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THE STATES assembled on Tuesday,  
20th June 1995 at 9.30 a.m. under  
the Presidency of the Bailiff,  
Philip Martin Bailhache, Esquire

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All Members were present with the exception of -

Jack Roche, Connétable of St. Saviour - ill  
Robin Ernest Richard Rumboll, Deputy of St.  
Helier - out of the Island  
Shirley Margaret Baudains, Deputy of St.  
Helier - out of the Island  
James Thomas Johns, Deputy of St. Helier -  
ill  
Jacqueline Jeannette Huet, Deputy of St.  
Helier - absent.

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Prayers

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50th Anniversary of the Liberation: loyal  
address - reply

The Bailiff informed the Assembly that His  
Excellency the Lieutenant Governor had received  
a letter from The Rt. Hon. Michael Howard,  
Q.C.,M.P., Secretary of State for Home Affairs,  
in the following terms -

``Dear Sir John,

I have had the honour to lay before The  
Queen the Loyal and Dutiful Address of the  
States of Jersey on the occasion of the  
fiftieth anniversary of the liberation of  
the Island.

I have it in Command to convey Her  
Majesty's appreciation of the Loyal  
Greetings contained in the Act of the  
States and to say that Her Majesty looks

forward to the continuation of the close and ancient ties between the Crown and the Island which Her Majesty values so deeply.

Yours sincerely,

MICHAEL HOWARD".

#### Subordinate legislation tabled

The following enactments were laid before the States, namely -

1. Insurance Business (Prescribed Number of Companies) (Jersey) Order 1995. R & O 8833.
2. St. Clement Fête (Jersey) Order 1995. R & O 8834.
3. Gorey Fête (Jersey) Order 1995. R & O 8835.

#### Matter presented

The following matter was presented to the States -

Manpower report for the period 1st July to 31st December 1994. R.C.16/95.  
Presented by the Establishment Committee.  
THE STATES ordered that the said report be printed and distributed.

#### Matter noted - land transaction

THE STATES noted an Act of the Finance and Economics Committee dated 9th June 1995 showing that, in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved, as recommended by the Planning and Environment Committee, the lease from R.R. Whittingham and Company Limited of No. 25 Providence Street, St. Helier, for occupation by the Women's Royal Voluntary Service (WRVS), for a period of nine years from 1st July 1995 on the basis of an internal repairing lease, at an annual rent of £12,000, with rent reviews every three years.

Matter noted - acceptance of tender

THE STATES noted an Act of the Finance and Economics Committee dated 10th April 1995, showing that, in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that the Harbours and Airport Committee had accepted, allowing for the inclusion of the prime estimated costs in the main tender, the lowest tenders for the conversion of the former Huelin-Renouf warehouse, Victoria Pier (V12), Port of St. Helier, as a fish processing warehouse, amounting to £109,462, inclusive of fees, as follows -

main contract J.F. Marett and Son Limited  
staircases Bardec Limited  
plumbing H. and V. Building Services  
Limited  
electrical T. Venton.

Matters lodged

The following matters were lodged ``au Greffe" -

1. Field 1517, Bellozanne, St. Helier: extinguishment of certain rights - P.81/95.  
Presented by the Housing Committee.
2. Draft Anatomy and Human Tissue (Amendment) (Jersey) Law 199 - P.82/95.  
Presented by the Public Health Committee.
3. Draft Gambling (Betting) (Amendment No. 8) (Jersey) Regulations 199 - P.83/95.  
Presented by the Gambling Control Committee.
4. Secondary education in Jersey: re-organisation - P.84/95.  
Presented by the Education Committee.

THE STATES noted that the following matter had been lodged ``au Greffe" on 13th June 1995 -

Mortgage interest relief on

Jersey residential property - P.80/95.  
Presented by Deputy A. Breckon  
of St. Saviour.

Arrangement of public business for the present meeting

Deputy Alan Breckon of St. Saviour withdrew his proposition regarding mortgage interest relief on Jersey residential property (P.158/94 - lodged ``au Greffe" on 29th November 1994), having lodged ``au Greffe" a revised version at the present meeting (P.80/95).

