

Price: £4.50

THE STATES assembled on Tuesday,
18th March 1997 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache

His Excellency the Lieutenant Governor,
General Sir Michael Wilkes, K.C.B., C.B.E,
was present.

All members were present with the exception of -

Francis Herbert Amy, Connétable of
Grouville - out of the Island
Margaret Anne Le Geyt, Deputy of St.
Saviour - ill
Alastair John Layzell, Deputy of St.
Brelade - out of the Island.

Prayers

Interception of Communications (Jersey) Law
1993: third report of the Commissioner. R.C. 21

The Bailiff presented to the States the third
report of the Commissioner, Mr. Robert Harman,
Q.C., made under the Interception of
Communications (Jersey) Law 1993.

Defence Committee - appointment of member

The States appointed Senator Corrie Stein as a
member of the Defence Committee.

Matters presented

The following matters were presented to the
States -

1. Public lotteries: report for

1996 - R.C.16/97.

Presented by the Gambling
Control Committee.

2. Dwelling Houses Loan Fund:
accounts for 1996 - R.C.17/97.
Presented by the Housing
Committee.
3. Manpower report for the period
1st July 1996 to 31st December 1996 -
R.C.18/97.
Presented by the Establishment
Committee.
4. States of Jersey Law 1966, as
amended - delegation of functions:
police services - R.C.19/97.
Presented by the Defence
Committee.
5. States of Jersey Law 1966, as
amended - delegation of functions: fire
precautions - R.C.20/97.
Presented by the Defence
Committee.
6. Agricultural loans: report for
1996 - R.C.22/97.
Presented by the Agriculture and
Fisheries Committee.
7. Draft Limited Liability
Partnerships (Jersey) Law 199 :
Committee of Inquiry - report -
R.C.23/97.
Presented by the Committee of
Inquiry.
8. Supermarket on Fields 24-27 St.
Brelade: petition (P.25/97) - report -
P.42/97.
Presented by the Planning and
Environment Committee.

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

9. States of Jersey Police: annual
report 1996.
Presented by the Defence
Committee.

Matters noted - land transactions

THE STATES noted an Act of the Finance and
Economics Committee, dated 10th March 1997,
recording the following decisions of the
Treasurer of the States under delegated powers,

in pursuance of Standing Orders relating to certain transactions in land -

(a) as recommended by the Public Services Committee, the lease from Henry Hawkes and Company Limited of 45 square metres of land at Bagot Manor Court, St. Saviour, required for the construction of a pumping station to serve 10 properties in Fountain Lane, for a period of 99 years at an annual rent of £1, payable at the commencement of the lease, with the Committee being responsible for all reasonable legal fees involved in the transaction, and with the Committee to pay an additional sum of £2,400 to the company as a disturbance payment for both the previous construction works on the site and for the new works and for the loss of rent of the adjoining garages during the construction works. (The Committee rescinded sub-paragraph (b) of its Act No. 8 of 10th February 1997);

(b) as recommended by the Housing Committee, the lease to the Jersey Electricity Company Limited of sub-station No. 591 and section pillar No. 6656 located at Liberation Court, St. Saviour's Road, St. Helier, on the basis that each lease would be for a period of 99 years at an annual rent of £1 for the sub-station and a nominal £1 for the pillar, with all monies to be payable upon the passing of the contract and with each party being responsible for its own legal costs associated with the transaction;

(c) as recommended by the Public Services Committee, the lease to Mr. Colin Graham Luce of L'Etacq car park, L'Etacq, St. Ouen for a period of nine years at an annual rent of £400 initially, £500 a year from the end of the third year and £600 a year from the end of the sixth year (all other terms and conditions to remain as the existing lease) and with each party being responsible for its own legal costs associated with the transaction;

(d) as recommended by the Public Services Committee, the lease to Mr. James William Webster of the bunker at Bouley Bay, Trinity for a period of three years at an annual rent of £340 (with all other terms and conditions to remain as the existing lease) and with each party being responsible for its own legal costs associated with the transaction;

(e) as recommended by the Public Services Committee, the grant to the Jersey Electricity Company Limited of wayleave rights in respect of electricity sub-station No. 501, Patriotic Street car park, St. Helier, free of charge and with each party being responsible for its own legal costs associated with the transaction;

(f) as recommended by the Public Services Committee, the lease to the Jersey Electricity Company Limited of 26 square feet of land in Field No. 1250, La Rue de la Garenne, Trinity, for the construction of a transformer at sub-station No. 328 at Becquet Vincent Pumping Station, for a period of 99 years at an annual rent of £1, with all monies to be payable upon the passing of the contract and with each party being responsible for its own legal costs associated with the transaction;

(g) as recommended by the Finance and Economics Committee, the lease from Mr. Emile Marcel Hyacinthe Le Gall and Mrs. Janet Le Gall, née Seymour, of the office suite at No. 3 The Parade, St. Helier, required for the Police Court Magistrate, for a period of three years from the date of completion of the lease, at an annual rent of £8,500 (representing £11.90 a square feet), on internal repairing terms and with a six month break clause in favour of the Committee, and with each party being responsible for its own legal costs associated with the transaction.

Matters lodged

The following matters were lodged ``au Greffe" -

1. Draft Explosives (Amendment No. 2) (Jersey) Law 199 - P.43/97.
Presented by the Defence Committee.
2. Draft Nursing and Residential Homes (No. 2) (Jersey) Law 199 - P.44/97.
Presented by the Health and Social Services Committee.
3. Draft Health Insurance (Amendment No. 12) (Jersey) Law 199 - P.45/97.
Presented by the Employment and

Social Security Committee.

