

STATES OF JERSEY ORDER PAPER

Tuesday 29th November 2005

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Police Procedures and Criminal Evidence (Application to Customs and Excise) (Amendment) (Jersey) Order 2005. R&O 166/2005.
Home Affairs Committee.

Terrorism (Proscribed Organizations) (Amendment No. 2) (Jersey) Order 2005. R&O 167/2005.
Home Affairs Committee.

Extradition (Treatment and Rights) (Jersey) Order 2005. R&O 168/2005.
Home Affairs Committee.

Cremation (Fees) (Jersey) Order 2005. R&O 169/2005.
Health and Social Services Committee.

Dentists (Ancillary Dental Workers – Fees) (Jersey) Order 2005. R&O 170/2005.
Health and Social Services Committee.

Food Safety (Ice-Cream Stalls etc.) (Amendment No. 26) (Jersey) Order 2005. R&O 171/2005.
Health and Social Services Committee.

Food Safety (Labelling) (Jersey) Order 2005. R&O 172/2005.
Health and Social Services Committee.

Medicines (General Sale List) (Amendment No. 6) (Jersey) Order 2005. R&O 173/2005.
Health and Social Services Committee.

Medicines (Prescription Only) (Amendment No. 7) (Jersey) Order 2005. R&O 174/2005.
Health and Social Services Committee.

Nursing Agencies (General Provisions) (Amendment No. 21) (Jersey) Order 2005. R&O 175/2005.
Health and Social Services Committee.

Amendment No. 30 to the Tariff of Harbour and Light Dues. R&O 176/2005.
Harbours and Airport Committee.

Social Security (Collection of Contributions) (Amendment) (Jersey) Order 2005. R&O 177/2005.
Employment and Social Security Committee.

Road Traffic (Grouville) (Amendment No. 2) (Jersey) Order 2005. R&O 178/2005.
Environment and Public Services Committee.

Diseases of Animals (Avian Influenza) (Jersey) Order 2005. R&O 179/2005.
Environment and Public Services Committee.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

D. PRESENTATION OF PAPERS

(a) Papers for information

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

States of Jersey: Independent Investigation into Court and Case Costs:
Report by the National Audit Office.
Finance and Economics Committee.

Solid Waste Strategy – Technology Review: Report by Babtie
Fichtner.
Environment and Public Services Committee.

Safer Routes to School. R.C.86/2005.
Environment and Public Services Committee.

Budget 2006: second amendments (P.266/2005) – comments. P.266/2005.
Employment and Social Security Committee. Com.

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

8th November 2005

States of Jersey Law 1966, as amended: delegation of functions – R.C.83/2005.
Medical Officer of Health.
Health and Social Services Committee.

22nd November 2005

The Jersey Employment Trust: Financial Statements at 31st December R.C.84/2005.
2004.
Employment and Social Security Committee.

States of Jersey Law 1966, as amended: delegation of functions – R.C.85/2005.
harbours.
Harbours and Airport Committee.

Provision of Legal Advice to Scrutiny Panels. S.R.8/2005.
Deputy G.P. Southern of St. Helier.

Draft Water Resources (Jersey) Law 200- (P.206/2005): amendments P.206/2005.
(P.206/2005 Amd.)– comments. Amd.Com.
Environment and Public Services Committee.

(b) Notification of Standing Order decisions

10th November 2005

Decisions under delegated functions.
Finance and Economics Committee.

(c) Notification of acceptance of tenders

(d) Papers to be lodged “au Greffe” under Standing Order 17A(1)(a)

Television licences for the over-75s funded from stamp duty on share transfer properties. P.274/2005.
Deputy of St. Martin.

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

8th November 2005

Draft Taxation (United States of America) (Jersey) Regulations 200-. P.264/2005.
Policy and Resources Committee.

Draft Amendment (No. 4) of the Standing Orders of the States of Jersey. P.265/2005.
Deputy R.G. Le Hérissier of St. Saviour.

Budget 2006: second amendment. P.266/2005.
Senator M.E. Vibert.