THE STATES acceded to the request of the President of the Etat Civil Committee that consideration of the draft Census (Jersey) Regulations 199 . (P.76/95 - lodged ``au Greffe" on 6th June 1995) be deferred from the present meeting to 11th July 1995.

THE STATES confirmed that the following matter lodged ``au Greffe" should be considered at the present meeting -

La Colomberie/Green Street and 7 Francis Street, St. Helier: sale and cession of land - P.79/95.  
Lodged: 6th June 1995 by Senator C. Stein.  
Public Services Committee.

Arrangement of public business for the next meeting on 11th July 1995

THE STATES confirmed that the following matters lodged ``au Greffe" should be considered at the next meeting on 11th July 1995 -

Airport terminal development: approval of drawings - P.75/95.  
Lodged: 6th June 1995.  
Harbours and Airport Committee.

Draft Administrative Decisions (Review) (Amendment) (Jersey) Law 199 - P.78/95.  
Lodged: 6th June 1995.  
Special Committee to consider Relationship between Committees and the States.

Field 1517, Bellozanne, St. Helier:  
extinguishment of certain rights - P.81/95.  
Lodged: 20th June 1995.  
Housing Committee.

Draft Anatomy and Human  
Tissue (Amendment) (Jersey) Law  
199 - P.82/95.  
Lodged: 20th June 1995.  
Public Health Committee.

Draft Gambling (Betting) (Amendment  
No. 8) (Jersey) Regulations 199 - P.83/95.  
Lodged: 20th June 1995.  
Gambling  
Control Committee.

Arrangement of public business for meeting on  
25th July 1995

The President of the Education Committee gave  
notice that the Committee would ask at the  
appropriate time that the proposition regarding  
the re-organisation of secondary education in  
Jersey (P.84/95 - lodged "au Greffe" on 20th  
June 1995) be considered on 25th July  
1995.

THE STATES agreed that the proposition should be  
considered on 25th July 1995.

Emergency planning matters - questions and  
answers (Tape No. 286)

Deputy Philip John Rondel of St. John asked  
Leonard René Hamel, Connétable of St. Clement,  
rapporteur for the Emergencies Council, the  
following questions -

1. Which Committee or body employs  
the Emergency Planning Officer?
2. What is the Emergencies  
Council's present policy regarding  
emergency food supplies? How many weeks  
supply of food are held in the Island  
in case of prolonged bad weather or  
other emergencies?
3. What part was played by the parish  
liaison officers and civil emergency  
teams in the recent marine accident  
involving the M.V. 'St. Malo'?

4. As a result of that shipping accident, does the Emergencies Council propose to carry out a re-appraisal of the Emergency Measures Plan?"

The Connétable of St. Clement replied as follows -

1. Article 3 of the Emergency Powers and Planning (Jersey) Law 1990 provides for the appointment of an 'officer' known as the Emergency Planning Officer 'who shall perform such duties as may be imposed on him by the Council' (that is, the Emergencies Council).

The word 'officer' indicates that the Emergency Planning Officer is a civil servant and thus his contract of employment is with the Establishment Committee. However, as the Law clearly shows, the duties of his office are determined by the Emergencies Council and he reports directly to the Council for the discharge of those duties.

2. Most recent estimates indicate that three to five weeks of food stocks are held by commercial organisations in the Island (depending on the time of year).

In so far as adverse weather conditions are concerned, these rarely affect both air and sea travel for any length of time; therefore alternative arrangements can be made - this has been done successfully in recent years.

Until 1994/5, buffer stocks of margarine, sugar, biscuits, flour and yeast were held. Following consultations with MAFF and other appropriate organisations these stocks are no longer held due to changes in attitudes concerning peace time requirements.

In the event of a peace time disaster affecting the Island, support and provisions can be obtained speedily through the United Kingdom. If the problem is caused by a worldwide conflict certain factories and

manufacturers are on standby to increase and stockpile necessary items which can be ordered during the estimated six months lead-up to any outright war situation.

3. The St. Helier parish liaison officer, Paul Atkinson, and his civil emergency team of volunteers played a full and vital rôle in the recent marine accident involving the 'St. Malo'. The St. Helier parish liaison officer and team have trained and practised with the States Ambulance Service to help with the immediate care of casualties and assessing the order in which they should be treated (the triage system) that would be initiated by the Ambulance Service in any major emergency. This primarily involves the setting up of inflatable tents and their equipment and providing stretcher bearers.

