

STATES OF JERSEY ORDER PAPER

Tuesday, 30th November 1999,
Wednesday 1st December 1999 and
Thursday 2nd December 1999.

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Road Traffic (Saint Clement) (Amendment No. 14) (Jersey) Order 1999. R & O 9472.
Public Services Committee

Road and Sand Racing (No. 2) (Jersey) Order 1999 R & O 9473..
Defence Committee.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

D. PRESENTATION OF PAPERS

(a) Papers for information

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

La Sirene Guest House, St. Helier (P.155/99): report. P.155/99
Housing Committee. Rpt.

St. Helier Waterfront Leisure Complex: lease to CTP Limited - rescindment (P.156/99):
report. P.156/99
Policy and Resources Committee. Rpt.

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

Presented on 23rd November 1999

States Members' expense allowance and minimum income. R.C.42/99
Finance and Economics Committee.

(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 Parish Welfare (Appeals) (Jersey) Regulations 199 .P.194/99
Connétable of St. Lawrence.

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

Lodged on 23rd November 1999

Draft Family Allowances (Jersey) Regulations 199 . P.190/99
Employment and Social Security Committee.

Draft The Lloyds TSB (Jersey) Law 1997 (Appointed Day) Act 199 . P.191/99
Finance and Economics Committee.

Draft Amendment (No. 22) to the Tariff of Harbour and Light Dues. P.192/99
Harbours and Airport Committee.

Draft Amendment (No. 23) to the Tariff of Harbour and Light Dues. P.193/99
Harbours and Airport 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 next meeting on 7th December 1999 -

Draft Trade Marks (Jersey) Law 199 . P.153/99
Lodged: 12th October 1999.
Finance and Economics Committee.

Draft Education (Jersey) Law 1999 (Appointed Day) Act 199 .P.186/99
Lodged: 16th November 1999.
Education Committee.

Draft Establishment Committee (Change of Name) (Jersey) Act 199 . P.187/99
Lodged: 16th November 1999.
Establishment Committee.

Draft Family Allowances (Jersey) Regulations 199 P.190/99.
Lodged: 23rd November 1999.
Employment and Social Security Committee.

Draft The Lloyds TSB (Jersey) Law 1997 (Appointed Day) Act 199 . P.191/99
Lodged: 23rd November 1999.
Finance and Economics Committee.

Draft Amendment (No. 22) to the Tariff of Harbour and Light Dues. P.192/99
Lodged: 23rd November 1999.
Harbours and Airport Committee.

Draft Amendment (No. 23) to the Tariff of Harbour and Light Dues. P.193/99
Lodged: 23rd November 1999.
Harbours and Airport Committee.

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

The Inn on the Park, St. Helier: site of special interest. P.237/98
Lodged: 17th November 1998.
Deputy T.J. Le Main of St. Helier.

The President of the Sport, Leisure and Recreation Committee will seek leave to withdraw the proposition concerning the Budget 2000: amendment (P.184/99 lodged "au Greffe" on 16th November 1999).

F. PRESENTATION OF PETITIONS

G. QUESTIONS

Deputy G.C.L. Baudains of St. Clement will ask questions of the President of the Harbours and Airport Committee about car parking facilities at the marinas in St. Helier.

Deputy P.V.F. Le Claire will ask a question of the President of the Public Services Committee about the use of a private security firm in Morier House, St. Helier.

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

The President of the Finance and Economics Committee will make a statement about the appointment of the Chairman of the Audit Commission.

K. PUBLIC BUSINESS

Budget 2000.

Lodged: 9th November 1999.

Finance and Economics Committee.

Budget 2000: amendment.

P.184/99

Lodged: 16th November 1999.

Sport, Leisure and Recreation Committee.

(Subject to E)

Draft Public Finances (Administration) (Amendment No. 9) (Jersey) Law 199 . P.165/99

Lodged: 26th October 1999.

Finance and Economics Committee.

Licensing (Jersey) Law 1974, as amended: 7th category (entertainment) licences. P.151/99

Lodged: 12th October 1999.

