

**THE STATES assembled on Tuesday,
22nd July 2003 at 9.30 a.m. under
the Presidency of the Deputy Bailiff,
Michael Cameron St. John Birt, Esquire.**

**His Excellency the Lieutenant Governor,
Air Chief Marshal Sir John Cheshire, K.B.E., C.B.,
was present**

All members were present with the exception of –

Senator Jean Amy Le Maistre– out of the Island
Senator Philip Francis Cyril Ozouf – out of the Island
Francis Herbert Amy, Connétable of Grouville – ill
John Baudains Germain, Connétable of St. Martin– out of the Island
Geoffrey William Fisher, Connétable of St. Lawrence– out of the Island
David Leon Crespel, Deputy of Trinity – out of the Island
Gerard Clifford Lemmens Baudains, Deputy of St. Clement– out of the Island
Lyndon John Farnham, Deputy of St. Saviour– out of the Island

Prayers

Subordinate legislation tabled

The following enactments were laid before the States, namely –

Police Procedures and Criminal Evidence (Preparatory Hearings) Rules 2003.	R&O 60/2003.
Education (Discretionary Grants) (Amendment No. 2) (Jersey) Order 2003.	R&O 61/2003.
Conservation of Wildlife (Amendment No. 2) (Jersey) Order 2003.	R&O 62/2003.

Matters presented

The following matters were presented to the States –

Waterfront Enterprise Board Limited: dissolution (P.33/2003) – comments. <i>Presented by the Policy and Resources Committee.</i>	P.33/2003. Com.
Waterfront Enterprise Board Limited: dissolution (P.33/2003) – comments. <i>Presented by the Finance and Economics Committee.</i>	P.33/2003. Com.(2)
Machinery of Government: establishment of Scrutiny Panels and Public Accounts Committee (P.79/2003) – amendments (P.79/2003 Amd.)– comments. <i>Presented by the Privileges and Procedures Committee.</i>	P.79/2003 Amd.Com.(2)
Machinery of Government: establishment of Scrutiny Panels and Public Accounts Committee (P.79/2003) – second amendment (P.79/2003 Amd.(2)) – comments. <i>Presented by the Privileges and Procedures Committee.</i>	P.79/2003 Amd. (2)Com(2)

Waterfront Enterprise Board Limited: provision of information by the Policy and Resources Committee (P.106/2003) – comments. <i>Presented by the Policy and Resources Committee.</i>	P.105/2003. Com.
Jersey Police Authority: review. <i>Presented by the Home Affairs Committee.</i>	R.C.35/2003.
Severe Emotional and Behavioural Difficulties Review 2002: report. <i>Presented by the Education, Sport and Culture Committee.</i>	R.C.36/2003.
Overseas Aid Committee: annual report 2002. <i>Presented by the Overseas Aid Committee.</i>	

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

Matters lodged

The following matters were lodged “au Greffe” –

States Auditors: further extension of contract. <i>Presented by the Finance and Economics Committee.</i>	P.113/2003.
3 Edward Place, The Parade, St. Helier: purchase. <i>Presented by the Health and Social Services Committee.</i>	P.114/2003.

Arrangement of public business for the present meeting

THE STATES acceded to a request of Senator Stuart Syvret that the proposition regarding the Waterfront Enterprise Board Limited: provision of information by the Policy and Resources Committee (P.106/2003 lodged “au Greffe” on 8th July 2003) be not considered at the present meeting.

THE STATES rejected a proposition of Senator Edward Philip Vibert that the proposition regarding La Collette Fuel Farm, St. Helier: lease to Shell U.K. Limited and Esso Petroleum Company Limited (P.60/2003 lodged “au Greffe” by the Harbours and Airport Committee on 13th May 2003) be not considered at the present meeting.

Arrangement of public business for the next meeting on 9th September 2003

THE STATES rejected a proposition of Senator Frank Harrison Walker that the Resource Plan 2004, yet to be lodged, be considered on 9th September 2003, and taken as the first item of public business.

Members present voted as follows –

“Pour” (22)

Senators

Walker, Kinnard, Le Sueur, Lakeman, Routier, M. Vibert.

Connétables

St. Ouen, St. Saviour, St. Brelade, St. John, Trinity.

Deputies

Huet(H), Le Main(H), Dubras(L), Le Hérisier(S), Fox(H), Bridge(H), Bernstein(B), Ferguson(B), St. Mary, Ryan(H), Hilton(H).

“Contre” (22)

Senators

Syvret, Norman, Le Claire, E. Vibert.

Connétables

St. Mary, St. Peter, St. Clement.

Deputies

Duhamel(S), Breckon(S), St. Martin, St. John, Dorey(H), Troy(B), Voisin(L), Scott Warren(S), Mart (H), Southern(H), St. Ouen, Taylor(C), Grouville, St. Peter, De Faye(H).

There being an equality of votes the Deputy Bailiff, in accordance with convention, exercised his casting vote against the proposition.

THE STATES confirmed that the following matters lodged “au Greffe” would be considered at the next meeting on 9th September 2003 –

Social rented housing: policy on setting rents. Lodged: 18th March 2003. <i>Deputy G.P. Southern of St. Helier.</i>	P.29/2003.
Social rented housing: policy on setting rents (P.29/2003) – comments. Presented: 29th April 2003. <i>Employment and Social Security Committee.</i>	P.29/2003. Com. (re-issue).
Social rented housing: policy on setting rents (P.29/2003) – comments. Presented: 20th May 2003. <i>Housing Committee.</i>	P.29/2003. Com.(2)
Social rented housing: policy on setting rents (P.29/2003) – comments. Presented: 20th May 2003. <i>Finance and Economics Committee.</i>	P.29/2003. Com.(3)
Draft Mental Health (Amendment) (Jersey) Law 200-. Lodged: 1st July 2003. <i>Health and Social Services Committee.</i>	P.94/2003.
Draft Public Library (Jersey) Regulations 200-. Lodged: 8th July 2003. <i>Education, Sport and Culture Committee.</i>	P.95/2003.
La Collette, St. Helier: transfer of administration of roadway. Lodged: 8th July 2003. <i>Environment and Public Services Committee.</i>	P.96/2003.
Draft Agricultural Marketing (Amendment No. 7) (Jersey) Law 200. Lodged: 15th July 2003. <i>Economic Development Committee.</i>	P.107/2003.
Draft Maincrop Potato Marketing Scheme (Revocation) (Jersey) Act 200-.	P.108/2003.