4. Draft Main Roads
(Classification) (No. 26) (Jersey) Act
199 - P.46/97.
Presented by the Public Services
Committee.
5. Draft Patents (Amendment No. 2)
(Jersey) Law 199 - P.47/97.
Presented by the Finance and
Economics Committee.
6. Victoria College and Jersey
College for Girls: sixth form fees -
P.48/97.
Presented by the Education
Committee.
7. Draft Sea Fisheries (Les
Minquiers) (Jersey) Regulations 199 -
P.49/97.
Presented by the Agriculture and
Fisheries Committee.
8. Draft Social Security
(Reciprocal Agreement with Jamaica)
(Jersey) Act 199 - P.50/97.
Presented by the Employment and
Social Security Committee.
9. Draft Fishing Vessels (Safety
Provisions) (Jersey) Regulations
199 - P.51/97.
Presented by the Harbours and
Airport Committee.
10. Waterfront Enterprise Board
Limited: development of a leisure pool
complex - P.52/97.
Presented by the Policy and
Resources Committee.

Draft Sea Fisheries (Miscellaneous Provisions)
(Amendment No. 2) (Jersey) Regulations 199 -
P.174/96 and P.38/97. Withdrawn

THE STATES acceded to the request of the
President of the Agriculture and Fisheries
Committee that the draft Sea Fisheries
(Miscellaneous Provisions) (Amendment No. 2)
(Jersey) Regulations 199 (lodged ``au Greffe"
on 22nd October 1996) and the amendment thereto
(lodged ``au Greffe" on 4th March 1997) be
withdrawn. Revised draft Regulations had been
lodged ``au Greffe" at the present meeting
(P.49/97).

Arrangement of public business for the next meeting on 8th April 1997

THE STATES confirmed that the following matters lodged ``au Greffe" would be considered at the next meeting on 8th April 1997 -

Draft Explosives (Amendment No. 2) (Jersey) Law 199 - P.43/97.
Lodged: 18th March 1997.
Defence Committee.

Draft Nursing and Residential Homes (No. 2) (Jersey) Law 199 - P.44/97.
Lodged: 18th March 1997.
Health and Social Services Committee.

Draft Health Insurance (Amendment No. 12) (Jersey) Law 199 - P.45/97.
Lodged: 18th March 1997.
Employment and Social Security Committee.

Draft Main Roads (Classification) (No. 26) (Jersey) Act 199 - P.46/97.
Lodged: 18th March 1997.
Public Services Committee.

Draft Patents (Amendment No. 2) (Jersey) Law 199 - P.47/97.
Lodged: 18th March 1997.
Finance and Economics Committee.

Victoria College and Jersey College for Girls: sixth form fees - P.48/97.
Lodged: 18th March 1997.
Education Committee.

Draft Sea Fisheries (Les Minquiers) (Jersey) Regulations 199 - P.49/97.
Lodged: 18th March 1997.
Agriculture and Fisheries Committee.

Draft Social Security (Reciprocal Agreement with Jamaica) (Jersey) Act 199 - P.50/97.
Lodged: 18th March 1997.
Employment and Social Security Committee.

Draft Fishing Vessels (Safety Provisions) (Jersey) Regulations 199 - P.51/97.
Lodged: 18th March 1997.
Harbours and Airport Committee.

Waterfront Enterprise Board Limited: development of a leisure pool complex. - P.52/97.
Lodged: 18th March 1997.

Policy and Resources Committee.

Joint Advisory Council - questions and answers (Tape No. 384)

Deputy Terence John Le Main of St. Helier asked Senator Frank Harrison Walker, President of the Finance and Economics Committee, the following questions -

``Following the States decision of 24th September 1996, approving a new constitution and terms of reference for the Joint Advisory Council, would the President advise members -

(a) whether the Finance and Economics Committee has appointed the members of the reconstituted Council?

(b) who are the four employee representatives on the Council?

(c) having regard to the States decision of 24th September 1996 to accept my amendment that there should be -

`four members representing employees, at least two of whom will be representatives of the Transport and General Workers Union'

which organisations of employees are represented on the Joint Advisory Council?"

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

``(a) Yes. All existing members of the Council indicated their willingness to continue and their appointment therefore has been maintained, and one vacancy has been filled.

(b) The four employee representatives of the Council are -

Mr. J. Bushnell
Mr. M. Kavanagh
Mrs. B. Gosselin
Mr. W. McPhee.

(c) The Finance and Economics Committee in January gave consideration to nominations received for membership of

the Joint Advisory Council in respect of the four employee representatives provided for in the constitution of the Council. After most careful consideration the Committee decided to retain the existing members of the Joint Advisory Council to provide for continuity and to fill the vacant position for an employee representative by appointing a person who through common membership will establish a link with the Training and Employment Partnership.

The States' decision of 24th September, 1996 provided that of the four members representing employees, at least two would be representatives of the Transport and General Workers' Union. Largely because of the perceived value of providing for continuity, and because the sitting members of the Joint Advisory Council had indicated their willingness to continue their term of office, the four employee representatives on the Council are currently all members of the Transport and General Workers' Union, although within that Union they represent different employee interests."

Population limits - question and answer - (Tape No. 384)

Senator Stuart Syvret of St. Helier asked Senator Frank Harrison Walker, President of the Finance and Economics Committee, the following question -

``Given that the population projections recently published by the Chief Adviser's Office show a continued growth in population over the next 10 years even on the basis of net nil migration over that period, would the President of the Finance and Economics Committee advise members what policy measures are in place to ensure that the resident population of the Island does not rise above the level agreed by the States in September 1996?"

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

``The Finance and Economics Committee in common with all other Committees of the States is required to have regard for the strategic policy objectives adopted

by the States in September 1995 as part of the debate on the Policy and Resources Committee's Strategic Policy Report '2000 and Beyond'. One of the objectives is that the permanent resident population of the Island should be the same or less than the level in September 1995.

The Policy and Resources Committee's Strategic Policy Report identified the Regulation of Undertakings and Development Law as the main policy instrument to be used to achieve the population policy objective. The Finance and Economics Committee, in considering licence applications received under that Law, is taking this policy objective fully into account. In doing so the Committee also consults with the Policy and Resources Committee on the adequacy of the existing policy measures.

The Finance and Economics Committee however also has to be mindful of other States policy objectives. These include maintaining a successful economy from which the tax revenues will be obtained that are needed to achieve the objective of a balanced budget, while at the same time satisfying the many expenditure demands arising from the agreed social policy objectives.