15th November 2005

Draft Police Procedures and Criminal Evidence (Jersey) Law 2003 P.267/2005.
(Appointed Day) (No. 3) Act 200.
Home Affairs Committee.

Draft Police Force (Amendment No. 9) (Jersey) Law 2003 (Appointed Day) Act 200-. P.268/2005.
Home Affairs Committee.

Budget 2006: third amendment. P.269/2005.
Economic Development Committee.

Draft Employment (Amendment No. 2) (Jersey) Law 200-. P.270/2005.
Deputy G.P. Southern of St. Helier.

Draft Employment Relations (Amendment) (Jersey) Law 200-. P.271/2005.
Deputy G.P. Southern of St. Helier.

(f) Papers for consideration by the States in Committee under Standing Order 38A

E. STATEMENTS AND PROPOSITIONS RELATING TO THE ARRANGEMENT OF PUBLIC BUSINESS AT THIS OR ANY SUBSEQUENT MEETING

THE STATES are asked to agree that the following matter lodged “au Greffe” be considered at the present meeting –

Draft Amendment (No. 4) of the Standing Orders of the States of Jersey. P.265/2005.
Lodged: 8th November 2005.
Deputy R.G. Le Hérissier of St. Saviour.

In accordance with Standing Order 17(6), the following papers are deemed to have been withdrawn –

Elizabeth Harbour Phase I warehouse – lease to Channel Express (Jersey) Limited. Lodged: 2nd November 2004. <i>Harbours and Airport Committee.</i>	P.189/2004.
Elizabeth Harbour Phase I warehouse – lease to Ferryspeed (C.I.) Ltd. Lodged: 2nd November 2004. <i>Harbours and Airport Committee.</i>	P.190/2004.
A People's Advocate. Lodged: 16th November 2004. <i>Senator S. Syvret.</i>	P.202/2004.
A People's Advocate (P.202/2004): comments. Presented: 18th January 2005. <i>H.M. Attorney General.</i>	P.202/2004. Com.
A People's Advocate (P.202/2004): comments. Presented: 25th January 2005. <i>Policy and Resources Committee.</i>	P.202/2004. Com.(2).
A People's Advocate (P.202/2004): comments. Presented: 1st February 2005. <i>Privileges and Procedures Committee.</i>	P.202/2004. Com.(3)
A People's Advocate (P.202/2004): comments. Presented: 1st February 2005. <i>Finance and Economics Committee.</i>	P.202/2004. Com.(4)

F. PRESENTATION OF PETITIONS

G. QUESTIONS

(a) Written Questions

The President of the Employment and Social Security Committee will table an answer to a question asked by the Deputy of St. John regarding contribution statements.

The Chairman of the Comité des Connétables will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding Parish electoral rolls.

The President of the Housing Committee will table answers to questions asked by Deputy G.P. Southern of St. Helier regarding matters relating to maintenance and emergency repair work carried out by nominated contractors.

The President of the Health and Social Services Committee will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding the work of the Health Promotion Unit.

The President of the Housing Committee will table an answer to a question asked by the Deputy of St. John regarding the property 'La Falaise', St. Martin.

The President of the Education, Sport and Culture Committee will table an answer to a question asked by the Deputy of St. John regarding maintenance of the Jersey Opera House.

The President of the Finance and Economics Committee will table an answer to a question asked by Deputy G.P. Southern of St. Helier regarding ITIS (Income Tax Instalment System).

(b) Oral Questions

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

The President of the Finance and Economics Committee will make a statement regarding the report of the National Audit Office into Court and Case Costs.

K. PUBLIC BUSINESS

Jersey Overseas Aid Commission: appointment of Commissioners. P.260/2005.
Lodged: 1st November 2005 by Senator S. Syvret.
Deputy J.J. Huet of St. Helier.

Budget 2006.
Lodged: 1st November 2005.
Finance and Economics Committee.

Budget 2006: amendment. P.259/2005.
Lodged: 1st November 2005.
Senator R.J. Shenton.

Budget 2006: second amendment. P.266/2005.
Lodged: 8th November 2005.
Senator M.E. Vibert.