Lodged: 15th July 2003.
Economic Development Committee.

Draft Fish Health (Amendment) (Jersey) Regulations 200-. P.111/2003.
Lodged: 15th July 2003.
Economic Development Committee.

Bas du Mont Flats, Pier Road, St. Helier: transfer of administration of land. P.112/2003.
Lodged: 15th July 2003.
Environment and Public Services Committee.

Introduction of a PAYE taxation system – question and answer (Tape No. 837)

Senator Edward Philip Vibert asked Senator Terence Augustine Le Sueur, President of the Finance and Economics Committee, the following question –

“Would the President inform members whether the Committee intends to present to the Assembly its report and recommendations relative to the introduction of a ‘Pay As You Earn’ (PAYE) taxation system for Jersey, and if so, when it proposes to do so?”

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

“At this stage, the Committee will not be presenting a report on this matter to the Assembly. It has carefully considered all the advantages and disadvantages of introducing a PAYE system of tax collection for employees in Jersey and has decided that on balance a PAYE system based on the U.K. model would not be cost-effective in Jersey because of the significant staff and resource consequences for the Income Tax Office and for many employers, which appeared to outweigh any potential increased revenue.

In the current climate of budget constraints, the Committee has decided that it would be quite inappropriate to sanction the quite significant number of additional civil servants and additional expenditure that would be required at the Income Tax Office to administer such a system, unless there were compelling other reasons for doing so.

However the issue is not concluded, and the Committee is examining the possibility of introducing a much simpler and cost-effective tax deduction system for employees and a decision will be made later on this year as to whether or not to proceed with such a system. Additionally, my Committee has called for a report on the advantages and disadvantages of a possible combined collection process for both Income Tax and Social Security.

When all these matters have been considered by the Committee, it may well view PAYE in a more favourable light, and I shall report accordingly to members of the Assembly and the general public, with our final recommendations. Meanwhile I take the opportunity to thank publicly all those who contributed to our original consultation.”

Publication of earnings of senior public servants – question and answer (Tape No. 837)

Senator Edward Philip Vibert asked Senator Frank Harrison Walker, President of the Policy and Resources Committee, the following question –

“Would the President inform members whether the Committee is prepared to publish annually the names of all public servants, including those of the judiciary, earning more than £50,000 per year and include in that list the salary, job title and a brief job description? If the answer is in the negative, would the President explain why not?”

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

“The Committee is indeed prepared to give members information on the salary levels of senior public servants, including those of the judiciary, and I am making a statement to this very effect today.

However, the Committee is not prepared to disclose the personal salaries of individual officers. These are negotiated on a personal basis and it is our belief that to do as requested would be to breach the individual contracts of employment we have with those officers. Therefore, we have decided to publish salaries in groupings, starting at £75,000 per annum. This will give members a good understanding of the salary levels paid to the senior officers, without breaching individual contracts.

My statement will also refer to the range of officers whose gross employment costs exceed £50,000 per annum.

Salaries for the senior posts, excluding the judicial and legal posts, are determined by the Hay Job Evaluation system. This system evaluates and scores posts in terms of three broad criteria – knowledge, problem solving and accountability. Posts are then listed in order of points scores and salaries determined. Through this process we are able to compare posts both internally and externally, both within and outside Jersey, thereby establishing realistic internal and external salary relativities. Job descriptions exist for those posts which are subject to Hay evaluation, and the Senator is welcome to request copies of job descriptions from the States Human Resources Department.”

Amy’s House, La Route de Ste. Catherine, St. Martin– question and answer (Tape No. 836)

The Deputy of St. Martin asked Deputy Terence John Le Main of St. Helier, President of the Housing Committee the following question –

- (a) In the Committee’s proposition Amy’s House, La Route de Ste. Catherine, St. Martin: proposed sal (P.68/2003), it was stated that Amy’s House was subsequently advertised again and two offers in the sum of £275,000 were received. Will the President confirm that Amy’s House was advertised for sale at £285,000 and, in fact, an offer to purchase the property at the asking price was made.
- (b) If his answer is in the affirmative, will the President give his reasons why that fact was not made known in the report accompanying P.68/2003 and why the offer of £285,000 was not accepted?

The President of the Housing Committee invited the Deputy of St. Ouen, member of the Housing Committee, to reply and he replied as follows –

- “(a) Amy’s House was advertised for sale at £285,000 by estate agents, Vibert and Bridle. Including the initial tender process, the property had been advertised for sale from 17th October 2002 until 29th January 2003. Two offers were received for the property both at a figure of £275,000, one subject to survey and one not. The matter was considered by the Housing Committee on 14th February 2003. Subject to States approval, the Committee agreed to proceed with the sale of Amy’s House to Mr. and Mrs. J. Bracken for the sum of £275,000, with the offer not being subject to survey.

The Housing Department was first advised on Friday 18th July 2003, by estate agents, Vibert and Bridle that indeed, on 24th February 2003, some ten days after the Housing Committee agreed to sell Amy’s House for £275,000, the Estate Agents received a letter of interest from a member of the public to purchase the property at the asking price of £285,000.

- (b) Neither the Housing Department nor the Department of Property Services were made aware of this interest by the estate agents responsible for marketing Amy’s House. In any event, the letter of interest was received after a decision had been made by the Housing Committee to sell the property. With no knowledge of the letter of interest, it could not be alluded to in the subsequent report accompanying P.68/2003.”

Engagement of the community in the political process – question and answer (Tape No. 837)

Senator Edward Philip Vibert asked Senator Frank Harrison Walker, President of the Policy and Resources Committee, the following question –

- (a) Would the President confirm that when speaking at the recent Commonwealth Parliamentary Association Regional Conference held in Westminster and Cambridge, he told the Conference that Jersey was ‘making a real effort to engage the community more closely in the political process’?
- (b) Would he inform members what this ‘real effort’ involves and how it is manifested?
- (c) Would he also inform members what proposals he has put to the States to develop this concept during his years in the Assembly and when he will, for instance, inform members if he has made a submission to the Legislation Committee to improve our electoral Law?
- (d) Are members to regard his statement as implying that the States have, in past years, failed to develop a ‘culture of engagement’?”