Together with the Policy and Resources Committee, the Finance and Economics Committee is monitoring the labour market to assess to what extent the present policy measures are sufficient to ensure that the population policy objective is met. The Finance and Economics Committee has before the House today amendments of the Regulation of Undertakings and Development (Jersey) Law 1973, which will provide for the tightening of the requirements placed on employers to provide information on the nature and number of persons engaged, which returns are an essential element in the monitoring process to which I have referred.

Should my Committee, in consultation with the Policy and Resources Committee, feel it is necessary to bring forward any further amendments to the Regulation of Undertakings and Development Law in support

of the population policy objective, I can assure the House that we will not hesitate to do so. I would also expect the progress in achieving this objective to be reviewed in this year's Strategic Policy Review and Action Plan which will be debated by this House in September."

Green Island - question and answer - (Tape No. 384)

Deputy Philip John Rondel of St. John asked Senator Nigel Lewis Quérée, President of the Planning and Environment Committee, the following question -

``Following the President's reported statement that he is committed to doing whatever he can to protect Green Island as an important part of the Island's cultural and geological heritage, is he aware that a Sea Defence Working Party has been established which includes members of his department and would he not agree that it would be better to deal with general coastal erosion problems for the Island as a whole and not to deal with areas such as Green Island in isolation?"

The President of the Planning and Environment Committee replied as follows -

``Yes, as a member of the previous Policy and Resources Committee I am aware that a Working Party was set up to address the strategic issues relevant to the sea defences.

My Committee has seen the minutes of the initial and only meeting of the Working Party which the Deputy will know, as a member of the Working Party, took place on 2nd September 1996 when the Committee was represented by the then Vice-President Deputy H.H. Baudains and Gerard Le Claire, Director of Environment. My Committee has agreed that, if the Working Party continues, the Planning and Environment Committee will be represented by myself and Gerard Le Claire. Last week we were notified that a meeting has been scheduled. In the meantime, my Committee received a request from the Heritage Trust on behalf of the Société Jersiaise who, we believe, own Green Island which we considered at our meeting held on 6th March.

The States have no responsibility for the

maintenance of Green Island, unlike the land which would concern the Working Party. Therefore, Green Island would fall outside the agenda of the Working Group.

The Committee, when considering the application, agreed that the proposal should be supported as a very modest, one-off contribution to the protection of the site for the following reasons -

- (a) it is recognised as a proposed Site of Special Interest of International Stature for its unique geology;
- (b) the proposals for its protection are being organised by the Heritage Trust and Société Jersiaise. Planning and Environment Committee are demonstrating support for the protection of an Island asset that would otherwise not be protected.

I agree with the Deputy that it is better to have an inter-Committee approach to issues such as coastal erosion, but the Deputy may have misunderstood that, whilst the Working Party is looking at effects of coastal erosion as a whole, there remains a responsibility on individual landowners to deal with localised effects and my Committee is pleased to support them."

Retirement of the Chief Adviser to the States - questions and answers - (Tape No. 384)

Deputy Robert Charles Duhamel of St. Saviour asked Deputy David Leon Crespel of Trinity, President of the Establishment Committee, the following questions -

- 1. Would the President confirm that Mr. G.C. Powell, Chief Adviser to the States, has given notice of his intention to retire from office? If so, when does the President intend to notify the States of the date on which Mr. Powell's retirement is to take effect?
- 2. Considering that the Chief Adviser to the States was appointed by the States on 13th October 1992, on the proposition of the then Establishment Committee (and is accountable to the States in this capacity) would the President inform members whether the Establishment Committee will recommend

the appointment of a successor to Mr. Powell?

3. If the Establishment Committee intends to recommend that a successor to Mr. Powell is to be appointed, would the President inform members whether it is the intention of his Committee to recommend the appointment of a Chief Adviser to the States, with similar responsibilities and accountability to the present postholder or will there be a new post with different responsibilities and accountability?
4. Would the President confirm that the officers of the Corporate Strategy Unit, to which reference is made in the 1996 Strategic Policy Review and Action Plan, will report to and be accountable to the Chief Adviser, or equivalent, and that those officers will provide an independent range of professional advisory services to the States as a whole?"

The President of the Establishment Committee replied as follows -

1. Mr. Powell has yet to give my Committee formal notice of his intention to retire from office.

I can confirm however that, when Mr. Powell gives formal notice of his intention to retire from office, the States will be informed of the date on which that retirement is to take place.

As the Deputy will be aware from his conversations with the President of the Policy and Resources Committee and from the minutes of the Policy and Resources Committee meeting held on 11th February, 1997, which have been circulated to all States' members, the Office of the Chief Adviser has been the subject of an independent service review. In undertaking this review the consultants have been asked to address the issue of the replacement of the Chief Adviser on his retirement.

As a member of the Policy and Resources Committee I can confirm that a draft report has been received and in order to complete the report, the consultants have been asked to draw up for the

Committee's consideration job descriptions relevant to some of their recommendations, and to define more fully the terms of reference and the allocation of tasks. Once the report has been completed and considered by the Policy and Resources Committee and by the Establishment Committee, the views of States' members will be sought on the consultants' recommendations.

2. Once the process of consultation on the report of the consultants has been completed my Committee, in conjunction with the Policy and Resources Committee, will present a report and proposition on the arrangements for the appointment of a successor to Mr. Powell.
3. Until the consultants' report in its complete form has been received and considered fully by my Committee I am not in a position to give the Deputy an answer to his question.
4. The decision to engage consultants to undertake a Service Review of the Office of the Chief Adviser was taken by the Policy and Resources Committee and followed upon the reference in the 1996 Strategic Policy Review and Action Plan to the responsibilities of a Corporate Strategy Unit. One of the matters the consultants were asked to consider was how to ensure that these responsibilities can be carried out in the most effective manner. Until the Consultants' report in its completed form is to hand and has been seen by the members of my Committee it would be premature to attempt to answer the Deputy's question."