During the 'St. Malo' incident the civil emergency volunteers from St. Helier provided an invaluable service in helping to transport casualties from the various rescue vessels to the waiting ambulances. This activity meant that the States Ambulance personnel were able to concentrate on providing first aid and treatment.

In carrying out their rôle during the 'St. Malo' incident the parish liaison officer and his volunteers fully justified the training and time given to them by the Ambulance Service and proved the worth of their services in a major emergency.

It was not deemed necessary to call in any of the other parish liaison officers for help during this emergency. If assistance from the liaison officers of any other parish had been required the request would have been made through the appropriate parish connétable. However, the Deputy and members may be interested to know that 120 officers of the honorary police gave assistance to the States of Jersey Police Force and the St. Helier Honorary Police, wherever required in support of the emergency services,

particularly at and around the Elizabeth Terminal and the General Hospital.

4. Following the accident to which the Deputy refers, the Emergencies Council initiated a thorough review of those parts of the Emergency Measures Plan that applied to the emergency services that had responded to the accident. Recently the Council met the responsible officers of the services concerned for a review of their outline responsibilities under the plan.

The value of a plan such as this can only properly be tested by a real incident. The Council is satisfied that, generally speaking, the Emergency Measures Plan proved its worth on this occasion, and that the services concerned made good use of the plan's provisions in their response to the accident. The 'St. Malo' incident has not caused the Council to re-appraise the Emergency Measures Plan in any fundamental way. However, valuable lessons have been learned and some refinements of the plan are already being prepared. These matters will be resolved by discussion between the Emergency Planning Officer and the heads of the services concerned under the overall supervision of the Emergencies Council."

Cash surpluses - questions and answers (Tape No. 286)

Deputy Gary Matthews of St. Brelade asked Senator Pierre François Horsfall, President of the Finance and Economics Committee, the following questions -

1. (a) What was the balance of the Strategic Reserve Fund as at 1st June 1995?
- (b) How are the two investment management companies, Newton International and Kleinwort Benson, performing against targets set on the returns from investment of the Strategic Reserve Fund; and what is the estimated return on



the Strategic Reserve Fund as a result of these investment strategies?

- (c) By how much did the value of the Strategic Reserve Fund increase during 1994 and in the year 1995 to date?
2. What was the amount of -
- (a) underspending on the Welfare Services vote for 1994 and was that amount credited to General Revenues?
- (b) underspending on the non-departmental items in the Finance and Economics Committee's budget?
3. What was the carried forward balance in the vote of credit granted to the States' Greffe - States' Printers for 1994?
4. What is the current balance on -
- (a) the Central Environment Fund?
- (b) the General Reserve?
5. What was the saving on the visit of His Royal Highness The Prince of Wales compared with the cost originally budgeted?
6. How much money was transferred from General Revenues to the Reserve Funds in 1994? How much is proposed to be transferred from General Revenues to the Reserve Funds in 1995?
7. According to the last actuarial review in 1994, there was a surplus of £89 million in the Public Employees Contributory Retirement Scheme. Consequentially, the States contribution rate was reduced from 15.6 per cent to 15.16 per cent with effect from 1st January 1993. What is the likely saving to the States, by reason of that reduction, in 1993, 1994 and 1995, or the estimated saving in each of those years?"

Committee replied as follows -

1. (a) The market value of the Strategic Reserve Fund as at 1st June 1995 was £236 million (to the nearest £ million).
- (b) The two management companies appointed to handle the investments of the Strategic Reserve Fund, from the date of their appointment to the latest measurement point (1st February 1994 to 30th April 1995) marginally under-performed (0.3 per cent) the target set by the Finance and Economics Committee (one per cent above the Financial Times Actuaries Index for 5-15 year gilt-edged stock). The Committee expects the investment strategies of the investment managers to achieve the target set for the return on the Fund in future.
- (c) Long will the memory of fixed interest fund managers be haunted by recollections of the year 1994 which was the most difficult for some quarter of a century. Such was the fall in the value of markets for fixed interest stocks world-wide, that few, if any, fund managers achieved a positive return for their work in 1994. The Strategic Reserve Fund fell by £22 million during 1994 (from £239 million {£193 million investment £46 million cash} to £217 million {£212 million investments: £5 million cash} - nine per cent). It should be remembered, however, that the Finance and Economics Committee withdrew £5 million from the Fund during the course of 1994 in dealing with a difficult situation on the Budget for the year.