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

- “(a) I am grateful to Senator Vibert for drawing attention to my speech; it was on a subject about which I feel very strongly. I was honoured to be invited by the Commonwealth Parliamentary Association to address their recent conference on the topic of ‘Engaging the Community in the Political Process’. It is true that in my speech I did say that ‘Jersey is making a real effort to engage the community and we intend to develop a ‘culture of engagement’, in which the community can, and will, feel much more involved in the political process.’ I explained that a gap has opened between the States and the public. This is an unhealthy picture for democracy. Over the coming years we must address this otherwise we will not be able to ensure the Island is governed with the assent and support of the public. Every CPA member who attended my presentation reported similar problems.
- (b) In my speech I set out a number of actions which Committees and members have taken to try to engage the public better. These included amongst others –
 - panels of interested people with real and precise terms of reference;
 - numerous public meetings to discuss and consult upon specific issues and policies;
 - email and computer discussion groups to promote debate;
 - on-line surgeries giving the public the opportunity to question States members directly;
 - advisory bodies that make a clear contribution to the political process.
- (c) In asking this question it is clear that the Senator has misunderstood the content and thrust of my speech. My speech was not about what I have done, or intend to do. I was speaking as a representative of the Island and my speech was related to what the States of Jersey have done and intends to do. I have not put any proposals to the States, or the Legislation Committee on this concept, nor do I have any intention of doing so. I believe that the measures taken by that Committee, and to which I referred in my speech, have already significantly improved the Electoral Law.

Members will recall that at the briefing in May I outlined the process for developing the States Strategic Plan. This will include a proper process of public engagement during the autumn and beyond. We have all accepted the need to develop a real sense of direction for the whole of the States and really involving the public in setting this direction is a very clear commitment to listening and responding to them.

Members will also recall that when I was President of Finance and Economics we launched the largest series of public consultation processes inviting everyone to have their say on our future fiscal strategy. In terms of electoral turnout I can do no better than reiterate my speech.

'We are moving the principal elections from the autumn to the spring in the hope that better weather will encourage voters to turn out at the poll stations we have extended polling station opening hours... we have introduced much easier more widely available postal voting and we are making strenuous efforts to improve our voter registration procedures.'

- (d) I do believe that the States generally have not engaged with the public to the extent they should and, as I said at the outset, a gap has opened up between the States and the public which is not healthy for democracy. I believe we must take firm action to try to close that gap and the Policy and Resources Committee is committed to taking a lead in this respect.”

Appointment of a press officer – questions and answer (Tape No.837)

Senator Edward Philip Vibert asked Senator Terence Augustine Le Sueur, President of the Finance and Economics Committee, the following question –

- “1. Would the President advise members whether the Committee has recently appointed a press officer? If the answer is in the affirmative, would the President advise the Assembly –
- (a) whether this post was advertised, and if so, where it was advertised and how many candidates applied?
 - (b) who made the appointment?
 - (c) of the terms and conditions of the post?
2. Would the President inform members whether the Committee was advised of and considered any potential conflicts of interest that could arise in this appointment, given the professional background of the press officer appointed?”

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

“I can advise members that the Finance and Economics Committee has not recently appointed a press officer. Question 1 parts (a), (b) and (c) and question 2 are therefore not appropriate.

However, I would advise members that the Finance and Economics Committee does use the services of a public relations firm in relation to communicating to the public its tax and spending policies, its Fiscal Strategy, and related matters.

Whilst I regularly speak for the Committee in terms of press releases and answers to routine questions, (and could thus be deemed its ‘press officer’), and will continue to do so, I am not a communications expert. The Committee requires specialist advice on the best way in which to make what are very complex issues regarding the Island’s tax and spending challenges more easily understood by the wider public.

These fiscal issues, which are also inter-connected with the Fundamental Spending Review and the States Strategic Plan, are of crucial importance to the future of the Island and need to be explained carefully and clearly to the public.

It is for these reasons that the Committee has appointed, for a trial period ending in December 2003, a firm of communications specialists.

The public relations firm used by the Committee was appointed following a competitive tendering process

and consideration of several submissions. The terms of its contract are necessarily confidential to the parties concerned, particularly as there could be further competitive tendering should the requirement extend into 2004.

The Committee does not consider that the employment of this firm of communications advisers represents any conflict of interest for the party concerned. The support has been conducted professionally and with integrity, and will I hope continue to be so.”

12 mile fishing licence scheme by the Guernsey authorities – question and answer (Tape No. 836)

The Deputy of St. John asked Deputy Francis Gerald Voisin of St. Lawrence, President of the Economic Development Committee, the following question –

“Is the President aware of the negotiations taking place between the U.K. Government and the States of Guernsey regarding the proposed 12 mile fishing licence scheme being proposed by the Guernsey authorities, and which may penalise Jersey fishermen as the scheme will require a licence to fish in that area where currently a licence to fish is not required, and if so, would he give details of those involved in the negotiations?”

The President of the Economic Development Committee replied as follows –

“I am aware that the Bailiwick of Guernsey have kept the U.K. authorities informed of their intentions with regard to their planned licensing scheme in the waters around Guernsey while negotiating a Guernsey–U.K. Management Agreement. Those currently involved in negotiations with Guernsey are –

Deputy F.G. Voisin
Deputy M.A. Taylor
H.M. Attorney General W.J. Bailhache QC
R.W. Whitehead, Principal Legal Adviser
S. Bossy, Sea Fisheries Adviser
M. Smith, Senior Fisheries Inspector.”

12 mile fishing licence scheme by the Guernsey authorities – question and answer (Tape No. 837)

The Deputy of St. John asked H.M. Attorney General, the following question–

“Would the Attorney General –

- (a) advise members whether he has been asked to advise on the legality of the Guernsey fishing vessel licensing scheme being proposed by the Guernsey authorities to a 12 mile zone from their coast which comes into effect on 1st October 2003? and
- (b) if so, and if the scheme is deemed to be legal, advise whether grandfather rights will be available to existing Jersey fishermen?”

H.M. Attorney General replied as follows –

- “(a) Yes. I have had discussions with H.M. Procureur, my opposite number, in Guernsey at the request of the Economic Development Committee. However, I am not qualified in Guernsey and clearly cannot advise on matters of domestic Guernsey law.
- (b) The scheme will be in force as of 1st October 2003. H.M. Procureur has advised that it is legal and that presumably will remain the position unless it is successfully challenged in the Guernsey courts. The scheme does not provide expressly for grandfather rights but Guernsey is a signatory to the European

Convention for the Protection of Human Rights and it is possible that in the administration of the scheme, the Guernsey Fisheries Authorities will, in appropriate cases, grant such rights to existing Jersey fishermen. The expression 'grandfather rights', in this context, is understood to be the right of a person currently in the industry to continue his business in the same way for the balance of his working life."

