

STATES OF JERSEY ORDER PAPER

Tuesday, 13th April 1999

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Inquests and Post-Mortem Examinations (Amendment No. 2) (Jersey) Rules 1999. R & O 9372.

Bankruptcy (Désastre) (Amendment No. 3) (Jersey) Rules 1999. R & O 9373.
Superior Number of the Royal Court.

Regulation of Undertakings and Development (Return of Employers) (Jersey) Order 1999. R & O 9374.
Finance and Economics Committee.

Road Racing (Karts) (Jersey) Order 1999. R & O 9375.
Defence Committee.

Misuse of Drugs (Modification) (Jersey) Order 1999. R & O 9376.

Misuse of Drugs (General Provisions) (Amendment No. 9) (Jersey) Order 1999. R & O 9378.
Health and Social Services Committee.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

Nomination of the Connétable of St. Peter and Deputy K.W. Syvret M.B.E. of St. Ouen as members of the House Committee.

D. PRESENTATION OF PAPERS

(a) Papers for information.

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

States of Jersey Law 1966, as amended: delegation of functions - Jersey Transport Authority.
R.C.14/99
Jersey Transport Authority.

Manpower report for the period 1st July 1998 to 31st December 1998 R.C. */99
Establishment Committee.

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

Presented on 30th March 1999 -

Planning for Homes. R.C.10/99
Planning and Environment Committee.

Commission Amicale: Report for the period ending 31st December 1998. R.C.11/99
Jersey Delegation to the Commission Amicale.

States Rental Waiting List. R.C.12/99
Housing Committee.

Dwelling Houses Loan Fund. accounts for 1998. R.C.13/99

Housing Committee.

(b) Notification of Standing Order decisions.

Decisions under delegated functions.
Finance and Economics Committee.

(c) Notification of acceptance of tenders.

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

Draft Radio Equipment (Jersey) Law 1997 (Appointed Day) Act 199 . P.41/99
Telecommunications Board.

Draft Act to establish a Scheme to make child care more available for low income families.
P.42/99
Employment and Social Security Committee.

Green Street/Francis Street: conditions of purchase. P.43/99
Public Services Committee.

Jersey Heritage Trust: new constitution P.44/99
Finance and Economics Committee

Planning and Environment Committee: vote of no confidence. P.45/99
Senator R.J. Shenton.

Jersey Table Tennis Association: grant of a loan. P.46/99
Finance and Economics Committee.

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

Lodged on 30th March 1999

Draft Customs and Excise (Jersey) Law 199 . (P.21/99): amendments. P.39/99
Finance and Economics Committee.

Rent Control Tribunal: appointment of members. P.40/99
Housing Committee.

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

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

THE STATES are asked to agree that the following matters lodged “au Greffe” will be considered at the present meeting -

Rent Control Tribunal: appointment of members. P.40/99
Lodged: 30th March 1999.
Housing Committee.

THE STATES are asked to note that in accordance with the provisions of Standing Order 18A(2) the proposition of no confidence in the Planning and Environment Committee (P.45/99) lodged “au Greffe” at the present meeting by Senator R.J. Shenton will be considered at the next meeting on 27th April 1999.

THE STATES are asked to agree that the following matters lodged “au Greffe” will be considered at the next meeting on 27th April 1999 -

Security of tenure law - report of the Working Party. P.257/98
Lodged: 1st December 1998.
Housing Committee.

Draft Education (Jersey) Law 199 . P.30/99
Lodged: 2nd March 1998.
Education Committee.

Draft Radio Equipment (Jersey) Law 1997 (Appointed Day) Act 199 . P.41/99
Lodged 13th April 1999.
Telecommunications Board.

Draft Act to establish a Scheme to make child care more available for low income families.
P.42/99
Lodged: 13th April 1999.
Employment and Social Security Committee.

Green Street/Francis Street: conditions of purchase. P.43/99
Public Services Committee.

Jersey Heritage Trust: new constitution P.44/99
Finance and Economics Committee

Jersey Table Tennis Association: grant of a loan. P.46/99
Lodged; 13th April.
Finance and Economics Committee.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

Deputy R.C. Duhamel of St. Saviour will ask questions of the President of the Public Services Committee about the gyratory system on the ring road.

Senator S. Syvret will ask questions of the President of the Establishment Committee about requests for additional staff and the staffing implications of service reviews.

Senator S. Syvret will ask a question of the President of the Tourism Committee about the forms of subsidy available to tourism related undertakings in the European Union.

Senator S. Syvret will ask a question of the President of the Agriculture and Fisheries Committee about the guidelines and rules for the recognition of groups and financial assistance to growers.

The Connétable of St. Helier will ask questions of the President of the Planning and Environment Committee about the Lobster Pot Hotel and Restaurant.

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

The President of the Overseas Aid Committee will make a statement about the Island's assistance to the Kosovo refugee crisis.

K. PUBLIC BUSINESS

D'Hautree School, St. Saviour: temporary law courts - approval of drawings.
Public Services Committee.