Draft Limited Liability Partnerships (Jersey)
Law 199 . Personal statement by Senator P.F.
Horsfall

Senator Pierre François Horsfall made a personal statement in the following terms -

“On 8th October 1996 the States accepted my proposition that a Committee of Inquiry be set up under Article 30 of the States of Jersey Law in order to investigate the procedure followed in relation to the preparation of the draft Limited Liability Partnerships (Jersey) Law.

The Committee has completed its deliberations and members have all received a copy of the final report.

Section 3 of the report is entitled 'Conclusions and Recommendations' and its paragraphs are numbered 3.1 to 3.12.

I would like members to know that I accept all of these conclusions and recommendations. Where changes in the procedure used by the Policy and Resources Committee are called for, I will ensure that the Committee address any that may still be outstanding.

As the previous President of the Finance and Economics Committee I accept responsibility for any conclusions that reflect on that Committee and any of its officers.

Finally, I would like to say that when I believe matters to be in the Island's best interests I have a certain enthusiasm for getting things done but in doing so I have always acted in good faith. I am sure that this is accepted by my fellow members."

Industrial relations strategy - statement

The President of the Employment and Social Security Committee made a statement in the following terms -

"My Committee took on responsibility for the industrial relations function at the beginning of this year and we are now beginning to get to grips with the key issues and how we will address them. I would like to share my Committee's thoughts with members and also advise the House how we propose to deal with one of the main outstanding issues from the last Industrial Relations Committee - minimum pay.

First of all, can I express my Committee's thanks to those members who have served on various Task Groups for their evident interest and support, which I hope they will maintain. To them and to all those who may be affected by the proposed rationalisation of the Committee structure, I can only say that we have a complex problem but one which needs dedication and commitment. As my Committee has found, having absorbed all training and employment functions over the last two years, and latterly taken on responsibility for all

work opportunities for the disabled and now the industrial relations function, decision making certainly becomes more complex.

I am not saying this is wrong or complaining about the difficulties - in fact, I believe that my Committee has already shown that it can bring about considerable improvements in the service which the States (and in particular my department) gives to the public. People no longer have to run between several different organisations and departments - they can come to our 'one stop employment shop' and get immediate access to a wide range of services, whether they are -

unemployed and seeking work;

looking for opportunities for re-skilling;

employed and seeking career advice or training; or

simply looking for help in completing a C.V. or job application.

Employers can also more easily access a wide range of services whether they are -

wanting to advertise a job;

looking to fill large numbers of seasonal vacancies;

seeking information on local or national labour market trends; or

seeking help or financial support to improve skills of their workforce or their business skills.

Our intention is that the 'one stop employment shop' will also be able to provide advice and information on a range of industrial relations issues (some of which, such as wage disputes, it is already doing).

However, at Committee policy level, any decisions we take on employment matters must be guided by three main but sometimes conflicting strategies of the States.

Firstly, we have the target to keep unemployment at very low levels (the States set a target of 1½ per cent and we are now below that level).

Secondly, we are required to achieve a flexible, highly skilled workforce capable of meeting demands of international competition.

Last, but not least, we must aim not to 'over-regulate' or do anything unnecessarily to stifle the economic growth which is so essential in funding the social programmes for the Island, for many of which my Committee has responsibility. This is vital to the stability of the Island and the dignity of every member of our society.

Weighing up and balancing these States priorities is no easy matter, as I have said. My Committee has recently reviewed its strategy, and has reached the view that it should not look at industrial relations in isolation from its other employment and social security responsibilities. The Committee has decided that it should aim to work with all concerned so that they -

'remain employed in a changing labour market, assisted by responsible working practices'.

One of our objectives, as set out in our Business Plan, will be -

'to provide a framework to help employers and employees work together for their mutual benefit and for the good of the Island'.

We do believe that there is a need for some legislative framework, but kept to a minimum and concentrating not just on the rights of individuals but also their responsibilities and those of employers. There are duties and obligations on both sides. The existing legislation needs to be overhauled and brought up to date in line with the principles of good employment practice and, as I said, to the mutual benefit of employers, employees and the good of the Island.

We also believe that it is important to review the effectiveness of the Industrial Disputes Law (1956) and develop proposals for its modernisation in line with the principles of good employment practice. I believe we need a simple, independent arbitration/conciliation system which is able to resolve disputes quickly and effectively.

Our approach will be to work in partnership

with all interested parties (including the Trade Unions) in the difficult task of developing a flexible system of employment related law which will allow business to continue to respond to the market place whilst preserving the basic rights of the individual. I believe that it is vital to bring our industrial relations system up to date if we are to remain a respected, and responsible, member of the international community.

Finally, my Committee wants to look at the issue of minimum pay legislation in more depth. Already, we have considered all the evidence that was available to the previous Industrial Relations Committee and taken on board advice from the Chief Adviser. We will shortly be talking to other interested parties, including the existing Consultative Group.

I would like to stress that my Committee has no difficulty with the main part of the proposition currently lodged -

the principle of a fair day's work for a fair day's pay.

Indeed, I doubt that any member would disagree with that principle. Where there are likely to be differing views is on the definition of a 'fair day's work' - how do you define productivity across a wide range of jobs? There are likely to be just as many differing views on a 'fair day's pay'. I also suspect that there may be different views as to how we actually achieve such fairness across all employment sectors. Is it through law and inspectorates policing compliance? Or should Government simply set targets and work with all concerned to achieve them? Some may feel that the market place will set its own levels and that Government interference may be counterproductive, resulting in higher inflation, job losses and so on. Others may feel that this is a price worth paying for social justice. Whatever one's point of view, it is only right that Members should be as fully informed as possible before making such a decision.

The issue of minimum pay has been going on for a considerable time now. Although Senator Shenton lodged a report and proposition in March 1993, the previous

Industrial Relations Committee only presented their views at the end of 1996, and indeed then modified them slightly. Yet, having gone through the available evidence we still have no idea -

how many people are being paid less than £3.50 an hour, particularly taking into account board and lodgings and other benefits; what, if any, is the size of the problem?

how a minimum wage of £3.50 (or any other given rate) will impact on the economy, affect unemployment (particularly job opportunities for young people) or otherwise: might it cause more problems than it would solve?

what effect a minimum wage might have on other wage rates for higher grades of staff; would existing wage differentials become greater?

what would be the impact on some of the 'risk groups' such as the disabled, those in training, younger people, and so on; would employers be reluctant to employ such persons? What allowance might need to be made for them, and how?

what would be the impact on small businesses, how do we define 'small'?

what is the best approach from a Jersey point of view; what lessons can be learned from other countries (with or without minimum wage system)?