Rezoned sites under the Island Plan – question and answer (Tape No. 836)

Senator Edward Philip Vibert asked Deputy Maurice François Dubras of St. Lawrence, President of the Environment and Public Services Committee, the following question –

- “(a) With regard to sites rezoned in the Island Plan for housing, especially in St. Clement, would the President confirm all sites designated for housing will be a 50/50 mix of social rental/first time buyers as decided during the debate?
- (b) Would the President also confirm that the redevelopment on the rezoned site to the east of Jambart Lane, St. Clement will include the new road connecting with the Grande Route de St. Clément as put forward as one of the main reasons for choosing that site?”

The President of the Environment and Public Services replied as follows –

- “(a) The mix of social rented and first time buyer homes on sites rezoned for housing in the 2002 Island Plan will be in accord with the decision of the States, as set out in Policy H1 of the Island Plan (attached at Appendix 1).
- (b) Yes.

Appendix 1

Policy extract from the Jersey Island Plan 2002

POLICY H1 – PROVISION OF HOMES

The Planning and Environment Committee will make provision for sufficient land and opportunities to meet the requirements for homes over the Plan period.

The Plan allows for 2,860 homes to be built over the first five years of the Plan period of which 1,850 will be for Category A homes and 1,010 will be for Category B homes. Land will be rezoned to ensure that sufficient land is available to meet the requirements for Category A homes in the first five years to 2006.

Developers of sites designated in the Plan specifically for the construction of Category A housing in Policy H2, will be required by the Planning and Environment Committee to provide first-time buyer homes and social rented homes in the respective proportions of 55% and 45% of the total number of dwellings provided on each site, in order to ensure that the identified needs for housing are met.”

Recommendations of the Committee of Inquiry into the Allocation of Residential Property by Housing Trusts – question and answer (Tape No. 837)

Senator Edward Philip Vibert asked Deputy Terence John Le Main, President of the Housing Committee, the following question –

“In his answer to a question on 10th June 2003 regarding which of the 24 recommendations made by the Committee of Inquiry into the Allocation of Residential Property by Housing Trusts, the Housing Committee would be acting upon, the President stated that this report would be studied at the Committee’ meeting on

24th June 2003 and that he would report back to the Assembly. Would the President now inform members which of the 24 recommendations the Committee will be acting on?"

The President of the Housing Committee replied as follows –

“The Housing Committee has agreed to act on all the recommendations put forward by the Committee of Inquiry.”

Senator J.A. Le Maistre– attendance

Senator Jean Amy Le Maistre, having returned to the Island, arrived in the Chamber during the above question put to the President of the Housing Committee.

Building programme in respect of the proposed Waterfront Hotel – question and answer (Tape No. 837)

Senator Paul Vincent Francis Le Claire asked Senator Frank Harrison Walker, President of the Policy and Resources Committee, the following question –

“In answer to a question on 10th June 2003 regarding the Hotel on the Waterfront and when it could be expected that details of the building programme would be announced, the President replied that ‘by the end of June, it is expected that final approval of the funding bank’s Board will be achieved’.

As that date has now passed, would the President inform members of the reasons for the delay and what the timetable is now?”

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

“The terms of a bank offer for senior debt funding have been received by the hotel developer (Jersey Waterfront Hotel Developments Ltd). These terms have conditions attached which have necessitated the introduction of additional equity investment. This additional investment has been identified and agreement in principle has been reached with the additional, new investors. This agreement is now being documented. The funding conditions also require that a guaranteed maximum price for the building works be agreed between developer and builder before the Bank’s final approval can be given. Commercial negotiations with the proposed builder have become challenging recently but a way forward has now been found and confirmation to the bank that a guaranteed maximum price can be secured is expected within 2 weeks. Work is still anticipated to start in the first quarter of 2004 subject to these issues being resolved as planned.”

States financial borrowing and the Strategic Reserve – question and answer (Tape No.837)

Senator Edward Philip Vibert asked Senator Terence Augustine Le Sueur, President of the Finance and Economics Committee, the following question –

- “(a) Would the President inform members of the total amount of ‘off balance-sheet borrowing’, that is capital expenditure not funded by a Capital Vote or from Trading Fund Balances – either external funding or internal funding – to which Jersey is currently committed?
- (b) Would the President supply details of each loan giving members –
 - (i) the purpose of the loan, the date it was taken out, the balance owing, the total amount of the loan and the interest being charged?
 - (ii) the source of the funds for each loan?
- (c) Would the President advise the Assembly what the Committee’s policy is on ‘off balance sheet borrowing’?
- (d) Would the President inform members of the current amount held in the Strategic Reserve (‘the rainy day fund’), and the projected return this year?”

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

- “(a) The States of Jersey does not have any material ‘off balance-sheet borrowing’. This is because all material loan or financing arrangements between the States of Jersey and third parties are disclosed in the Audited Accounts of the Treasurer of the States as at 31st December 2002 and I would direct members to Note 20, page xxxvi of those Accounts which discloses finance lease capital commitments outstanding as 31st December 2002 of £35.5 million. As such, all of the States of Jersey’s financing is ‘on-balance-sheet’.

Of this £35.5 million finance lease commitments identified in the Accounts:£1.7 million is funded from the Capital Fund, £1.1 million will be funded by the now incorporated Jersey Telecom Group Limited £21.4 million is funded by the Harbours and Airport Committee and£7.4 million will be funded through General Funds through rentals charged to Committee cash limits. £3.9 million, in respect of Maritime House, will be funded through a combination of rentals charged to cash limits and to the Harbours and Airport Committee

In addition to the above, there exists a small number of internal financing arrangements which were initially funded from cash balances and which will be repaid through Committee cash limits. These arrangements amounted to £4 million (Jubilee Wharf, La Collette Bus Garage, Les Quennevais Dance Studio) as at 31st December 2002.

Furthermore, the Housing Development Fund advances sums for the development of social rented or first time buyer property, which are repaid through the sale of these properties to first time buyers or to Housing Trusts, through rentals achieved from completed developments or through allocations to the Fund provided through the Capital Fund. The balance of properties that are awaiting transfer to Housing Trust or are in the administration of the Housing Committee amounted to £35,679,896 as at 31st December 2002.