Draft Customs and Excise (Jersey) Law 199 . P.21/99
Lodged: 9th February 1999.
Finance and Economics Committee.

Draft Customs and Excise (Jersey) Law 199 . (P.21/99): amendments.P.39/99
Lodged: 30th March 1999.
Finance and Economics Committee.

Draft Statutory Nuisances (Jersey) Law 199 . P.40/98
Lodged: 17th March 1998
Health and Social Services Committee.

Draft Statutory Nuisances (Jersey) Law 199 . (P.40/98): amendment.P.36/99
Lodged: 16th March 1999
Health and Social Services Committee.

Draft Conservation of Wildlife (Jersey) Law 199 . P.223/98
Lodged: 2nd November 1998.
Planning and Environment Committee.

Draft Conservation of Wildlife (Jersey) Law 199 (P.223/98): amendments. P.29/99
Lodged: 2nd March 1999.
Planning and Environment Committee.

Draft Conservation of Wildlife (Jersey) Law 199 (P.223/98): second amendments.
Deputy I.S. Nicholls of Grouville.
(Attached).

Draft Conservation of Wildlife (Jersey) Law 199 (P.223/98): report.P.223/98
Presented: 2nd March 1999. Rpt.
Planning and Environment Committee.

Draft Criminal Procedure (Prescription of Offences) (Jersey) Law 199 .P.34/99
Lodged: 16th March 1999.
Legislation Committee.

Jersey Green Room Club: grant of loan. P.37/99
Lodged: 16th March 1999.
Finance and Economics Committee.

Subject to E

Rent Control Tribunal: appointment of members. P.40/99
Lodged: 30th March 1999.
Housing Committee.

C.M. NEWCOMBE

Deputy Greffier of the States.

9th April 1999.

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

(See Item B)

R & O 9372

The purpose of these Rules is to correct an error introduced by the Inquests and Post-Mortem Examinations (Amendment) (Jersey) Rules 1998, which inadvertently changed the allowance for loss of earnings of a witness attending an inquest from a half-daily rate to a daily rate.?

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The Rules were made on 18th March 1999 and came into force forthwith.?

R & O 9373

The purpose of these Rules is to amend the maximum figure for an employee by way of priority claim for wages in a désastre from £1,750 to £2,000.

The Rules were made on 18th March 1999 and came into force forthwith.

R & O - 9374

The purpose of this Order, which replaces the Regulation of Undertakings and Development (Return of Employers) (Jersey) Order 1998, is to require persons carrying on an undertaking to submit to the Regulation of Undertakings and Development Office quarterly returns of the number of persons employed in the undertaking (Article 1(1)).

A return may be completed and signed on behalf of the person carrying on the undertaking and must contain a declaration by the person who has completed and signed it that the information contained in it is true (Article 1(2)).

Article 1(3) makes it clear that an offence is committed if there is a failure to submit a return.

Persons who carry on an undertaking without employees are exempt from this requirement (Article 2).

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The Order was made on 19th March 1999 and came into force on 26th March 1999.

R & O 9375

The effect of this Order is to allow the Jersey Kart and Motor Club to close the Ronez road loop in St. John, between 10~a.m. and 2~p.m. on each of the Sundays specified in the Schedule to the Order, for the purpose of holding motor races with karts.

The Order was made on 24th March 1999.

R & O 9376

The purpose of this Order is to amend the Misuse of Drugs (Designation) (Jersey) Order 1989 to bring Jersey legislation up to date to reflect changes to the Vienna Convention on Psychotropic Substances.

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The Order was made on 7th April 1999 and comes into force on 1st June 1999.

R & O 9377

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The purpose of this Order is to amend the Misuse of Drugs (Jersey) Law 1978 to bring Jersey legislation up to date to reflect changes to the Vienna Convention on Psychotropic Substances.

The Order was made on 7th April 1999 and comes into force on 1st June 1999.

R & O 9378

The purpose of this Order is to amend the Misuse of Drugs (General Provisions) (Jersey) Order 1989 to bring anabolic and androgenic steroids and certain hormones under the control of the misuse of drugs legislation, and to bring Jersey legislation up to date to reflect changes to the Vienna Convention on psychotropic substances.

The Order was made on 7th April 1999 and comes into force on 1st June 1999.

