

Price : £1.50

THE STATES assembled on Tuesday,
14th March 1995 at 9.30 a.m. under
the Presidency of the Bailiff,
Philip Martin Bailhache, Esquire

All Members were present with the exception of -

Robin Ernest Richard Rumboll, Deputy of St.
Helier - out of the Island
John Nicolle Le Fondré, Deputy of St.
Lawrence - ill.

Prayers

Extraordinary meeting - 8th May 1995

The Bailiff informed the States that an
extraordinary meeting would be held at
2.15 p.m. on 8th May 1995 to celebrate the 50th
anniversary of the liberation of Jersey from
enemy occupation.

Subordinate legislation tabled

The following enactments were laid before the
States, namely -

1. Poisons (General Provisions)
(Amendment No. 7) (Jersey) Order 1995.
R & O 8795.
2. Therapeutic Substances (Supply
of Flunisolide and Triamcinolone)
(Jersey) Order 1995. R & O 8796.

Matters presented

The following matters were presented to the

States -

1. Agricultural loans: report for 1994. R.C.5/95.
Presented by the Agriculture and Fisheries Committee. THE STATES ordered that the said report be printed and distributed.
2. Public lotteries: report for 1994. R.C.6/95.
Presented by the Gambling Control Committee. THE STATES ordered that the said report be printed and distributed.
3. Dwelling Houses Loan Fund: accounts for 1994. R.C.7/95.
Presented by the Housing Committee. THE STATES ordered that the said accounts be printed and distributed.

Presented on 7th March 1995 -

4. Matrimonial Causes (Jersey) Law 1949 - Review of the Law in Jersey relating to divorce: discussion document.
Presented by the Legislation Committee.

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 6th March 1995, showing that, in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved -

- (a) as recommended by the Public Services Committee, the increase in the annual rent to Gorey Boat Builders Limited of the property The Quarry/The Anchorage, Gorey Pier, St. Martin, from £12,062 to £13,500 with effect from 29th September 1994;
- (b) as recommended by the Public Services Committee, the lease to the Royal Channel Islands Yacht Club of 273 square yards of land on the Bulwarks, St. Aubin, St. Brelade, for a period of nine years from 25th December 1991 until 24th December 2000 at an annual rent of £2,800, subject to

increases in line with car parking charges, from time to time;

(c) as recommended by the Sport, Leisure and Recreation Committee, the lease to the undermentioned persons of the specified areas of land in the vicinity of Les Creux, St. Brelade, for a period of six months from 23rd January to 31st July 1995, at an annual rent of £120 a vergée, on the basis that a green crop would be required to be left in the land following the proposed potato crop -

(i) Philip John Rondel - Fields Nos. 533B (part) and 536, St. Brelade (together measuring 4.7 vergées) at an annual rent of £564 (£282 for the six month period);

(ii) Kenneth Huelin - Fields Nos. 195, 196, 197, 198, 198A, 202, 323, 325, 326 and 514 and 515, 519, 520, 521 and 522, St. Brelade (together measuring 66.25 vergées) at an annual rent of £7,950 (£3,975 for the six month period);

(d) as recommended by the Public Services Committee, the purchase from Orviss Limited of 745 square feet of land at the junction of Castle Street and Commercial Street, St. Helier, for a consideration of £745, with the Committee being responsible for the payment of all reasonable legal costs and for the necessary accommodation works involved;

(e) as recommended by the Planning and Environment Committee, the lease from Mrs. Odette Louise Mallinson, née Guiton, of La Basse Cour, Les Grupieaux, St. Peter, (a detached three-bedroom property) for a period of two years from 25th March 1995, for an annual rent of £14,300, payable quarterly in advance, subject to three months written notice on behalf of the Committee.

The following subjects were lodged ``au Greffe" -

1. Draft Petroleum-Spirit (Control) (Jersey) Regulations 199 - P.34/95.
Presented by the Defence Committee.
2. Draft Nursing and Residential Homes (Jersey) Law 1994 (Appointed Day) Act 199 - P.36/95.
Presented by the Public Health Committee.
3. Jersey Consumer Council: appointment - P.37/95.
Presented by the Policy and Resources Committee.
4. Draft Island Planning (Use Classes) (Amendment No. 2) (Jersey) Regulations 199 - P.38/95.
Presented by the Planning and Environment Committee.

Lodged ``au Greffe" on 7th March 1995 -

1. Public Employees Contributory Retirement Scheme: legislation - P.31/95.
Presented by the Establishment Committee.
2. Draft The Royal Bank of Scotland International Limited (Jersey) Law 199 - P.32/95.
Presented by Deputy R.E.R. Rumboll of St. Helier and referred to the Finance and Economics Committee.
3. Industrial Relations Committee: appointment of Project Officer - P.33/95.
Presented by the Industrial Relations Committee.

Arrangement of public business for the present meeting

THE STATES acceded to the request of Deputy Dereck André Carter of St. Helier that his

amendment of the draft Sea Fisheries (Miscellaneous Provisions) (Jersey) Regulations 199 (P.6/95 - lodged ``au Greffe" on 17th January 1995) be withdrawn.