Whilst not amounting to borrowing, as disclosed in note 19 page xxxv of the Financial Report and Accounts 2002, the States have provided guarantees up to a maximum of £20.2 million as at 31st December 2002 to financial institutions in respect of the borrowings of Jersey New Waterworks Company Limited and up to a maximum of £5.5 million in respect of the borrowings of Jersey Arts Trust in connection with the renovation of the Opera House.

Whilst also not amounting to borrowing the Housing and Finance and Economics Committees have agreed to provide financial support to various Housing Trusts in respect of their bank loans entered into in connection with the Trusts’ development of social rented housing. The Finance and Economics Committee issues ‘letters of comfort’ to the banks in respect of such loans. These letters of comfort do not constitute guarantees. As at 31st December 2002, letters of comfort, in respect of loans totalling £80.3 million were in issue.

- (b) As the question asked, specifically excludes financings funded from the Capital Fund or Trading Funds, I have excluded all such arrangements from my answer to this question, including the Housing Development Fund. I have also excluded finance arrangements entered into by departments for minor items such as photocopiers, etc.

Material ‘external’ loan or lease financing funded other than through the Capital Fund, Trading Funds and that now assumed by Jersey Telecom Group Limited amounts to one lease and leaseback arrangement, approved by the States on 16th April 1996 to fund Morier House. The balance of the capital outstanding at 31st December 2002 and the original capital sum borrowed on that arrangement amounted to £7,360,738, interest charged to the Accounts for 2002 amounted to £636,467, and the interest rate applicable is 6 %. The arrangement is between the States and RBSI and is being repaid through rentals paid by departments occupying that building through relevant Cash Limits.

Internal Funding

The following internal financing arrangements currently exist –

1. Jubilee Wharf

This is an arrangement, funded from internal cash balances to provide office accommodation for the Housing Department. The original loan of £2.5million, which was drawn down in 2000 and bears interest at the Kleinwort Benson 1 month fixed plus one percent, will be repaid from the Housing Committee's Cash Limit over 20 years, replacing rentals that used to be paid to third parties. This arrangement was agreed by the States (September 2000).

2. La Collette Bus Garage

This is an arrangement, funded from internal cash balances, to provide a Bus Garage at La Collette. The original loan of £2 million, which was drawn down in 2002 bears interest at the Kleinwort Benson one month fixed plus one percent, is being repaid from the Bus Operator's rental payments (£180,000 pa initially) over 20 years. This arrangement was agreed by the States (P.61/2002).

3. Les Quennevais Dance Studio

This is an arrangement, funded from internal cash balances, to provide a Dance Studio at Les Quennevais Sports Centre. The original loan of £300,000, which was drawn down in 2001 and bears interest at 6%, is being repaid from extra income arising from the use of the Studio over 5 years. This arrangement was agreed by the Finance and Economics Committee (may also have been the States, if drawings were presented).

- (c) I refer the Senator to the stance of the Finance and Economics Committee as recorded in the Resource Plan 2002, and I quote from page 13 of that document:

'The Finance and Economics Committee recognises the possibility of funding projects outside the Capital Fund, through the use of private finance. This will normally, however, only be considered where a new funding stream, which meets the cost of financing, can be put in place. This income must be permanent and not adversely impact on the overall States' financial position.'

- (d) The market value of the investments held by the Strategic Reserve as at 30th June 2003 was **£391.8 million.**

It is not possible to predict the return for the Reserve for 2003 as this will depend on movements in Bond and Equity Markets and changes in interest rates which are factors outside the Finance and Economics Committee's control.

Connex bus service – questions and answer (Tape No. 837)

Senator Edward Philip Vibert asked Deputy Maurice François Dubras of St. Lawrence, President of the Environment and Public Services Committee, the following question –

- “1. Would the President inform members –
- (a) of the fare revenue taken by Connex for the month of June 2003?
 - (b) whether he is yet in a position to inform members of the projected size of the loss incurred and how much extra this is going to cost the taxpayer than the budgeted £1.4 million?
2. In its report of the operation for six months of the Connex Bus Company the States were informed that during the period covered by the report a total of 1,039,511 passengers were carried which produced a total revenue of £807,615. This was an average fare of 78p. In view of the fact that the fare structure is 80p, 100p, 125p, 155p, would the President explain this very low figure?”

The President of the Environment and Public Services Committee replied as follows –

- “1. (a) Revenue is not reported in calendar month format but in the industry standard of thirteen, four weekly periods. The most appropriate period therefore is from 8th June to 6th July 2003. The accurate figure will be available on 26th July; however preliminary indications are that the revenue for that period will be of the order of £230,000.
 - (b) Although not clear what is meant by loss incurred, I have been tracking the operational results so far. Only once the full operating year’s results are received and audited can the figure be provided accurately, in our next six-monthly report due in November, and the full amount of subsidy determined. Based on current trends and projections, which is always a risky procedure, it appears to me that the fare revenue is likely to be lower than the original 2002 estimate.
2. Simplistic calculation of averages is not sound statistical practice and results in misleading information. The revenue detailed in the report was collected from fare-paying passengers. The passenger total, however, includes 181,842 passengers who benefited from free travel given to holders of Health Insurance Exemption passes and Pensioner passes. The Senator will also recall that the child fare is a flat rate 50p. Allowing for the combined effect of the above, the adult average fare for this period is almost £1.

It is our intention to provide more detailed passenger and revenue statistical information in our Annual Report for the twelve month period, 2002-2003.”

Salaries paid to senior officers – statement

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

“Senior Salaries

The Policy and Resources Committee has been reviewing the issue of the disclosure of salaries paid to senior officers employed in the States of Jersey. We firmly believe that the public and States members have the right to know the levels of remuneration of senior public employees. We have therefore decided that each year the Committee will publish a table of salary groupings. Table 1 attached shows the figures for June 2003. I should point out that these are salary figures, they do not include employer pension and social security contributions which in general are worth 21.66% of salary.

The salaries of the senior officers are negotiated on the basis of regular reviews of external comparability and internal relativity. The interval at which such reviews are carried out is normally every four years. These reviews help my Committee determine what adjustments, if any, need to be made, given changes that may have taken place between reviews. In the intervening years between reviews salary increases paid to senior officers normally are considered in the light of negotiated increases elsewhere in the public service.

Other Salaries

In the local press recently, there was much criticism of the fact that some 10% of States employees earn of the order of £50,000 plus. The suggestion was made that no other local business could afford to pay 10% of its staff at these salary levels.

