Registrar's contract.

The Coach House and Sunnyside, Le Mont Millais, St. Helier: acquisition of rockface

THE STATES, adopting a proposition of the Planning and Environment Committee -

- (a) approved the acquisition by the public of -
 - (i) the quarry rockface measuring approximately 30 square metres in area, forming part of the property known as The Coach House, Le Mont Millais, St. Helier (as shown on drawing No. 589/1); and
 - (ii) the right to insert mechanical stabilisation bolts that will pass through the rockface and beneath the property in order to secure the stability of the rockface,at a fair and proper price to be agreed by the Finance and Economics Committee, and to pay the owner's reasonable legal expenses;
- (b) approved the acquisition by the public of -
 - (i) the quarry rockface measuring

approximately 100 square metres in area, forming part of the property known as Sunnyside, Le Mont Millais, St. Helier (as shown on drawing No. 589/1); and

- (ii) the right to insert mechanical stabilisation bolts that will pass through the rockface and beneath the property in order to secure the stability of the rockface,

at a fair and proper price to be agreed by the Finance and Economics Committee and to pay the owner's reasonable legal expenses;

- (c) in the event of it not being possible to agree a fair and proper price with the owners of either or both of the said properties, authorised the Planning and Environment Committee, in exercise of the powers conferred by Article 4 of the Island Planning (Jersey) Law 1964, as amended, to acquire the land and rights by compulsory purchase on behalf of the public in accordance with the provisions of the Compulsory Purchase of Land (Procedure) (Jersey) Law 1961, as amended;

- (d) authorised the payment or discharge of the expenses to be incurred in connexion with the said acquisitions from the Planning and Environment Committee's vote of credit 'Acquisition of Land - Major Reserve' (Vote No. C0904);

- (e) authorised the Attorney General and the Greffier of the States to pass, on behalf of the public, any contract which it might be found necessary to pass in connexion with the acquisition of the said land and any interests therein.

Anne Port Rock Face, St. Martin: remedial work - P.153/97

THE STATES, adopting a proposition of Deputy Frederick John Hill of St. Martin -

- (a) assumed responsibility for the maintenance of the rock face between Jeffrey's Leap and the car park adjacent to Jeffrey's Leap Café, Anne Port, St. Martin;

- (b) authorised the Public Services Committee to carry out stabilisation of the rock face using the process known as "soil nailing" at an estimated cost of £1.38 million;
- (c) authorised the Public Services Committee to negotiate with the owners of the said land for the cession of the said land free of charge to the public, with the public being responsible for all reasonable legal costs arising from the transactions;
- (d) agreed that the provision of the necessary capital funds to the Public Services Committee should be considered as a special case when determining the States' Capital Programme for 1998/1999 in view of the requirement for public safety and environmental reasons to protect the headland.

Members present voted as follows -

"Pour" (48)

Senators

Shenton, Horsfall, Rothwell, Le Maistre, Stein, Qu  r  e, Bailhache, Syvret, Tomes, Walker, Kinnard.

Conn  tables

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

Deputies

Wavell(S), H. Baudains(C), Le Sueur(H), Coutanche(L), St. Mary, S. Baudains(H), Le Geyt(S), Trinity, Pullin(S), Johns(H), Duhamel(S), Routier(H), Layzell(B), Breckon(S), Grouville, Huet(H), St. Martin, St. John, Le Main(H), Blampied(H), Rabet(H), Crowcroft(H), Vibert(B), de la Haye(B), Le Cornu(C), St. Peter, Dubras(L), St. Ouen.

"Contre" (2)

Senator

Norman.

Deputy

Dorey(H).

Financial Services Commission (Jersey) Law
199 - P.163/97 and P.189/97 (Revised)

THE STATES commenced consideration of the draft
Financial Services Commission (Jersey) Law 199
and adopted the Preamble and Articles 1 to 8
inclusive.

Article 9 was adopted.