During the current year, the value of the Fund has risen to £236 million, as mentioned in my reply to part (a), an increase of almost nine per cent, virtually recovering the fall in value in

1994. Members will, however, recall that, in my Budget speech last December, I drew attention to the fact that £7 million would be required from the Strategic Reserve during 1995 and notice has been given to the managers to transfer the amount at the end of next month.

2. (a) The underspending on the Welfare Services vote for 1994 was almost £932,000 all of which was returned to General Revenues and therefore helps to reduce the projected deficit on the Budget for 1995.
  - (b) The underspending on the non-departmental items in the Finance and Economics Committee's budget for 1994 was just under £477,000, principally due to savings in the cost of audit, Distinguished Visitors and Conference Expenses and Grants and Subsidies. Of this sum, £240,000 has been set aside by the Finance and Economics Committee to meet increased costs of States' insurances (which have been identified since the Budget for 1995 was drawn together) and £150,000 which was set aside from departmental savings when it was learned there would be a royal visitor or visitors coming to Jersey in connexion with the Liberation Anniversary celebrations. The remaining balance, of some £87,000, was returned to General Revenues.
3. No part of the underspending on the States' Greffe print section was carried forward from 1994 since the sum largely related to lower activity which was in turn reflected by lower-than-estimated income of approximately the same amount as shown in the published Accounts of the States for 1994.
  4. (a) The central Environmental Fund is managed by the Planning and Environment Committee following the decision by the States on 26th July 1994 to transfer

responsibility for the central Environment Management vote to the re-named Committee. I am informed that the current balance on the central Environment Fund is £437,796 but commitments amounting to £35,000 have already been made and requests amounting to a further £362,000 are being considered by the Planning and Environment Committee.

(b) The current balance on the General Reserve, which is now the only reserve available to meet variations in the day-to-day running expenses of the States, is £36,403,000 but this does not reflect the impact which lodged Supply Day requests, amounting to £6,688,000, will have on the balance if the requests are subsequently granted by the States; in which case the balance would become £29,715,000.

5. Provisionally, an amount of £150,000 was set aside from departmental savings, as I mentioned in the reply to question 2(b), when it was learned that there would be a royal visitor to the Island's 50th Anniversary of Liberation celebrations. At the present moment, information from all departments involved regarding final costs of the celebrations and their allocation between the two events (the Royal Visit and the 50th Anniversary celebrations) is not yet available.
6. No transfer was made from General Revenues to the Strategic Reserve in 1994 but an amount of £5 million was withdrawn from the Reserve and transferred to the Capital Fund, as was agreed by the States in the 1994 Budget. An amount of £10 million was transferred from General Revenues to the General Reserve in 1994 and an amount of just over £5.3 million was withdrawn from the General Reserve to fund supplementary and additional votes of credit of a capital and revenue nature.

For 1995 there will be no transfer of

funds from General Revenues to the Strategic Reserve but an amount of £7 million will be withdrawn next month, as was agreed when the 1995 Budget document was approved by the States. With regard to the General Reserve, an amount of £11 million has been transferred into the Reserve; Supply Day requests of a capital and revenue nature, granted by the States or currently lodged, amount to £7.7 million at the present time. It is not yet known how much will be required by States' Committees when the October Supply Day requests are received.

7. The latest actuarial review of the Public Employees' Contributory Retirement Scheme was published in 1994 based on the appraisal as at 31st December 1992. Of the disclosed actuarial surplus, the element which was applied to a reduction of the States' employer's contribution reflects a saving of approximately £383,000 for 1993, £388,000 for 1994 and £400,000 for the current financial year. The information was only received late in 1994 and the savings have contributed towards reducing the Budget deficit in future years."