THE STATES acceded to the request of Senator Reginald Robert Jeune, Vice-President of the Legislation Committee, that consideration of the draft Probate (Exemption from Production of Grant) (Jersey) Regulations 199 (P.23/95 - lodged ``au Greffe" on 28th February 1995) be deferred from the present meeting.

THE STATES noted that Deputy Alan Breckon of St. Saviour had withdrawn paragraphs (1) and (3) of his proposition regarding the States Housing Rental Scheme: revision (P.166/94 - lodged ``au Greffe" on 13th December 1994) which were referred by the States to the Housing Committee, paragraph (2) having been adopted by the States on 14th February 1995.

Arrangement of public business for the next meeting on 28th March 1995

THE STATES confirmed that the following subjects lodged ``au Greffe" should be considered at the next meeting on 28th March 1995 -

Draft Matrimonial Causes (Amendment No. 8) (Jersey) Law 199 - P.18/95.
Lodged: 14th February 1995.
Legislation Committee.

Draft Milk (Sale to Special Classes) (Jersey) Regulations 199 - P.22/95.
Lodged: 28th February 1995.
Employment and Social Security Committee.

Draft Probate (Exemption from Production of Grant) (Jersey) Regulations 199 - P.23/95.
Lodged: 28th February 1995.
Legislation Committee.

Draft Bankruptcy (Désastre) (Amendment) (Jersey) Law 199 - P.24/95.
Lodged: 28th February 1995.
Finance and Economics Committee.

2-2½ Anley Street, St. Helier: sale of commercial warehouse - P.25/95.
Lodged: 28th February 1995.
Planning and Environment Committee.

Public Employees Contributory
Retirement Scheme: legislation - P.31/95.
Lodged: 7th March 1995.
Establishment Committee.

Draft The Royal Bank of Scotland
International Limited (Jersey) Law 199 -
P.32/95.
Lodged: 7th March 1995.
Deputy R.E.R. Rumboll of St. Helier.

Industrial Relations Committee:
appointment of Project Officer - P.33/95.
Lodged: 7th March 1995.
Industrial Relations Committee.

Draft Petroleum-Spirit (Control)
(Jersey) Regulations 199 - P.34/95.
Lodged: 14th March 1995.
Defence Committee.

Draft Nursing and Residential Homes
(Jersey) Law 1994 (Appointed Day) Act
199 - P.36/95.
Lodged: 14th March 1995.
Public Health Committee.

Sixth Form College - question and answer (Tape
No. 275)

Deputy Alastair John Layzell of St. Brelade
asked the Connétable of St. Lawrence, President
of the Education Committee the following
question -

``Will the President assure the House that
those members of the Working Party
presently studying the feasibility of a
Sixth Form College, who might ultimately
disagree with the conclusions of that
Working Party, will be given every
opportunity to publish their own minority
report in the interests of conducting a
fully informed debate on this vital
matter?''

The President of the Education Committee replied
as follows -

``The question posed by Deputy Layzell
presupposes that members of the working
party of officers and senior teaching staff
may wish to disagree with its conclusions.

The group is working in a constructive and collaborative manner and it is my hope that they will continue to do so and reach full agreement. Should this not be achieved then any member of the working party would be entitled to present a minority report which would be included in the publication containing the group's findings."

16+ education - questions and answers. (Tape No. 275)

Senator John Stephen Rothwell asked the Connétable of St. Lawrence, President of the Education Committee the following questions -

1. What is the policy of the Education Committee on teachers becoming involved publicly in political matters?
2. Was the Committee aware that the heads of the four 11-16 secondary schools (feeder schools) had written to parents on the subject of the 14+ transfer to Hautlieu School? If so, did the Committee authorise them to do so?
3. Will the report prepared by the teachers of Hautlieu School in response to the OFSTED study be released in its entirety to States' members?
4. In order to allay confusion that appears to exist amongst the general public, would the President say whether -
 - (a) her Committee has determined a policy with regard to the future of Hautlieu and 16+ education in Jersey; and
 - (b) if, or when, the Committee has determined that policy she will present to the States a clear statement of that policy; of the likely timetable for any proposed changes necessary to implement that policy; and the cost and manpower implications?"

The President of the Education Committee replied as follows -

1. While guidelines are issued to staff requiring that they should do nothing in their professional capacity nor in their private lives to bring discredit on the service, no policy on teachers becoming involved publicly in political matters has ever been established. However, since September 1994 the Director, at the request of the Education Consultative Council and a number of headteachers, has been involved in discussions with headteachers and teacher representatives with a view to recommending a policy to the Education Consultative Council. His recommendations will be presented to its next meeting which will be held on 8th June 1995.
2. The answer to both questions is "No".
3. It is a matter for the teachers of Hautlieu School to decide whether to release their response to the Ofsted report to States' Members. My Committee, whilst not endorsing their report, has given approval to the staff for its publication.
4. Members will be aware that my Committee has commissioned a working party comprised of officers and the senior staff from the five secondary schools who are producing an action plan for the establishment of a Sixth Form College. A brief has been agreed by the group and this includes detailed consideration of staffing and resource implications as well as a timetable for implementation. Their report will be presented to my Committee on 26th April 1995, following which we will decide upon our policy and the content of the report and proposition to be laid before the States.