My Committee is particularly concerned about these unresolved issues and the lack of agreement that appears to exist even amongst the members of the previous Industrial Relations Committee's Consultative Group. To quote from their minutes -

'The Group noted that the planned restructuring of the States Committees had hastened the necessity to bring this matter before the States. It had been proposed that the Industrial Relations Committee be amalgamated with the Employment and Social Security Committee. It was, therefore, essential that the Industrial Relations Committee presented a report to the States on minimum pay before the end of its term

of office. Members of the Group maintained their reservations that there was still insufficient information to support a case for the implementation of minimum pay'.

Therefore, my Committee intends to bring a further and fuller report addressing the problem as a whole, and including the issues raised above, as soon as sufficient meaningful information can be obtained. What we intend to do is -

talk to all interested parties - in particular the sectors most likely to be affected (viz. tourism, agriculture and retail) - and identify their concerns;

undertake an economic study to assess the possible impact of a minimum wage on employment and the economy in general;

consider the likely impact on disadvantaged groups, young people looking for jobs, those undergoing training, and also any effects it may have on small businesses;

assess its impact on poverty, its effect on weekly family income and how it might fit in with other initiatives that the Committee is pursuing to alleviate poverty and then -

consider fully all the options and identify the best way forward for Jersey.

Depending on that report, it may be possible to debate the existing proposition, but failing that my Committee would wish to lodge a revised report and proposition, acknowledging that this is an issue of considerable public interest.

In summary I am making this statement to allay any fears that the work of previous Industrial Relations Committees might go unnoticed by my Committee, or be relegated to a status of little or no importance. On the contrary, my Committee sees issues such as these as central to its responsibilities in the field of good employment practice, and will give them full priority and resources in the interest of the public of the Island as a whole."

Albanian projects - statement

The President of the Overseas Aid Committee made a statement in the following terms -

``Due to the current political climate in Albania, Jersey has pulled out of it's planned work project.

This year's training programme in family planning, child nutrition and management of acute chest infections and diarrhoea in children and teacher training has been cancelled. Workers would have been trained to cover a population of 120,000.

For those people who have been concerned about the possibility of Jersey Overseas Aid Committee abandoning the poorest country in Eastern Europe, let me assure them that once the situation is resolved, we will hopefully return to continue with those desperately needed training programmes."

John Le Fondré Hall, States of Jersey Airport:
fire safety - statement

The President of the Harbours and Airport Committee made a statement in the following terms -

``The Jersey Evening Post on Tuesday 11th March 1997 carried a front page article about the new John Le Fondré Hall. In it I made reference to a statement made to the House on 22nd October last year by the then President of the Harbours and Airport Committee, Senator Chinn. Part of that statement read `water reserves to deal with a fire in the new departures hall would be in place before it becomes operational ...'. I was correctly reported and responded that Senator Chinn could not have meant it.

I wish now to publicly apologise to Mr. Chinn. His statement on 22nd October was entirely correct and I was wrong to insist otherwise. I now confirm to the House that the fire precautions already installed in the new John Le Fondré Hall meet the statutory requirements of the relevant development approvals and this was announced as such in a media statement on 11th March signed by myself, President of Defence, Chief Fire Officer and the relevant building control officer. As stated in my predecessor's statement to the

House and after further consultation with the States Fire Service, an approved sprinkler system will be installed to certain retail facilities which will be supplementary to the fire fighting precautions already installed and approved.

As to the current situation in respect of the fire fighting water reserves, these have not yet been completed because a decision was taken subsequently to extend them to cover the fuel farm. Construction is currently in progress.

I wish to reassure members of the House and the public that safety has been and remains an overriding priority of my Committee and that my Committee have full confidence in the design team charged with the project. I also have complete confidence in the overall fire safety measures at the airport."

Territorial Sea (Consequential Provisions)
(Jersey) Law 1994 (Appointed Day) Act 1997

THE STATES, in pursuance of Article 4 of the Territorial Sea (Consequential Provisions) (Jersey) Law 1994, made an Act entitled the Territorial Sea (Consequential Provisions) (Jersey) Law 1994 (Appointed Day) Act 1997.

Sea Fisheries (Jersey) Law 1994 (Appointed Day)
(No. 2) Act 1997

THE STATES, in pursuance of Article 24 of the Sea Fisheries (Jersey) Law 1994, made an Act entitled the Sea Fisheries (Jersey) Law 1994 (Appointed Day) (No. 2) Act 1997.

Attendance Allowance Board: appointment

THE STATES, adopting a proposition of the Employment and Social Security Committee, appointed the undermentioned as members of the Attendance Allowance Board in pursuance of Article 4 of the Attendance Allowance (Jersey) Law 1973, as amended, for a period of three years with effect from 1st April 1997 -

Dr. J. Newell (Chairman)
Dr. D. Crill
Dr. S. Milner
Reverend Dr. A.D. Williams
Dr. D. Fullerton
Mrs. M. Rebindaine

Mrs. A. Le Feuvre.

Rent Control Tribunal: appointment

THE STATES, adopting a proposition of the Housing Committee, and in pursuance of paragraph (1) of Article 3 of the Dwelling Houses (Rent Control) (Jersey) Law 1949, as amended, appointed the following persons to act as Chairman and members of the Rent Control Tribunal for a further period of 12 months ending on 12th April 1998, namely -

Henry Robert Hall, O.B.E. - Chairman
Mrs. Shirley Norma Barr
Donald George Filleul
Terence Lavery
Michael Robottom.