Voluntary redundancy and voluntary early retirement - questions and answers (Tape No. 286)

Deputy Gary Matthews of St. Brelade asked Deputy Frank Harrison Walker of St. Helier, President of the Establishment Committee, the following questions -

1. How many States employees have taken voluntary redundancy and voluntary early retirement since the start of the schemes and what is the total saving for the States to date?
2. Will the President publish the details of the Chief Officers' Group's pay settlements for 1993-1994 and 1994-1995?"

The President of the Establishment Committee

replied as follows -

1. Since the inception of my Committee's Voluntary Redundancy and Voluntary Early Retirement schemes in the autumn of 1994, 48 applications have been approved. The consequential saving to the States' wage bill will be approximately £750,000 a year.
2. The Chief Officers' Association pay settlement for 1993-1994 was 5.1 per cent, which was strictly in accordance with the award to the public service as a whole.

In October 1994, the Chief Officers were the first group to accept a two-year award for 1994-1995 strictly in line with my Committee's pay policy.

June 1994-May 1995	0 per cent
June 1995	3 per cent
January 1996	£5.50 a week

The award included a clause which allowed them to seek a review in line with 'the generality of other pay groups in the public sector' should those awards be at a higher level.

The Chief Officers, who have acted in a highly responsible and helpful manner throughout, have made it clear they have no intention of seeking to change their award as a result of the award to civil servants.

It is worth recording that, since the Chief Officers' Association was formed in June 1991, their pay awards have all been the same as, or at a lower level than, civil servants."

Jersey Consumer Council: appointment of members - statement

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

``The House will recall that on 25th April 1995 the establishment of a Jersey Consumer Council was approved. The membership of the Council consists of a Chairman appointed by the States, namely Deputy Alan Breckon, and eight other members appointed by the Policy and Resources Committee as provided for in the report of the Committee dated 23rd February 1995 (P.37).

I am pleased to be able to inform the House that the following have accepted the invitation of the Committee to be members of the Council -

Advocate Anita Regal as a member of the Jersey legal profession

Mr. Neville Brookes as a retail member of the Chamber of Commerce

Mr. Robert Parker as a member of the Jersey Hotel and Guest House Association

Mr. Mick Kavanagh as a member of the Transport and General Workers Union

Mrs. Susan Hart as a member of the Standing Conference of Women's Organisations

Mr. James Hamilton as a member of the Citizens Advice Bureau, and

Mrs. Gillian Duhamel and Ms. Karen Wall as two members of the public not representing any particular organisation.

The Policy and Resources Committee is most grateful to all concerned for agreeing to give their time to serve on the Council which body we are confident will do much, under the chairmanship of Deputy Alan Breckon, to further the interests of all consumers in the Island."

Australian Parliamentarian's visit - welcome

The Bailiff welcomed to the States the Hon. David White, M.L.C., Member of the Legislative Council, Victoria, Melbourne, Australia.

Inquests and Post-Mortem Examinations (Jersey)  
Law 1995 (Appointed Day) Act 1995

THE STATES, in pursuance of Article 28 of the  
Inquests and Post-mortem Examinations (Jersey)  
Law 1995, made an Act entitled the Inquests and  
Post-Mortem Examinations (Jersey) Law 1995  
(Appointed Day) Act 1995.

Elizabeth Harbour, Port of St. Helier - Phase I  
Warehouse: lease of accommodation

THE STATES, adopting a proposition of the  
Harbours and Airport Committee -

- (a) approved the lease of the  
undermentioned areas within the Phase I  
Warehouse, Elizabeth Harbour, Port of  
St. Helier, from 1st July 1995 at a  
rate of £6.134 a square foot, subject  
to annual review -
  - (i) the northern part of the  
warehouse, measuring 10,427 square  
feet, to Commodore Express  
(Jersey) Limited, for a period of  
nine years, at an annual rent of  
£63,959.22; and
  - (ii) the south-west part of the  
warehouse, measuring 5,931 square  
feet, to Exel Logistics (Jersey)  
Limited, for a period of three  
years, at an annual rent of  
£36,380.75;
- (b) authorised the Greffier of the States  
to sign the necessary agreements;
- (c) authorised the Treasurer of the States  
to receive the rents as they became  
due.