It is not my intention that any change would be implemented before the new town secondary school opens. This will not be before September 1997 at the earliest and may not be until 1998. Hautlieu will continue as a 14-18 school until that time."

Terms of Employment officers: appointment

THE STATES, adopting a proposition of the Industrial Relations Committee, and in accordance with Regulation 6(1) of the Terms of Employment (Jersey) Regulations 1995 -

- (a) appointed Mr. Kenneth William Syvret as Terms of Employment Officer for a period of three years commencing 1st April 1995;
- (b) appointed Advocate David Eldon Le Cornu as Deputy Terms of Employment Officer for a period of three years commencing 1st April 1995.

Health Care (Registration) (Jersey) Law 199 - P.19/94 and amendment P.28/95

THE STATES continued consideration of the draft Health Care (Registration) (Jersey) Law 199 , having on 15th March 1994 adopted the Preamble, Articles 1 and 2 and the Schedule, and referred back the remaining Articles for further consideration.

Article 3 was adopted, the States having accepted an amendment of the Public Health Committee that for sub-paragraphs (c) and (d) there should be substituted the following sub-paragraphs -

- “(c) he holds a qualification for the time being accepted for the purposes of this Article by the Committee; or
- (d) he has had training and practical experience in the relevant registrable occupation which the Committee considers are together sufficient to enable him to practise that occupation.”

Articles 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 were adopted.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Health Care (Registration) (Jersey)

Law 199 .

Sea Fisheries (Miscellaneous Provisions)
(Jersey) Regulations 1995 - P.5/95

THE STATES, in pursuance of Articles 2, 5 and 22
of the Sea Fisheries (Jersey) Law 1994, made
Regulations entitled the Sea Fisheries
(Miscellaneous Provisions) (Jersey) Regulations
1995.

Kart racing circuit on Field No. 790, St.
Peter - P.17/95 and report - P.29/95

THE STATES, adopting a proposition of the Sport,
Leisure and Recreation Committee, requested the
Planning and Environment Committee to reconsider
its decision not to permit the establishment of
a kart racing circuit on Field No. 790, St.
Peter, as shown on drawing No. 464-1.

Members present voted as follows -

``Pour" (37)

Senators

Shenton, Jeune, Horsfall, Rothwell, Le
Main, Le Maistre, Chinn, Bailhache, Tomes.

Connétables

St. Clement, St. Lawrence, St. Mary, St.
Brelade, Grouville, St. Helier, St.
Saviour, Trinity, St. Martin, St. Ouen.

Deputies

Wavell(S), Norman(C), Le Sueur(H), St.
Ouen, St. Mary, S. Baudains(H), Le Geyt(S),
Walker(H), Pullin(S), Trinity, Carter(H),
Duhamel(S), Matthews(B), Routier(H),
Dorey(H), Breckon(S), St. Martin, St. John.

``Contre" (13)

Senators

Stein, Syvret.

Connétables

St. Peter, St. John.

Deputies

St. Peter, H. Baudains(C), Coutanche(L),
Huelin(B), Crespel(H), Johns(H),
Layzell(B), Grouville, Huet(H).

Parish Rate (Jersey) Law 199 - P.20/95

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

Fields 89 and 90, St. Brelade: rezoning for
recreational and amenity use - P.21/95

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

(1) approved the rezoning of Fields 89 and
90, St. Brelade, as shown on drawing
No. 461/1, from Agricultural Priority
Zone, to use for recreational and
amenity purposes;

(2) authorised the Greffier of the States
to sign the said drawing on behalf of
the States.

Members present voted as follows -

``Pour" (32)

Senators

Jeune, Le Main, Le Maistre, Stein, Chinn,
Bailhache, Tomes.

Connétables

St. Clement, St. Lawrence, St. Mary, St.
Brelade, St. Peter, St. Helier, St.
Saviour, St. John.

Deputies

Norman(C), St. Peter, H. Baudains(C), Le
Sueur(H), St. Ouen, Coutanche(L),
Huelin(B), St. Mary, S. Baudains(H),
Walker(H), Crespel(H), Trinity, Johns(H),
Routier(H), Dorey(H), Huet(H), St. John.

``Contre" (9)

Senators

Rothwell, Syvret.

Deputies

Le Geyt(S), Pullin(S), Carter(H),
Duhamel(S), Layzell(B), Grouville, St.
Martin.

Franchise (Amendment No. 3) (Jersey) Regulations
1995 - P.30/95 Revised

THE STATES, in pursuance of Articles 6 and 12 of
the Franchise (Jersey) Law 1968, as
amended, made Regulations entitled the Franchise
(Amendment No. 3) (Jersey) Regulations 1995.

THE STATES rose at 3.40 p.m.

G.H.C. COPPOCK

Greffier of the States.