Budget 2006: second amendments (P.266/2005) – comments. P.266/2005.
Presented: 29th November 2005. Com.
Employment and Social Security Committee.

Budget 2006: third amendment. P.269/2005.
Lodged: 15th November 2005.
Economic Development Committee.

Budget 2006: fourth amendment. P.272/2005.
Deputy T.J. Le Main of St. Helier.
(attached)

Budget 2006: fifth amendment. P.273/2005.
Deputy of St. John.
(attached)

Draft Finance (Jersey) Law 200-.
Lodged: 1st November 2005.
Finance and Economics Committee.

P.255/2005.
(re-issue)

Draft Income Tax (Amendment No. 25) (Jersey) Law 200.
Lodged: 1st November 2005.
Finance and Economics Committee.

P.256/2005.

Subject to E –

Draft Amendment (No. 4) of the Standing Orders of the States of
Jersey.
Lodged: 8th November 2005.
Deputy R.G. Le Hérissier of St. Saviour.

P.265/2005.

M.N. DE LA HAYE
Greffier of the States

24th November 2005.

Note –

In accordance with a decision of the States on 16th November 2004, this meeting will continue, if necessary, on Wednesday 30th November and Thursday 1st December 2005.

Explanatory Note regarding subordinate legislation tabled at this meeting.

R&O 166/2005

This Order applies Article 33 of the Police Procedures and Criminal Evidence (Jersey) Law 2003 to the investigation of assigned matters by the Agent of the Impôts. Article 33, as modified, enables the Agent to designate customs offices to be used for the purposes of detaining arrested persons.

The Police Force (Amendment No. 9) (Jersey) Law 2003, to be brought into force at the same time, amends the Police Force (Jersey) Law 1974 with the effect that any Honorary Police Officer, from any parish, has jurisdiction within a customs office so designated.

The Police Procedures and Criminal Evidence (Application to Customs and Excise) (Jersey) Order 2004 is further amended by this Order to enable customs officers to detain a person at a designated customs office after the person has been charged by an Honorary Police Officer, but only for the purpose of testing the person for the presence of Class A drugs. The person may not be detained for more than 6 hours.

The Order was made on 3rd November 2005, and comes into force in accordance with Article 5.

R&O 167/2005

This Order adds to the list of proscribed organizations in Schedule 1 to the Terrorism (Jersey) Law 2002.

The Order was made on 3rd November 2005, and came into force on 4th November 2005.

R&O 168/2005

The effect of this Order, which came into force on the seventh day after it was made, is to apply the provisions of Articles 50, 51, 52 and 54 of the Police Procedures and Criminal Evidence (Jersey) Law 2003 to persons detained at police stations in extradition proceedings.

The Articles so applied relate to the manner in which such persons may be searched, and their rights in that respect and with regard to having someone informed of their detention and their access to legal advice.

The Order was made on 3rd November 2005, and came into force on 10th November 2005.

R&O 169/2005

This Order increases (with effect from 1st January 2006) –

- (a) from £178 to £238 the fee for the cremation of the body of someone aged 18 or over (a cost-recovery increase of 10.2% (compound) per annum of a fee that was last changed on 1st January 2003);
- (b) from £43 to £44 the maximum fee for the completion of certain medical certificates for the purposes of the Cremation (Jersey) Regulations 1961 (an increase of 2.3% per annum of a fee that was last changed on 1st January 2005).

The Order was made on 4th November 2005, and comes into force on 1st January 2006.

R&O 170/2005

This Order increases registration fees in respect of ancillary dental workers by about 2.5%.

The Order was made on 4th November 2005, and comes into force on 1st January 2006.

R&O 171/2005

This Order increases the application fee for a food stall licence from £88 to £90.25.

The Order was made on 4th November 2005, and comes into force on 1st January 2006.

R&O 172/2005

The purpose of this Order is to introduce requirements for food to be labelled with certain information.