Tourism Committee.

Draft Hire Cars (No. 9) (Jersey) Regulations 199 .

P.170/99

Lodged: 26th October 1999.

Defence Committee.

Draft Public Service Vehicles (Fees) (Amendment No. 10) (Jersey) Regulations 199 . P.171/99

Lodged: 26th October 1999.

Defence Committee.

Establishment of a Home Affairs Committee.

P.174/99

Lodged: 26th October 1999.

Policy and Resources Committee.

Establishment of a Home Affairs Committee (P.174/99): amendment. P.182/99

Lodged: 9th November 1999.

Prison Board.

Establishment of a Home Affairs Committee (P.174/99): comments. P.174/99

Presented; 2nd November 1999.

Com.

Establishment Committee.

Draft Defence Committee (Change of Name) (Jersey) Act 199 . P.183/99

Lodged: 9th November 1999.

(re-issue)

Defence Committee.

Draft Community Provisions (Ban on supply to Indonesia of equipment for internal repression or terrorism) (Jersey) Regulations 199 .

P.188/99

Lodged: 16th November 1999.

Policy and Resources Committee.

Draft Community Provisions (Prohibiting the sale and supply of petroleum and certain petroleum products to the Federal Republic of Yugoslavia) (No. 2) (Jersey) Regulations 199 .P.189/99

Lodged: 16th November 1999.

Policy and Resources Committee.

Strategic Planning - population ceiling.

P.110/99

Lodged: 27th July 1999.

Deputy J.T. Johns of St. Helier.

Strategic Planning Population Ceiling (P.110/99): comments.

P.110/99

Presented: 21st September 1999.

Com.

Policy and Resources Committee.

G.H.C. COPPOCK
Greffier of the States

25th November 1999

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

(See Item B)

R & O 9472

The purpose of this Order is to impose waiting restrictions on certain vehicles on roads within the Parish of Saint Clement.

The Order was made on 22nd November 1999 and comes into force on 7th December 1999.

R & O 9473

This Order authorizes the Jersey Motor Cycle and Light Car Club to hold motor races on roads and beaches comprising the Bouley Bay course, the Five Mile Road course, the Millbrook course, the St. Ouen's Bay course and the West Park course on various days during 2000.

The dates and times at which the roads and beaches may be closed and used for those purposes are specified in the Order.

The Order was made by the Defence Committee on 25th November 1999, under the Motor Vehicle Races (Jersey) Law 1946.

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

15th November 1999

- (a) as recommended by the Health and Social Services Committee, the renewal of the lease from Mr. Lawrence John Goodall, of the three-bedroom property Le Chatelet, Wellington Road, St. Saviour for a period of two years from 1st September 1999, with an option to renew for a further year, at an annual rent commencing at £10,074.64 to be increased in line with the Jersey Retail Prices Index as at 1st September each year, payable quarterly in advance, on the basis that the Committee would be responsible for both parties' legal fees arising from the transaction;
- (b) as recommended by the Finance and Economics Committee (on behalf of the Probation Committee), the renewal of the leases from Mrs. Elsie Louisa Cadoret, née Le Breton, of the properties known as the Agricultural Shed and field No. 95, Bareada, Rue à Georges, St. Mary, for a period of one year from 20th May 1999, with the Committee having an option to extend the lease for a further two-year period upon giving the landlord three months notice in writing, at an annual rent of £19,500 which will remain constant throughout the term of the lease, on the basis that all other terms and conditions of the lease would remain the same, and with each party being responsible for its own legal costs arising from the transaction;
- (c) as recommended by the Planning and Environment Committee, the renewal of the lease from Mr. William Bertram Payn of No. 4 Beachside, La Rue du Pont, Grouville, for continued occupation by a senior planner, for a period of one year from 1st September 1999, at an annual rent of £15,000 payable quarterly in advance, on the basis that all other terms and conditions of the lease would remain the same, and with the Committee to be responsible for both parties' legal costs arising from the transaction.