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

29th March 1999

- (a) as recommended by the Tourism Committee, the renewal of the lease Station Café, Millbrook, St. Lawrence, for a period of three years from 25th to Mr. Peter Kubeck and Mrs. Margaret Kubeck, née Waage, of the Old December 1997 at an annual rent of £5,836 to be reviewed annually in line with the Jersey Retail Prices Index, with each party to be responsible for its own legal costs arising from this transaction;
- (b) as recommended by the Education Committee, the lease to the Jersey Electricity Company Limited of electricity sub-station No.~603 situated at the Jersey College for Girls, Mont Millais, St. Helier (within the Joint Art, Design and Technology Block~- as shown on Drawing No. 16J24 Revision~A) for a period of 99 years at an annual rent of £1, payable in full upon signing the relevant contracts, and the granting of standard wayleave rights free of charge to the Company (in accordance with Plan No.~24K dated 19th February 1998), with each party to be responsible for its own legal costs arising from this transaction;
- (c) as recommended by the Health and Social Services Committee, the renewal of the lease from Mr. John Baxter-Marett, of Mont St. Michel, New St. John's Road, St. Helier, for a period of three years from 1st April 1998, at a commencing annual rent of £12,648 payable quarterly in advance, to be reviewed in line with the Jersey Retail Prices Index as at 1st April each year, with all other terms and conditions to remain as contained in the existing lease, except for the inclusion of a break clause whereby the lessee would have the right, at any time, to terminate the lease on giving the lessor at least three months notice in writing to this effect, with the Committee to be responsible for both parties' legal costs arising from this transaction;
- (d) as recommended by the Tourism Committee, the lease to Mr. Peter Gibbins and Mrs. Ann Huelin, née Gibbins, of the property known as Le Braye Café and land, Le Braye Slip, St. Brelade, for a period of three years deemed to have commenced from 25th December 1997, at an annual rent of £14,050 in the first year, to be reviewed annually in line with the Jersey Retail Prices Index, with each party to be responsible for its own legal costs arising from this transaction;
- (e) as recommended by the Health and Social Services Committee, the renewal of the lease from Mrs. Monica Billot Cotillard, née Le Quesne, of L'Hermitage Farm Flat, Les Varines, St. Saviour, for a period of three years from 23rd April 1998, at an annual rent of £8,840 (representing a rate of £170 a week) payable quarterly in advance, on the basis that the rent would be reviewed annually on 22nd April each year in line with the Jersey Retail Prices Index, with all other terms and conditions to remain as contained in the existing lease and with the Committee to be responsible for both parties' legal costs arising from this transaction;
- (f) as recommended by the Health and Social Services Committee, the renewal of the lease from Mr. Roy Huelin Vibert, of 7 Baycroft Close, St. Clement, for a period of two years from 1st July 1998 at a revised annual rent of £11,412 payable quarterly in advance, subject to the annual rent for 1999 being reviewed in line with the Jersey Retail Prices Index as at 1st July 1999, on the basis that all other terms and conditions would remain as contained in the existing lease, and with the Committee to be responsible for both parties' legal costs arising from this transaction;
- (g) as recommended by the Health and Social Services Committee -
 - (i) the lease from Mr. Peter John Le Fevre of Les Bourgeois, Les Petits Rues, St. Lawrence (comprising Field No.~656A, St. Lawrence - measuring three vergées and covered by 48,000~square feet of polythene tunnels; Field No. 656, St. Lawrence- agricultural land measuring four vergées; an agricultural shed measuring approximately 750~square feet; a freezer unit, water reservoir and associated farm equipment), for a period of three years from 1st January 1999, at a starting annual rent of £3,500, which would increase annually in line with the Jersey Retail Prices Index, on the basis that the premises would be used in conjunction with the Occupational Health Therapy Scheme, with the lessee being responsible for the repair and maintenance of the demised premises, as well as being responsible for the landlord's reasonable legal costs arising from this transaction; and
 - (ii) the sub-lease from Mr. Peter John Le Fevre of Field No.~661, St. Lawrence (measuring five vergées), for a period of three years from 1st January 1999, at a starting annual rent of £350, which would increase to the Open Market Value as at June 1999, on the basis that the premises would also be used in conjunction with the Occupational Health Therapy Scheme;

on the basis that as the Committee had been in occupation of the abovementioned areas of land since 1st June 1998 in order to establish the pilot Occupational Health Therapy scheme, a pro-rata rent for that period of occupation would also be due to Mr. Le Fevre.

**NOTIFICATION OF ACCEPTANCE OF TENDER UNDER RULE 5 OF THE PUBLIC FINANCES
(GENERAL) (JERSEY) RULES 1967, AS AMENDED
FINANCE AND ECONOMICS COMMITTEE**

1999

The other tenders received were from

PROPOSITION

D'HAUTREE SCHOOL, ST. SAVIOUR: TEMPORARY LAW COURTS: APPROVAL OF DRAWINGS

THE STATES are asked to decide whether they are of opinion -

- (a) to approve drawings Nos.~3000/5 and 3000/6, showing the provision of temporary law courts at D'Hautrée School, St. Saviour;
- (b) to authorise the Greffier of the States to sign the said drawings on behalf of the States.

PUBLIC SERVICES COMMITTEE

NOTES:1. The Planning and Environment Committee granted development permission for the scheme under Development Permit No.~5894/G dated 2nd October 1998.

2. The Finance and Economics Committee supports this proposition.

Report

STATES MEMBERS LUNCHEON

Old Library/No.3 Committee Room

I will require lunch at today's Sitting.

Signed.....

Named.....

Please hand this slip to an usher before 10.00a.m. today