Part 1 deals with introductory matters, namely the interpretation provisions (*Article 1*) and the extent of the Order (*Article 2*). In particular the Order does not apply to food imported from the European Community that complies with the food labelling requirements of the country from which it is imported. There is also provision for the labelling to be easy to read, indelible and in a language that is readily understood by consumers intended to purchase the food (*Article 3*).

Part 2 contains the general labelling requirements. Food is required to be marked or labelled with its name, a list of ingredients, a “use by” or “best before” date, any special storage conditions or conditions of use, any other special instructions, the name and address of the manufacturer, etc and the place of origin if its omission would mislead as to the food’s provenance (*Article 4*). *Articles 5-15* make further provision in relation to these requirements, including exemptions for certain foods.

Part 3 contains specific labelling requirements. *Article 16* requires irradiated food to be marked as such. *Article 17* requires alcoholic drinks to bear their alcoholic strength. Food must indicate if artificial sweeteners have been used (*Article 18*) or if packed with any gas other than air (*Article 19*). Under *Article 20* if food is marketed by reference to a particular ingredient, or it is suggested that an extra amount of an ingredient is used, the proportion of that ingredient as a percentage of the total food must be listed.

There are specific requirements relating to the labelling of jam (*Article 21*) and meat products (*Article 22*). Pre-packed food has to bear a distinctive mark to enable its manufacturing batch or lot to be identified (*Article 23*). Food must not be labelled to suggest it has medicinal qualities (*Article 24*).

Part 4 covers foods exempted from more than one requirement. *Article 25* is concerned with certain exemptions for non pre-packed foods and foods pre-packed for direct sale at catering establishments, *Article 26* contains some exemptions for such foods not sold at catering establishments and fancy confectionary products and *Article 27* creates exceptions for food sold or supplied in catering establishments in small packages.

Part 5 deals with miscellaneous matters. *Article 28* creates offences of incorrect labelling, selling food that is not labelled in accordance with the Order, selling food after its “use by” date and altering the required information without being authorized to do so by the person responsible for the labelling. These offences carry a maximum penalty of a fine of level 4 on the standard scale. *Article 29* contains standard provisions concerning criminal liability.

Article 30 revokes a previous Order that made provision only requiring the alcoholic strength of drinks to be labelled and *Article 31* contains the citation and commencement provisions.

Under the Criminal Justice (Standard Scale of Fines) (Jersey) Law 1993, the standard scale of fines is–

- Level 1 £50
- Level 2 £500
- Level 3 £2,000
- Level 4 £5,000.

The Order was made on 4th November 2005, and comes into force on 1st January 2006.

R&O 173/2005

This Order adds certain substances to the list of medicinal products that can reasonably safely be sold or supplied otherwise than by, or under the supervision of, a pharmacist.

The Order was made on 4th November 2005, and came into force on 11th November 2005.

R&O 174/2005

The effect of this Order is to enable Flurbiprofen to be sold or supplied otherwise than in accordance with a prescription given by an appropriate practitioner if the conditions as to maximum strength, form and maximum daily dose that the Order inserts into the principal Order are fulfilled.

The Order was made on 4th November 2005, and came into force on 11th November 2005.

R&O 175/2005

This Order increases –

- (a) from £213 to £218.25 the fee for the first application for a licence to carry on a nursing agency;
- (b) from £105 to £107.75 the fee for renewal of such a licence; and
- (c) from £84 to £86 the fee to make an existing licence apply to different premises.

The increases amount to about 2.5 % in a year.

The Order was made on 4th November 2005, and comes into force on 1st January 2006.

R&O 176/2005

The effect of this Amendment to the Tariff of Harbour and Light Dues would be to revise dues in the following way –

- (a) Harbour dues for arriving and departing passengers, and vehicles carried on “drive on/drive off” ferries would be increased by 2.5%.
- (b) Dues payable in respect of marina and other mooring spaces (except those for visiting leisure craft) would be increased by 3.6%.
- (c) Dues for visiting leisure vessels would be increased by a flat amount of £1. This represents an increase ranging from 3.13% to 6.67%, according to the length of the craft.

The new charges will come into force on 1st January 2006.

The Amendment was approved by the States on 1st November 2005 and made by the Committee on 9th November 2005.