POPULATION POLICY (P.175/99): SECOND AMENDMENTS

- a) *before the semi-colon at the end of sub-paragraph (ii) insert the words before the end of June 2000;*
- b) *before the semi-colon at the end of sub-paragraph (iii) insert the words before the end of June 2000;*
- c) *after sub-paragraph (iii) insert the following sub-paragraph -*
 - (iv) *to charge the Policy and Resources Committee, in conjunction with any other Committee involved, to investigate the use and effectiveness of work permit schemes in other jurisdictions and the possible implementation of a work permit scheme in Jersey as an additional measure to control the population and to report back to the States with recommendations before the end of June 2000;**and renumber sub-paragraph (iv) accordingly.*

DEPUTY P.V.F. LE CLAIRE OF ST. HELIER

Report

The Policy and Resources Committee has submitted a proposal to the States to address the number one political issue for Jersey - that of over population. While it is encouraging to see steps being taken on this issue, it is unlikely that the measures as set out in P.175/99 are adequate enough to succeed as they stand. I was somewhat surprised that the States were not of the opinion that a new States Assembly, with new ideas and views, should be the one to debate this issue. Perhaps this is understandable as population has once and for all been placed on the front burner by the public who are screaming for action, as seen in the recent Senatorial elections. The States have unwittingly surged forward, with little time remaining to give it proper care and consideration, in my opinion. Three of the four actions in the proposition of the Policy and Resources Committee are only asking Committees to go away and report back to the States on investigations that have no immediate time limit to them. This is hardly good enough the population problem is no longer "tomorrow's problem" but "yesterday's" and "today's".

I am therefore submitting these amendments to P.175/99 to give a definitive time scale on two courses of action that in my view are more than reasonably achievable as the current House and future House will no doubt be up on this subject. It will also allow us to once and for all look at the option for work permits, in a constructive manner. It will allow us to enable or create legislation for them as an option if we should decide they be used in the future as part of a package of measures that will address this "haemorrhaging of the Jersey way of life as we know it". This is also important in light of recent doubts raised in relation to the possible consequences of using the Protection of Employment Opportunities (Jersey) Law 1988.

The possible alternatives as used by other Island communities and jurisdictions have in my opinion some real possibilities as part of a package of solutions. This is evident for example, in the Cayman Islands, which is a British Dependent Territory. The measures used by the Cayman Island authorities may for some reason seem "harsh" and "oppressive" but for an Island community with a wealth of jobs available and a highly desirable location to live they have seen it as "good government" to restrict not only in their Island the number of employees' dependants accompanying the worker but also many other factors that could and do, influence an increase to the overall population base of a small community. The work permit they employ is argued as necessary for exactly the opposite reason that we use for not implementing it - "too many jobs available"! It is a small group of economically active and dynamic Islands supporting 1.2 million tourists a year, they enjoy a thriving finance based economy. Details are available on the internet @<http://cayman.com.ky/jobs.htm> or by contacting the Cayman Islands Government office in London at Trevor House, 100 Brompton Road, London SW3 1EX. The same methods of attempting to control overpopulation are employed in many other jurisdictions and we should properly consider their use. The reasons for not proposing the implementation of work permits as a means of controlling the population have been made by many over the years and every year as their reports projections prove, they have been demonstrated to be wrong. In my view the States have been influenced by deliberate fear tactics which have been deployed for not using them such as -

1. Work permits are inflationary - I doubt very much that they would have led to the kind of inflation we are currently seeing in the Island. (3.4 per cent).
2. Work permits are against the European Convention of Human Rights **UNTRUE**. "The idea of work permits does not in principle, conflict with any of the Convention rights. The Convention does not confer a right of work". Advice received from Law Officers' Department in a memorandum dated 2nd August 1999 and circulated to members. (They also do not confer the right to housing or social security).
3. If we were to implement them then England would do the same for us! The Isle of Man, Guernsey, Alderney and other United Kingdom jurisdictions have work permits and none of them have been blackmailed with this threat.

It is now time to put the dialogue to rest and to implement the long overdue wishes of the people.

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