Bellozanne Valley, St. Helier: policy for purchase of properties - P.224/96

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

- (a) approved in principle the policy of purchasing on behalf of the public any properties that may become available for purchase all or any part of which lie within a 100 metre radius of the 'bad neighbour' operations at the waste disposal site at Bellozanne Valley, St. Helier, as defined on drawing No. 522/1;
- (b) authorised the Public Services and Planning and Environment Committees to purchase such of those properties as they consider it desirable to acquire, at a fair and proper price to be agreed by the Finance and Economics Committee;
- (c) authorised the payment or discharge of the expenses incurred in connexion with the purchase of any such properties and all interests therein, from the Planning and Environment Committee's capital vote of credit - "Land Acquisition - Major Reserve" (vote No. C0904);
- (d) authorised the Attorney General and the Greffier of the States to pass such contracts as it might be found necessary to pass in connexion with any such purchase;

- (e) agreed that all such properties should be administered by the Public Services Committee.

Florence Boot Cottages, St. Clement: sale of land - P.5/97

THE STATES, adopting a proposition of the Housing Committee -

1. approved -

(a) the cancellation of the existing 75 year lease of the site of the Florence Boot Cottages to the F.B. Cottages Trust;

(b) the sale of the freehold of an area of land measuring about five vergées as shown on drawing No.12/387/1 to the F.B. Cottages Housing Trust for a consideration of £930,000, payable in stages as follows -

£150,000 payable on completion of Phase I of the residential development;

£300,000 payable on completion of Phase II; and

£400,000 payable on completion of Phase III;

£80,000 payable on completion of Phase IV;

subject to the total £930,000 being payable by no later than 30th June 2002, and with each party being responsible for the payment of its own legal costs;

2. authorised the Attorney General and the Greffier of the States to pass the necessary contracts;

3. authorised the Treasurer of the States to receive the amount connected with the above transactions.

Members present voted as follows -

``Pour" (39)

Senators

Shenton, Horsfall, Le Maistre, Stein,

Quérée, Bailhache, Tomes, Norman, Walker.

Connétables

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

Deputies

Wavell (S), H. Baudains (C), Coutanche (L), St. Mary, Trinity, Pullin (S), Johns (H), Routier (H), Grouville, St. Martin, Le Main (H), Blampied (H), Rabet (H), Vibert (B), de la Haye (B), Le Cornu (C), St. Peter, Dubras (L), St. Ouen.

``Contre" (9)

Senators

Syvret, Kinnard.

Deputies

S. Baudains (H), Duhamel (S), Dorey (H), Breckon (S), Huet (H), St. John, Crowcroft.

The Jersey Electricity Company Limited:
appointment of directors - P.17/97

The President of the Finance and Economics Committee, nominated for appointment as directors of The Jersey Electricity Company Limited the following -

Senator Jean Amy Le Maistre
Mrs. Enid Clare Quénauld, Connétable of St. Brelade
Mr. Malcolm Pollard, Connétable of St. Peter
Deputy Derek Ryder Maltwood of St. Mary
Deputy Kenneth William Syvret, M.B.E., of St. Ouen.

Deputy Philip John Rondel of St. John was proposed by Deputy Terence John Le Main of St. Helier.

THE STATES, having proceeded to a secret ballot, the Bailiff declared the following results -

Senator Le Maistre - 34 votes
Connétable of St. Brelade - 41 votes
Connétable of St. Peter - 38 votes
Deputy of St. Mary - 42 votes
Deputy of St. Ouen - 41 votes

Deputy of St. John - 23 votes.

THE STATES thereupon adopted the proposition of the Finance and Economics Committee and appointed the undermentioned members as directors of The Jersey Electricity Company Limited, with effect from 1st April 1997, in accordance with Article 90 of the Articles of Association of the Company -

Senator Jean Amy Le Maistre
Mr. Malcolm Pollard, Connétable of St. Peter
Mrs. Enid Clare Quénauld, Connétable of St. Brelade
Deputy Derek Ryder Maltwood of St. Mary
Deputy Kenneth William Syvret, M.B.E., of St. Ouen.

The Jersey New Waterworks Company Limited:
appointment of directors - P.18/97

The President of the Finance and Economics Committee, nominated for the appointment as directors of the Jersey New Waterworks Company Limited the following -

Senator Leonard Norman
Mr. Jack Roche, Connétable of St. Saviour,
as a member of the Finance and Economics Committee
Mr. John Baudains Germain, Connétable of St. Martin
Deputy Imogen Nicholls of Grouville.

Deputy Philip John Rondel of St. John was proposed by Deputy Terence John Le Main of St. Helier.

THE STATES, having proceeded to a secret ballot, the Bailiff declared the following results -

Senator Leonard Norman - 45 votes
Connétable of St. Saviour - 45 votes
Connétable of St. Martin - 39 votes
Deputy of Grouville - 40 votes
Deputy of St. John - 25 votes.

THE STATES, referring to their Acts dated 24th August 1982 and 22nd February 1983, adopted the proposition of the Finance and Economics Committee and appointed the undermentioned members as directors of the Jersey New Waterworks Company Limited, with effect from 1st April 1997, in accordance with Article 7(4) of the Articles of Association of the company -

Senator Leonard Norman
Mr. Jack Roche, Connétable of St. Saviour,

as a member of the Finance and Economics Committee
Mr. John Baudains Germain, Connétable of St. Martin
Deputy Imogen Stephanie Nicholls of Grouville.

2 Verdun Mews, Mont Neron, St. Helier: financial assistance - P.20/97

THE STATES, adopting a proposition of the Finance and Economics Committee -

(1) approved the granting of financial assistance by way of a loan to Mr. Gary Jon Kemp and Mrs. Caryl Ann Kemp (née Le Saint), of 2 Verdun Mews, Le Mont Neron, St. Helier, who need urgently to reconstruct the southern boundary wall of their property fronting on to Grands Vaux to protect from damage their property and passing members of the public;

2. agreed -

(a) to make, on application by Mr. Gary Jon Kemp and Mrs. Caryl Ann Kemp (née Le Saint) to the States Treasury, a loan at a rate of four per cent a year of such sum and secured in such a manner as the Finance and Economics Committee considers reasonable in relation to the owners' costs, repayable on or before the expiry of ten years from the date upon which the loan is made or on sale or transfer of the property from the owner to a third party, whether by inter vivos transaction, by will or intestacy, whichever is the earlier, on the basis that the Committee may vary the terms of this proposition in any case where it is satisfied that genuine hardship would arise;

(b) that the work should be carried out to the satisfaction of the Planning and Environment Committee.