R&O 177/2005

This Order increases the fine for failure to comply with a requirement of the Social Security (Collection of Contributions) (Jersey) Order 2001 from level 2 to level 3. It will come into force 7 days after it is made. In the case of a continuing offence, the daily continuing penalty is not increased.

The Order was made on 17th November 2005, and came into force on 24th November 2005.

R&O 178/2005

This Order prohibits waiting in Grouville on sections of La Rue à Don outside the Parish Church and the entrance to the property “Homestead”; and changes the area of La Rue des Alleurs along which waiting is prohibited. The Order shall come into force 7 days after it is made.

The Order was made on 17th November 2005, and came into force on 24th November 2005.

R&O 179/2005

Article 1 is the interpretation provision.

Article 2 extends the definitions “disease” and “poultry” in the Diseases of Animals (Jersey) Law 1956 so that “disease” includes avian influenza and, to the extent that the Law applies to avian influenza, “poultry” means birds of any species.

Article 3 prohibits the importation of live poultry, eggs intended for hatching, and uncooked carcasses, unless the Committee has issued a licence permitting the importation.

Article 4 sets out provisions relating to licences, permits and authorizations under the Order.

Article 5 requires that poultry, eggs intended for hatching, and uncooked carcasses, be only imported into the St. Helier Port or the States of Jersey Airport.

Article 6 requires the Committee to cause the Veterinary Officer to examine any poultry that had been notified under the Law as being, or possibly being, affected with avian influenza.

Article 7 enables infected places to be declared.

Article 8 sets out the rules that apply to infected places. They include provisions restricting movement of poultry, animals, humans, dung, fodder and other articles that may have come into contact with diseased poultry (that is, poultry that is infected with avian influenza) or poultry suspected of being infected with avian influenza (“suspected poultry”) and relating to the cleaning of places where diseased or suspected poultry have been kept.

Article 9 prohibits the carriage on public roads of dung, fodder, litter or things that may have come into contact with diseased or poultry suspected of being infected with avian influenza.

Article 10 contains further provisions relating to the cleaning and disinfecting of places where diseased or suspected poultry have been kept. The Committee may require sheds where diseased or suspected poultry have been kept and timber in them to be burnt. If a person fails to take the necessary action under the Article, the Committee may do it for him or her, and charge the person for doing so.

Article 11 allows the Committee to prohibit or require the movement of poultry that are diseased or suspected or poultry or animals that have come into contact with such poultry or animals.

Article 12 allows the Committee to require poultry to be kept indoors or under cover.

Article 13 prohibits the holding of unlicensed bird fairs, shows, etc.

Article 14 prohibits people exhibiting or selling diseased or suspected poultry, or taking such poultry outdoors. If the Article is not complied with, the poultry may be seized and taken to a place specified by the Committee and the owner may be charged the related costs.

Article 15 enables the Committee to declare all or part of Jersey to be an infected area, if an infected place has been declared. If this occurs Articles 16, 17 and 18 come into effect. They prohibit movement of animals and poultry within the infected area, except with authorization by or on behalf of the Committee. Dogs are generally required to be tied up or kept on a leash except in enclosed premises or on particular beaches. Hunting, coursing and training of dogs is prohibited. Footpaths and premises in the infected area may be closed. Article 18 sets out provisions that are to apply on the change of occupation of certain property in an infected area.

Article 19 enables the Committee to require poultry to be vaccinated against avian influenza.

Article 20 allows the Committee to prohibit the movement of poultry unless it is vaccinated against avian influenza.

Article 21 relates to changes to the Order that will be necessary because of the move to ministerial government.

Article 22 revokes the Poultry, Game and Hatching Eggs (Importation) (Jersey) Order 1958.

Article 23 specifies the name by which the Order may be cited and that the Order will come into force 7 days after it is made.

The Order was made on 17th November 2005, and came into force on 24th November 2005.