I should like to comment on this. The people of Jersey have the right to expect the States to employ a good quality professional workforce, most of whom are not ‘pen-pushers’ (the description used by the Press). We have to pay salaries which are in line with, and follow, the market for people like officers, medics, teachers and other professionals. I have therefore decided to publish a much fuller analysis of the types of staff whose salary is more than approximately £41,000 per annum. I believe this will allow people to make their own judgements. Table 2 shows this analysis.

I would like to emphasise the following –

- (i) the salary groupings quoted in the Financial Report and Accounts for 2002 for staff were inclusive of the employer's pension and social security contributions, and any additional payments to some staff for extra hours commitments over and above contractual requirements. Therefore the figures quoted are for employees whose pay is more than approximately £41,000, this equates to the £50,000 figure quoted;
- (ii) the States of Jersey cannot be compared with any other single local business. It comprises a range of 'businesses' which in many cases employ a variety of specialists and professional staff, many of whom do not have counterparts in the private sector. Examples of the professional specialists employed are the following –

Head Teachers, Deputy Head Teachers, Hospital Consultants, Doctors, professions supplementary to medicine, nursing sisters, Probation Officers, Social Workers, senior Police Officers, senior Prison Officers, scientists, engineers, accountants, planners, lawyers, Air Traffic Controllers etc. These form a significant proportion of those in States employment whose salary is more than £41,000 per annum.

Public Sector Performance

Whilst on the subject of staff employed by the States I and my Committee have been concerned by the growing practice of States members to denigrate public employees in this Assembly and through the media. This is having an adverse effect on the morale of the Public Service and the ability of the Service to recruit and retain competent staff. We believe that all staff are accountable for their performance and no one should be allowed to deliver anything less than good performance, but general unsubstantiated criticism of staff hampers rather than improves performance.

If a States member is concerned with the performance of any individual public employee, then he or she should raise that with the relevant Chief Officer and, if necessary, with our new Chief Executive. I know that he is determined to develop a real culture of performance and he has assured me that he and all Chief Officers will respond seriously and appropriately to any such concerns raised by any States member.

Equally, we believe it is important that due recognition is given to the commitment and successes of all our staff, regardless of their role or function, who are responsible for the effective and efficient delivery of public services. It is our belief that by building on success we will encourage and enthuse our staff to strive for the highest levels of achievement and quality standards which the public of this Island have every right to expect.

STATES OF JERSEY
SALARY SCHEDULE – CROWN OFFICERS AND OTHER SENIOR APPOINTMENTS

Effective 1st June 2003
Basic Pay

<u>SALARY GROUPINGS</u> (rounded)	<u>Crown Officers and Legal Advisers</u> (in alphabetical order)	<u>Chief Officers and Other Positions</u> (in alphabetical order)
£150,000 – £175,000	Bailiff	Chief Executive
£125,000 – £150,000	Attorney General Deputy Bailiff Solicitor General	
£100,000 – £125,000	Judicial Greffier Legal Adviser – Principal (2) Magistrate	Education, Sport and Culture – Director Health and Social Services – Chief Executive Jersey Airport – Director Policy and Resources – Director International Finance Police – Chief Officer Postal – Chief Executive Treasurer of the States
£75,000 – £100,000	Judicial Greffe – Deputy Judicial Greffe – Registrar – Family Division Law Draftsman Law Draftsman – Senior Assistant Law Draftsman – Assistant (5) Legal Adviser Police – Senior Legal Advisers Police – (2) Legal Advisers – Senior (4) Magistrate – Assistant	Community and Social Services – Director Customs and Immigration – Chief Executive Economic Development – Chief Executive Education, Sport and Culture – Deputy Director Employment and Social Security – Controller Fire Service – Chief Officer General and Acute – Director Harbours – Chief Executive Highlands, Principal Hospital Consultants – (41) Housing – Chief Executive Human Resources – Chief Executive Income Tax – Comptroller Medical Officer of Health Planning and Environment – Chief Executive Police – Deputy Chief Policy and Resources – Deputy Chief Executive Postal – Directors (4) Prison Governor Public Services Department – Chief Executive States Greffier Tourism – Chief Executive

For Notes see over page.

Notes:

- (1) Each position has been assessed and ranked. The pay policy line is determined each year by the Committee, based on survey information and other relevant considerations, such as affordability and conditions in the economy. The line is established as a function of the relationship between the relative worth of the responsibilities of the positions under consideration and the appropriate salary level, which is influenced by market considerations, negotiated settlements and other related factors, all within established Committee pay policy.
- (2) The salaries of the Crown Officers and States legal appointees are still under review for future years
- (3) () = number of postholders.

Table 2

Summary of Numbers of Crown & States of Jersey Appointees and Employees with total costs of employment for 2002 above £50,000 (See note below)			
between £50,000 & £100,000/annum			
CROWN AND STATES APPOINTEES AND EMPLOYEES		Total Numbers	Total Workforce (7673)
Managerial and Administrative Staff		169	2.20%
Chief Officers		23	0.30%
Air Traffic Controllers		23	0.30%
Professionals aligned to Medicine – (Path Lab, Physio, X-Ray, Pharmacy, etc)		74	0.96%
Meteorological Officers		11	0.14%
Department of Electronics Engineers		25	0.33%
Customs Officers		14	0.18%
Immigration Officers		5	0.07%
Engineers and Other Professional Groups		87	1.13%
Uniformed Services (Police/Fire/Prison)		148	1.93%
Consultants/Doctors/Nurses/Ambulance		99	1.29%
Teachers (Head Teachers/Deputy Head Teachers/Teachers)		78	1.02%
Postal Staff		13	0.17%
Telecoms Staff		68	0.89%
Crown Officers/Legal Officers and other Senior States Appointees		32	0.42%
Other States employees		13	0.17%
Total		882	11.5%
NOTE			
Total costs include:			
- Employees' Gross Pay per annum			
- Employer's Pension Costs			
- Employer's Social Security costs			
Total Workforce includes Trading Departments.			

Membership and terms of reference of the Constitutional Sub-Committee – statement

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

“Members will recall that at my briefing in May I shared with them my committee’s intention to create a Constitutional sub-committee.