Amendment (No. 16) of the Standing Orders of  
the States of Jersey - P.70/95

THE STATES, in pursuance of Article 27 of the  
States of Jersey Law 1966, made Amendment No.  
(16) of the Standing Orders of the States of  
Jersey.



Loi (199 ) (Amendement No. 5) sur l'Instruction Primaire - P.71/95

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Loi (199 ) (Amendement No. 5) sur l'Instruction Primaire.

Airport: lease of land for hangar - P.72/95  
(Revised)

THE STATES, adopting a proposition of the Harbours and Airport Committee -

1. approved the lease to Aviation Beauport (Hangar Services) Limited of an area of land (measuring approximately 110,000 square feet) at Jersey Airport, the exact area of land to be agreed between the Committee and the company, for a period of 42 years from 1st November 1995 at an annual rent commencing at approximately £4,133 for the first year and thereafter at an increasing rate in accordance with the formula set out in the report, dated 25th May 1995, of the Harbours and Airport Committee, to enable the said company to construct and maintain, at its own expense, a hangar, apron, car parking area and a roadway;
2. authorised the Attorney General and the Greffier of the States to pass the necessary contract on behalf of the public;
3. authorised the Treasurer of the States to receive the rent as it became due.

H.M. Prison, La Moye, St. Brelade: construction of stores and work area - P.73/95

THE STATES, adopting a proposition of the Prison Board -

- (a) approved drawings Nos. 2415/237/261/263 and 95-11-01, 95-11-02 and 95-11-03, showing the construction of stores and wet weather work area within H.M. Prison, La Moye, St. Brelade;
- (b) authorised the Greffier of the States to sign the said drawings on behalf of

the States.

States of Jersey - Standing Order No. 4:  
meetings of the States - P.74/95

THE STATES, adopting a proposition of the House Committee, agreed to waive sub-paragraph (b) of paragraph (1) of Standing Order No. 4 (Meetings of the States) so that there would not be a meeting during the month of August.

Jersey College for Girls and Jersey College for Girls Preparatory School - traffic management system and car park: approval of drawings and project funding - P.77/95

THE STATES, adopting a proposition of the Education Committee -

- (a) approved drawings Nos. 9416/A/L/1/40.B and 9416/A/L/4/25.04, 26.04, 41.01, 42.01, 71.03 and 72.03 showing the construction of a school bus service drop-off area, a collection area and a car park on two levels on part of Field 798, Le Mont Millais, St. Saviour, required for the Jersey College for Girls and the Jersey College for Girls Preparatory School;
- (b) authorised the Greffier of the States to sign the said drawings on behalf of the States;
- (c) approved the grant to the Education Committee of a supplementary capital vote of credit in the sum of £1,674,000, under the heading "C2467 - JCG/JCG Prep, Car Park";
- (d) agreed that the sum of £1,674,000, should be deleted from the Education Committee's approved 1997 capital programme.

Members present voted as follows -

"Pour" (31)

Senators

Shenton, Jeune, Horsfall, Rothwell, Stein,  
Quérée, Bailhache, Tomes.

Connétables

St. Clement, St. Lawrence, St. Mary, St.  
Brelade, Grouville, St. Helier, St. Ouen,  
St. John.

#### Deputies

Norman(C), H. Baudains(C), Le Sueur(H), St.  
Ouen, Coutanche(L), Huelin(B), St. Mary, Le  
Fondré(L), Walker(H), Crespel(H), Trinity,  
Carter(H), Routier(H), Dorey(H), St. John.

``Contre" (13)

#### Senators

Le Main, Syvret.

#### Connétables

St. Peter, St. Martin.

#### Deputies

St. Peter, Le Geyt(S), Pullin(S),  
Duhamel(S), Matthews(B), Layzell(B),  
Breckon(S), Grouville, St. Martin.

#### Adjournment

THE STATES then adjourned, having agreed that  
the proposition relating to the sale and cession  
of land at La Colomberie/Green Street and 7  
Francis Street, St. Helier (P.79/95 - lodged  
``au Greffe" on 6th June 1995) should stand  
over until Tuesday, 11th July 1995.

THE STATES rose at 1.17 p.m.

G.H.C. COPPOCK

Greffier of the States.