Members present voted as follows -

``Pour" (28)

Senators

Horsfall, Le Maistre, Bailhache, Tomes,
Norman, Walker.

Connétables

St. Clement, St. Mary, St. Brelade, St.
Martin, St. Ouen, St. John, Trinity.

Deputies

H. Baudains(C), Coutanche(L), St. Mary, Le
Geyt(S), Trinity, Pullin(S), Dorey(H),
Layzell(B), Grouville, St. Martin,
Vibert(B), de la Haye(B), Le Cornu(C),
Dubras(L), St. Ouen.

``Contre" (18)

Senators

Shenton, Rothwell, Stein, Syvret, Kinnard.

Connétables

St. Peter, St. Helier.

Deputies

Wavell(S), Le Sueur(H), S. Baudains(H),
Johns(H), Breckon(S), Huet(H), St. John, Le
Main(H), Blampied(H), Crowcroft(H),
S. Pierre.

The President of the Finance and Economics
Committee, during the consideration of Article
9, gave an assurance that a draft amendment to
the Law would be brought to the States early in
1998 proposing that Article 3 should be amended
to require the Commissioners to be appointed by
the States from persons nominated by the Finance
and Economics Committee, the appointments to be
debated in camera.

Articles 10 to 24 were adopted.

The First Schedule was adopted, the States having accepted an amendment of the Finance and Economics Committee that in Part I (Oath of Office), there should be deleted the words from ``and that you will not disclose" to the end of the Oath.

The Second and Third Schedules were adopted.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Financial Services Commission (Jersey) Law 199 .

Jersey Consumer Council: legal charges and practices - P.165/97

THE STATES, adopting a proposition of Senator Richard Joseph Shenton, agreed to request the Jersey Consumer Council to examine charges and practices of the legal profession and to make available sufficient funds to a maximum of £10,000 to provide the appropriate assistance to the Council.

Terms of Employment (Amendment No. 2) (Jersey) Regulations 1997 - P.172/97

THE STATES, by virtue and in exercise of the powers conferred on them by the Order in Council of the fourteenth day of April 1884, made Regulations entitled the Terms of Employment (Amendment No. 2) (Jersey) Regulations 1997.

Royal Court (Possession Orders) (Jersey) Law 199 - P.175/97

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Royal Court (Possession Orders) (Jersey) Law 199 .

Part of Field 776, Old Brickfield Lane, St. Saviour: development in green zone - P.188/97

THE STATES, adopting a proposition of the Planning and Environment Committee supported that Committee's intention to grant planning permission for the construction of a dwelling on part of Field 776, Old Brickfield Lane, St. Saviour, shown on drawings LB, 856/97/AO1 and 856/97/AO2, the land being situated within an area designated as Green Zone on the Island Map, as amended 1-87, and shown on the attached plan No. 588/1.

Jersey Law Commission: appointment of additional members - P.148/97

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 members, and appointed the following additional members -

Advocate William James Bailhache
Mr. David Oswald Moon, Solicitor.

Churchill Award for Courage - Atlantic Rowing Race

The Bailiff, on behalf of the States, congratulated Ian Blandin, Rob Cassin and John Searson for their outstanding perseverance, skill and courage in successfully completing the 3,000 mile crossing in the Atlantic Challenge Rowing Race.

The Bailiff informed the Assembly that the Bailiff's Consultative Panel had unanimously agreed that these outstanding achievements should be marked by the award of the Churchill Award for Courage.

Compliments of the season

Senator Richard Joseph Shenton, on behalf of the Senators, Connétable Leonard René Hamel, on behalf of the Connétables, and Deputy Michael Adam Wavell of St. Saviour, on behalf of the Deputies, wished the Bailiff and Lady Bailhache, the Law Officers and the Officers of the States, the compliments of the season.

The Bailiff, in return, wished the members of the States and their families a Merry Christmas and a Peaceful New Year.

THE STATES rose at 5.08 p.m.

G.H.C. COPPOCK

Greffier of the States.