The Sub-Committee met for the first time last week, the members being myself, Senators Philip Francis Cyril

Ozouf and Christopher Gerard Pellow Lakeman, Deputy Roy George Le Hérissier, Mr. G.C. Powell O.B.E. and the Attorney General. The terms of reference for the sub-committee are –

To consider, in consultation with the Bailiff, the advantages and disadvantages of –

the current constitutional arrangements between the United Kingdom and the Islands, as a dependency of the Crown;

the terms of the Island's relationship with the European Community under Protocol 3 to the Treaty of Accession;

and to make such recommendations to the Policy and Resources Committee on these matters as the Sub-Committee shall think fit.

We all expect that, due to the depth of research and consideration this subject deserves, it will be some time before any recommendations are finalised. I will ensure that members are properly briefed on progress at the appropriate point.”

Commemoration of the 60th anniversary of the Liberation in May 2005 – statement

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

“At a meeting of the Bailiff's Consultative Panel on 8th July 2003 it was agreed that some special arrangements should be made to mark the occasion, on 9th May 2005, of the 60th anniversary of the Island's liberation.

It was further agreed that a small Policy and Resources sub-committee should be formed for that purpose, comprising representatives of the Policy and Resources, Privileges and Procedures and Education, Sport and Culture Committees together with a representative of the Comité des Connétables. I am pleased to be able to advise that Senator Jean Le Maistre, who initiated this idea, is prepared to act as Chairman of this sub-committee.

The Committee will consider this proposal in more detail at its next full meeting at the end of this month and, in particular, will consider submitting a formal request to the Finance and Economics Committee to provide funds to support the commemoration of this historic event. Subject to agreement being reached and a budget being identified, it is intended that the sub-committee will be established shortly thereafter so that this important work can begin.

I trust States members will join me in supporting this tremendously important event and I would ask the Presidents of the three identified Committees and the Chairman of the Comité des Connétables to consider who they might wish to nominate for membership of this sub-committee and I invite any member who may be interested, to contact me with their thoughts.”

Rented office accommodation at 24/26 Bath Street, St. Helier– statement

The President of the Economic Development Committee made a statement in the following terms –

“Members will know that questions relating to the new offices for the Economic Development Committee have been withdrawn.

I am aware that other members wanted to ask similar questions and therefore make this statement to help members understand the reasons for acquiring new offices. Whilst this is not an entirely satisfactory situation, because Standing Orders do not allow follow up questions to be asked of statements, it is intended to provide an explanation of the reasons for taking this office space.

It should be understood that the lease is in the name of the Environment and Public Services Committee. The Economic Development Committee received the Notification of a Property Transaction approved by the Director of Property Services on 22nd January 2003 and requested the Department of Property Services to lease the property known as 24/26 Bath Street, St Helier, for use by the Economic Development Department. The Treasurer approved the transaction under delegated powers on 30th January 2003, and as is normal practice, the Finance and Economics Committee noted the Treasurer's decision under Standing Orders relating to certain transactions in land at its Meeting on 12th February 2003. The transaction is recorded in detail in the Act A2 sub-paragraph (a) of the Finance and Economics Committee Meeting of 12th February 2003.

The lease agreement commenced on 1st March 2003.

The accommodation is not being acquired to accommodate an increase in staff numbers. In fact the Economic Development Department has already made five staff reductions through a combination of VRs, redeployment and decisions not to fill certain vacancies. A further three reductions are needed to meet decisions from the Fundamental Spending Review and these will be implemented during the year.

The following officers will occupy the premises –

Interim Chief Executive Officer – currently occupying an office in the Central Market;

Personal Assistant to the Interim Chief Executive Officer – currently located at Jersey Tourism;

Interim Chief Executive Officer, Department for Economic and Commercial Development (DECD) – currently located in the Regulation of Undertakings and Development Law Office at Cyril Le Marquand House;

Strategic Development Officer and Finance and Administration Officer, DECD – currently situated in the Regulation of Undertakings and Development Law Office at Cyril Le Marquand House;

Finance Industry Executive – new post;

2 Gambling Control staff – currently located in temporary accommodation at Trinity House;

5 Training and Employment Partnership staff – currently located in temporary accommodation at Somerville House;

Corporate Resources Director and Human Resources Manager currently located at Jersey Tourism;

Web Development Manager – currently being recruited from within the Department;

A small number of Corporate Resource staff from the Agriculture and Fisheries Department.

This lease has only been agreed after all other alternatives have been considered. Prior to the appointment of the Industries Committee in December 1999 it was recognised that suitable accommodation would be required for its department, the Department for Economic and Commercial Development (DECD), and a budget was allocated for this purpose. The original intention was to use the Summerland site. However, when a feasibility study was undertaken, it was evident that the refurbishment cost would have been far too high and this idea was abandoned.

The Industries Committee recognised that its department had inadequate accommodation. The Department of Property Services was consulted and its officers evaluated all options, including considering properties within the States' existing portfolio, which turned out to be either too small or unsuitable. Property Services gave full support to the Committee by actively seeking suitable offices in the private sector.

Since then, the Economic Development Department has been established. This includes the functions of the DECD, Gambling Control, Jersey Transport Authority, Training and Employment Partnership, Tourism Department and Agriculture and Fisheries Department.

The former Gambling Control Committee had an office in Wests Centre, the lease on which expired in June 2002. Responsibility for gambling control now rests formally with the Economic Development Committee.

Responsibility for the Training and Employment Partnership was transferred from the Employment and Social Security Committee with effect from 1st January 2003. The TEP officers had been required to leave their office accommodation in the autumn of 2002 and to relocate into temporary accommodation and then subsequently into different temporary accommodation just a few months later, where they remain.

The Department of Property Services searched throughout 2002 for suitable accommodation to bring together the Chief Executive Officer, the majority of the DECD staff and the corporate resources staff. In 2002, two premises were identified. The first fell through because the landlord decided not to proceed. The second fell through because of difficulties surrounding the lease.

There can be no doubt that the present offices available to the Economic Development Department are totally inadequate in terms of the physical space to accommodate the staff and that it is unacceptable from the management viewpoint for them to be spread out in temporary accommodation in various different locations.

I must emphasise that the aim has been to find accommodation of a suitable size and at a reasonable rent. The Committee has not taken these decisions lightly.

The annual rental for 24/26 Bath Street is £40,000. This will be financed by using the existing rental budgets allocated to the former Gambling Control Committee, the TEP, Jersey Transport Authority and Strategic Development Directorate of the DECD.

The exact total fit-out costs will not be known for some weeks but it is estimated to be approximately £150,000. This includes construction of internal partitions etc., electrical and ventilation work, plumbing and heating, painting and decoration, floor covering and finishes and various ancillary works, together with IT/data and telecommunication systems and furniture. Relocation costs in respect of all staff who are moving are also included.