Barge Aground, St. Ouen: purchase - P.21/97

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

- (a) authorised the purchase from the Scout Association Jersey, of the property known as Barge Aground, La Grande Route des Mielles, St. Ouen, (as shown on drawing No. 545/1) for £150,000, with each party paying its own legal costs; and to authorise the Greffier of the States to sign the said drawing on behalf of the States;
- (b) authorised the Attorney General and the Greffier of the States to pass, on behalf of the public, any contract which it might be found to be necessary to pass in connexion with the purchase of the said property and any interests therein;
- (c) authorised the payment or discharge of any expenses incurred in connexion with the said purchase from the Planning and Environment Committee's capital vote of credit "Acquisition of Land - Major Reserve" (vote No. CO904).

Deputy Kenneth William Syvret of St. Ouen declared an interest in the matter and withdrew from the Chamber prior to the debate.

Jersey Scout Association: financial assistance - P.22/97

THE STATES, adopting a proposition of the Finance and Economics Committee -

- (a) authorised a grant of £300,000 to the Jersey Scout Association for the purpose of establishing a new headquarters/camping centre on the site of Weston's Bistro, Five Mile Road, St. Ouen;
- (b) agreed that the Finance and Economics Committee should meet the necessary expenditure from the General Reserve.

Deputy Kenneth William Syvret of St. Ouen declared an interest in the matter and withdrew from the Chamber prior to the debate.

Building Bye-laws (Validation) (Jersey) Law 199 - P.26/97

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Building Bye-laws (Validation) (Jersey) Law 199 .

Island Planning (Fees) (Validation) (Jersey) Law
199 - P.27/97

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Island Planning (Fees) (Validation) (Jersey) Law 199 .

Police Court (Change of Name) (Jersey) Law 1996
(Appointed Day) Act 1997 - P.28/97

THE STATES, in pursuance of Article 4 of the Police Court (Change of Name) (Jersey) Law 1996, made an Act entitled the Police Court (Change of Name) (Jersey) Law 1996 (Appointed Day) Act 1997.

Companies (Amendment No. 3) (Jersey) Law 199 -
P.29/97

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Companies (Amendment No. 3) (Jersey) Law 199 .

Fields 563, 565, 568 and part of 564, St.
Brelade: purchase - P.30/97

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

- (a) approved the purchase on behalf of the public from Mr. Donald Edward Le Boutillier, Mrs. Anna Lucas Cabot (née Le Boutillier), Mr. Edward John Le Boutillier, Mr. Brian Le Boutillier, Mrs. Maureen Ann Rondel (née Le Boutillier) and Mr. David James Le Boutillier, for £27,000, of Fields 563, 565, 568 and part of Field 564, St. Brelade, measuring approximately nine vergées, (as shown on drawing No. 547/1) for use as a conservation area and providing improved access to land already in the public ownership, with the public being responsible for the vendors' reasonable legal costs in respect of the transaction;
- (b) authorised the Greffier of the States to sign the said drawing on behalf of the States;
- (c) authorised the Attorney General and the

Greffier of the States to pass any contracts which it might be found necessary to pass in connexion with the purchase of the said properties and any interests therein;

(d) authorised the payment or discharge of the expenses to be incurred in the said purchase from the Planning and Environment Committee's capital vote of credit - "Land Acquisition - Major Reserve" (vote No. CO904).

Deputy Philip John Rondel of St. John declared an interest in the matter and withdrew from the Chamber prior to the debate.

Bankruptcy (Désastre) (Amendment No. 2) (Jersey) Law 1996 (Appointed Day) Act 1997 - P.31/97

THE STATES, in pursuance of Article 2 of the Bankruptcy (Désastre) (Amendment No. 2) (Jersey) Law 1996, made an Act entitled the Bankruptcy (Désastre) (Amendment No. 2) (Jersey) Law 1996 (Appointed Day) Act 1997.

Regulation of Undertakings and Development (Amendment No. 7) (Jersey) Law 199 - P.32/97

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Regulation of Undertakings and Development (Amendment No. 7) (Jersey) Law 199 .

Regulation of Undertakings and Development (Amendment No. 8) (Jersey) Regulations 1997 - P.33/97

THE STATES, in pursuance of Article 2 of the Regulation of Undertakings and Development (Jersey) Law 1973, as amended, made Regulations entitled the Regulation of Undertakings and Development (Amendment No. 8) (Jersey) Regulations 1997.

Members present voted as follows -

"Pour" (40)

Senators

Shenton, Horsfall, Rothwell, Stein, Quérée, Bailhache, Syvret, Tomes, Norman, Walker, Kinnard.

Connétables

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

Deputies

H. Baudains (C), Le Sueur (H), St. Mary, Trinity, Pullin (S), Johns (H), Duhamel (S), Routier (H), Breckon (S), Grouville, Huet (H), St. Martin, Blampied (H), Rabet (H), Crowcroft (H), Vibert (H), de la Haye (B), Le Cornu (C), St. Peter, Dubras (L), St. Ouen.

``Contre" (2)

Deputies

Dorey (H), St. John.

Waterfront Enterprise Board: membership - P.34/97

The President of the Policy and Resources Committee, nominated for appointment as States Directors of the Waterfront Enterprise Board the following members -

Senator Vernon Amy Tomes
Mr. Robert Lester Le Brocq, Connétable of St. Helier
Deputy Derek Ryder Maltwood of St. Mary.

Senator Stuart Syvret was proposed by Deputy Alan Simon Crowcroft of St. Helier.

THE STATES, having proceeded to a secret ballot, the Bailiff declared the following results -

Senator Tomes - 36 votes
Connétable of St. Helier - 43 votes
Deputy of St. Mary - 42 votes
Senator Syvret - 11 votes.