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

10th November 2005

- (a) As recommended by the Harbours and Airport Committee, the lease to Aqua-Mar Fisheries Limited of the small bunker room beneath Port Control, Victoria Pier, St. Helier Harbour (Letting No. V32A- measuring 450 square feet), for the use of storing live fish, for three years from 1st August 2005, at an annual rent of £2,133.00 (representing a rate of £4.74 a square foot), payable six months in advance, and subject to annual review in line with the Jersey Retail Price Index;
- (b) as recommended by the Environment and Public Services Committee, the lease to Mr. Michael Le Brocq of the one-bedroom flat with garage and garden forming part of the Maison St. Louis Observatory, Highlands Lane, St. Saviour, for a period of 12 months from 1st November 2005, at an annual rent of £8,640.00, to be subject thereafter to annual review in line with the Jersey Retail Price Index, with the agreement to be terminable by either party upon one month's notice, on the basis that the tenant would be responsible for occupiers rates, an appropriate share of the water and heating costs, together with electricity and telephone charges, both of which were separately metered at the flat; and,
- (c) as recommended by the Environment and Public Services Committee, the entering into of a Deed of Arrangement with Pomme d'Or Hotel (1932) Limited in order to ratify the present south-west facing and north-west facing facades of the Pomme d'Or Hotel, St. Helier (specifically the projections over the highways) in perpetuity, for a consideration of £10 payable by the company, and on the basis that the company would pay the public's reasonable legal fees arising from the transaction.

WRITTEN QUESTION PAPER

(See Item G)

The President of the Employment and Social Security Committee will table an answer to the following question asked by the Deputy of St. John –

“Over the last nine months some contribution statements have been received by the public at very short notice, just days before the closing date of the 15th of the month in which the contribution falls due. What has caused this, what, if anything, is being done to rectify the problem, and has this caused claimants to lose any benefit?”

The Chairman of the Comité des Connétables will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Would the Chairman advise members whether there are any names on any of the Parish electoral rolls of persons who are either deceased or have changed address and, if so, how many of the 54,000 names on the electoral roll are affected and in which Parishes do these apply, what measures, if any, are being taken to rectify the situation and in what time scale particularly in light of the potential distress that may be caused to some on receiving election material addressed to a long-deceased partner?”

The President of the Housing Committee will table answers to the following questions asked by Deputy G.P. Southern of St. Helier –

- “1. Would the President confirm whether the tendering process for maintenance and repair has been changed in recent years to a fixed-price contract basis and, if so, whether this has reduced the number of companies competing for such States contracts and further outline what measures, if any, are in place to monitor –
 - (a) the professional qualifications and skill levels of the workforce employed;
 - (b) the quality and standards of work completed;
 - (c) whether pay rates are below Building Federation levels; and,
 - (d) whether health and safety regulations are consistently adhered to?
2. Would the President inform members of the number and names of those building contractors who were employed on -
 - (a) routine maintenance, including re-lets; and,
 - (b) emergency repair contracts.

and the proportion of total work allocated to each contractor, along with the value of the contracts, in 2004?”

The President of the Health and Social Services Committee will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Would the President inform members what changes, if any, have been proposed to the Exercise Referral Programme and other aspects of the work of the Health Promotion Unit and, whether any such changes, if applicable, are being undertaken to better target delivery of such programmes or whether they represent reductions in service in response to budget cuts?”

The President of the Housing Committee will table an answer to the following question asked by the Deputy of St. John –

“In response to a question regarding La Falaise, St. Martin on 19th July 2005, the President indicated that the clean-up of the site would cost many thousands of pounds and that a bill for the clean-up would be sent to the former tenant. Would the President inform members of the total cost to date of the clean-up operation and whether that cost has been billed to the former tenant and paid; if not, would the President explain the reasons why this has not been pursued and confirm whether the tenant has been informed by letter?”

The President of the Education, Sport and Culture Committee will table an answer to the following question asked by the Deputy of St. John –

“Would the President inform members what provisions, if any, the Committee makes in respect of maintenance of the Jersey Opera House particularly in view of the current external appearance of the building?”