The funding is being allocated as follows –

£78,000 from the unspent budget of the Industries Committee carried forward from 2002 for this specific purpose, as agreed by the Finance and Economics Committee;

£40,000 from the current Jersey Tourism budget. These funds were originally earmarked to refurbish toilets, kitchen and bulk storage areas of the Tourism Offices but only Health and Safety aspects of this work will now be carried out as the Island Site Plan will affect the Tourism Department's offices, hence the funds were available to help fund the Bath Street offices refurbishment;

the balance from the existing Strategic Development budget.

Finally, the new offices will ensure much greater efficiency of staff and apart from the management benefits of having the core staff of the department co-located, there will be no additional ongoing savings to the department."

Deputy L. J. Farnham of St. Saviour – attendance

Deputy Lyndon Farnham of St. Saviour, having returned to the Island, arrived in the Chamber.

Arrangement of Public Business at the present meeting

THE STATES rejected a proposition of the Deputy of St. John, brought with the leave of the Deputy Bailiff in accordance with Standing Order 24(3), to rescind their decision taken earlier in the meeting not to consider at the present meeting the proposition regarding La Collette Fuel Farm, St. Helier: lease to Shell U.K. Limited and Esso Petroleum Company Limited (P.60/2003 lodged "au Greffe" by the Harbours and Airport Committee on 13th May 2003).

La Collette Fuel Farm, St. Helier: lease to Shell U.K. Limited and Esso Petroleum Company Limited– P.60/2003

Comments – P.60/2003.Com., Comments (2) – P.60/2003.Com.(2)

The Connétable of St. Saviour declared an interest and withdrew from the Chamber prior to consideration of this item.

THE STATES commenced consideration of a proposition of the Harbours and Airport Committee regarding La Collette Fuel Farm: lease to Shell U.K. Limited and Esso Petroleum Company Limited, requesting them –

- (a) to approve the leasing to Shell (U.K.) Limited and Esso Petroleum Company Limited of land designated as letting number LC3 at La Collette, St. Helier, shown on drawing No. 648/1, providing–
 - (i) a total developed area, including car parking to the front of the site, of 195,195 square feet;
 - (ii) a net developed area, having deducted an area to maintain storage capacity for strategic purposes, of 169,059 square feet;
 - (iii) an area of 24,000 square feet to provide for a safety zone and future expansion;
 - (iv) for the entire demise to continue in its present use for the purposes of the storage of fuel oils and associated products supplied from the oil pipelines connected to the tanker berth; for a period of 20 years with effect from 1st February 1998 at an annual rent of £188,605, representing a rate of £1.10 a square foot for the developed land and a rate of 10 per cent thereof for the expansion area with rent reviews against open market rental value each 5 years commencing on 1st February 2003, and with the lessee having the option to terminate at the end of the 7th and 14th years of the lease, subject to one year's prior notice in writing; with the lessee to be responsible for the lessor's legal fees in connection with the transaction;
- (b) to agree that the public of the Island will be entitled to retake possession of the land if it is considered to be in the public interest, in which event fair and proper compensation will be paid to the lessee, assessed in accordance with the Compulsory Purchase of Land (Procedure) (Jersey) Law 1961, as amended;
- (c) to authorise the Attorney General and the Greffier of the States to pass the necessary contracts on behalf of the public;
- (d) to authorise the Treasurer of the States to receive the rent as it becomes due.

THE STATES, after discussion, adopted a proposition of Senator Edward Philip Vibert that the matter be referred back to the Harbours and Airport Committee.

Members present voted as follows –

"Pour" (35)

Senators

Le Maistre, Syvret, Walker, Le Claire, Routier, M. Vibert, E. Vibert.

Connétables

St. Ouen, St. Mary, St. John, St. Peter, St. Clement, Trinity.

Deputies

Breckon(S), Huet(H), St. Martin, St. John, Le Main(H), Troy(B), Scott Warren(S), Farnham(S),
Le Hérissier(S), Fox(H), Bridge(H), Martin(H), Southern(H), Bernstein(B), Ferguson(B), St. Mary
St. Ouen, Ryan(H), Grouville, St. Peter, Hilton(H), De Faye(H).

“Contre” (8)

Senators

Norman, Le Sueur.

Connétable

St. Brelade.

Deputies

Duhamel(S), Dubras(L), Dorey(H), Voisin(L), Taylor(C).

Shadow Law Revision Board – appointment of members

THE STATES, adopting a proposition of the Finance and Economics Committee, referred to their Act dated 16th July 2003 in which they approved the draft Law Revision (Jersey) Law 200-, and appointed the following as members of a shadow Law Revision Board pending the coming into force of the Law and the establishment of the Law Revision Board in accordance with the provisions of Article 2 of the Law –

Deputy Jeremy Laurence Dorey of St. Helier; and
Deputy Gerard Clifford Lemmens Baudains of St. Clement.

Senator P.F.C. Ozouf – attendance

Senator Philip Francis Cyril Ozouf, having returned to the Island, arrived in the Chamber during consideration of the proposition regarding the Waterfront Enterprise Board Limited: dissolution (P.33/2003 lodged “au Greffe” on 25th March 2003 by Senator Stuart Syvret).

Waterfront Enterprise Board Limited: dissolution – P.33/2003

Senator Christopher Gerard Pellow Lakeman and Deputy Patrick John Dennis Ryan declared an interest and withdrew from the Chamber during the consideration of this item.

THE STATES commenced consideration of a proposition of Senator Stuart Syvret regarding the Waterfront Enterprise Board: dissolution, (P.33/2003 lodged “au Greffe” on 25th March 2003), and granted leave to Senator Syvret to withdraw paragraph (b) as follows –

- (b) to agree that all non-States Directors of the Waterfront Enterprise Board Limited should be removed from office within one month of the approval of this proposition, in accordance with the provisions of Article 30(b) of the Company’s Articles of Association, and to request the Policy and Resources Committee to bring forward to the States for approval, within one month of the approval of this proposition, nominations for replacement Directors to serve for a term of office not exceeding the period required to wind up the company’s affairs.

THE STATES then adjourned, having agreed to meet on 23rd July 2003 to continue consideration of the proposition of Senator Syvret and of the outstanding items of public business.

THE STATES rose at 6.33 p.m.

M.N. DE LA HAYE

Greffier of the States.