THE STATES thereupon adopted the proposition of the Policy and Resources Committee, and -

(a) appointed the following members as States Directors of the Waterfront Enterprise Board Limited for a period of three years expiring on 31st March 2000 -

Senator Vernon Amy Tomes
Mr. Robert Lester Le Brocq,
Connétable of St. Helier

Deputy Derek Ryder Maltwood of St.
Mary;

- (b) authorised the Greffier of the States to notify the company of the States' decision.

Waterfront Enterprise Board: share capital -
P.40/97

THE STATES, adopting a proposition of the Policy and Resources Committee, referred to their Act dated 12th December 1995, approving the establishment of the Waterfront Enterprise Board as a separate legal entity, and -

- (a) agreed that the necessary steps should be taken to increase the share capital of the company from £1,000,000 to £20,000,000;
- (b) authorised the Finance and Economics Committee, in consultation with the company, to agree a programme for the States to purchase the Company's shares by instalments;
- (c) charged the Finance and Economics Committee to set up a sinking fund to provide for any writing off of such part of the States' investment in the company's shares as may be authorised by the Finance and Economics Committee at the conclusion of the development of the St. Helier Waterfront area.

Members present voted as follows -

``Pour" (40)

Senators

Shenton, Horsfall, Le Maistre, Stein,
Quérée, Tomes, Norman, Walker.

Connétables

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

Deputies

H. Baudains (C), Le Sueur (H), Coutanche
(L), St. Mary, S. Baudains (H), Trinity,
Pullin (S), Johns (H), Routier (H), Dorey
(H), Grouville, St. Martin, St. John,
Blampied (H), Rabet (H), Crowcroft (H),
Vibert (B), de la Haye (B), Le Cornu (C),
St. Peter, Dubras (L), St. Ouen.

``Contre" (6)

Senators

Bailhache, Syvret, Kinnard.

Deputies

Duhamel (S), Breckon (S), Huet (H).

Jersey Amateur Dramatic Club: consolidated loan - P.35/97

THE STATES, adopting a proposition of the Finance and Economics Committee, referred to their Act dated 22nd June 1993 in which they approved a loan of £100,000 to the Jersey Amateur Dramatic Club to assist with the purchase of a disused agricultural outbuilding at Fairview Farm, La Hougue Bie, St. Saviour, and their Act dated 10th December 1996 in which they approved an additional loan of £60,000 to the Club to assist with completion of the conversion of the outbuilding and agreed -

- (i) that the two loans should be consolidated by the cancellation of the deed creating the registered charge in respect of the loan of £100,000 and the passing of a deed creating a new registered charge in the sum of £160,000;
- (ii) that the consolidated loan should be repaid over a period not exceeding 30 years from the date of the creation of the secured charge;
- (iii) that the consolidated loan should be interest free up to and including 31st December 1999 and thereafter should bear interest of five per cent a year;
- (iv) that the first repayment of principal and interest should be made on 31st August 2000 and subsequent repayments would be made on 31st August each year thereafter. The annual payments should be made in such sum as the Finance and Economics Committee should decide and the Committee might waive repayment in any year if it appears to the Committee to be appropriate to do so;
- (v) that the Committee might vary the period of the consolidated loan by

accepting premature repayments from the Club, either in part or in whole;

- (vi) that the consolidated loan was to be registered against the property which was to be kept in good material order;
- (vii) that the Greffier of the States be authorised to pass all necessary contracts.

Deputy Maurice François Dubras of St. Lawrence declared an interest in the matter and withdrew from the Chamber prior to the debate.

Greville Bathe Fund: appointment of trustees - P.36/97

THE STATES, adopting a proposition of the Finance and Economics Committee, approved the appointment of the undermentioned as trustees for the purpose of administering the income of the Greville Bathe Fund -

- (a) Jurat Ernest William Herbert in place of Donald Edward Le Boutillier, who, on 8th November 1991, ceased to hold the office of Jurat; and
- (b) Jurat Arthur Philip Quérée in place of Peter Gilroy Blampied, O.B.E., who, on 7th January 1997, ceased to hold the office of Jurat.

Franchise (Amendment No. 4) (Jersey) Regulations 1997 - P.37/97

THE STATES, in pursuance of Articles 6 and 12 of the Franchise (Jersey) Law 1968, as amended, made Regulations entitled the Franchise (Amendment No. 4) (Jersey) Regulations 1997.

Transfer of administration of States properties - P.39/97

THE STATES, adopting a proposition of the Planning and Environment Committee, approved the transfer of administration from the Planning and Environment Committee -

- (a) to the Housing Committee of the undermentioned buildings and land -
 - (i) 6 Hilary Street, St. Helier (as shown on drawing No. 526/1);
 - (ii) land at the former OTC site, First Tower, St. Helier, the site of the St. Andrew's Court housing

development (as shown on drawing No. 527/1);

- (iii) land at the former OTC site, First Tower, St. Helier, the site of Phase II of a housing development (as shown on drawing No. 527/1);

(b) to the Public Services Committee of the following -

- (i) land formerly part of Field 702a, La Rue a Don, Grouville, measuring 915 square feet, used for highway improvement purposes (as shown on drawing No. 524/1);
- (ii) land at the former OTC site, First Tower, St. Helier, now known as La Route ès Nouaux, used for highway improvement purposes (as shown on drawing No. 527/1);
- (iii) land at the former OTC site, First Tower, St. Helier, the site of the newly constructed public car park (as shown hatched on drawing No. 527/1);

(c) to the Education Committee of the following land and buildings -

Field 799 and outbuildings, Claremont Road, St. Saviour, and the property known as Cancale, being the site of the new Jersey College for Girls preparatory school (as shown on drawing No.525/1);

(d) authorised the Greffier of the States to sign the said drawings on behalf of the States.

Departments of the Judiciary and Legislature
(Amendment No. 3) (Jersey) Law 199 - P.41/97

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Departments of the Judiciary and Legislature (Amendment No. 3) (Jersey) Law 199 .

THE STATES rose at 5.50 p.m.

G.H.C. COPPOCK

Greffier of the States.