The President of the Finance and Economics Committee will table an answer to the following question asked by Deputy G.P. Southern of St. Helier –

“Would the President inform members –

- (a) what mechanisms, if any, are to be put in place for new entrants to Jersey income tax who, under ITIS, will effectively be paying tax on current earnings, to be on the same footing as those already paying income tax based on the previous year’s tax? and,
- (b) will the proposals put an end to the situation whereby those who retire or lose a job find themselves owing a full year’s tax bill, and if not, explain the reasons why?”

BUDGET 2006: FOURTH AMENDMENT

PAGE 4 –

to increase the estimate of revenue expenditure of the Employment and Social Security Committee from £85,751,200 to £86,451,200 by adding –

£700,000 to enable the provision of free television licences for those households aged 75 and over living in domestic accommodation.

DEPUTY T.J. LE MAIN OF ST. HELIER

P.272/2005.

REPORT

Senator Vibert's amendment is for an increase of 2p to 4p on a pint of beer to fund television licences for the over 75s. The Senator also wants to put on an income limit of £12,770 for a single person and £20,720 for a couple – this is again missing many people who are just above the lower limit, i.e. those just above HIE, many of these people miss out on many benefits and many of these people are struggling to make ends meet, especially if you happen to own your own home (through working and saving hard) but live on fixed incomes, with nothing to spare. To miss these people out is wrong. Why have an income bar? During the last debate on this subject matter, I voted against because I felt there should be an income bar. Why should the rich and wealthy have free T.V. licences? However, since really looking into the matter with retired people, I have changed my mind. What this would do is miss out on too many needy people who are suffering hardship. Jersey is the only place in the British Isles where people over 75 do not receive a free T.V. licence. It is right everywhere else – why have we to be different? Also as I have explained, if the Assembly supports the principle of Senator Vibert's amendment, then in my opinion it is far too low. Too many people who need help will miss out. Again, only those who presently qualify for HIE will benefit. For years, the Senior Citizens Association, Age Concern, have voiced their concerns that many older folk who are above that limit are in fact worse off than their peers. The people with a few savings are penalised at every turn. Is this fair? They have not squandered their money, they have brought up their families, have saved a little for their old age and are now being discriminated against.

Finally, many over 75s live on a fixed income and, due to their longevity, their savings are dwindling. Many, for various reasons, do not have a full pension and few have a "work" pension as they were not on offer during their working lifetime. For elderly people, background noise, identification with what is going on in the world and something to look at is what they are wanting. Why should we continue to deny them this in such an affluent Island such as Jersey! Costs of electricity, gas and oil have gone up, so their heating costs will be more. Food is expensive, clothing is expensive, etc. What is unfair is that recipients of Disabled Transport Allowances can be in receipt of £51,500 annual income and still claim this benefit of £164.00 per month. How unfair is this? That's why I am proposing that the funds be found to top up the revenue expenditure of the Employment and Social Security Committee so that this T.V. licence can be funded for all over 75s in Jersey.

Financial/manpower implications

The financial implications of this amendment are self-explanatory. As stated in Senator Vibert's amendment, based on the Guernsey experience, one part-time employee may be required to administer this benefit.

BUDGET 2006: FIFTH AMENDMENT

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to reduce the estimate of revenue expenditure of the Privileges and Procedures Committee from £5,998,600 to £5,698,000 –

by reducing the estimates for States members' remuneration by a total of £300,000, to fund the provision of free television licences for those aged 75 and over living in domestic accommodation whose income is less than £20,720 for a married couple and £12,720 for a single person.

DEPUTY OF ST. JOHN.

P.273/2005.

REPORT

I do not believe that the funding should come from an increase on impôts as proposed by Senator Vibert but if members are keen that T.V. licence fees for the over 75's as described in Budget 2006: Second Amendment (P.266/2005) should be supported they can show their support in the best way possible by voting that the money comes from their collective pockets by taking the necessary money required from the States members' remuneration budget vote. This would be a modest drop in members annual income but would show good will to all. The effect of this amendment would be a reduction of approximately £5,660 per annum in the remuneration paid to each member.

Financial/manpower implications

There would be less financial/manpower implication than that proposed in P.266/2005 as the money is with the Treasury.