



**THE STATES assembled on Tuesday,  
3rd March 1998 at 9.30 a.m. under  
the Presidency of the Bailiff,  
Sir Philip Bailhache**

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All members were present with the exception of –

Senator Vernon Amy Tomes – ill  
Senator Frank Harrison Walker – out of the Island  
Jack Roche, Connétable of St. Saviour– ill  
Philip Roy Cabot, Connétable of Trinity – ill  
Jacqueline Jeannette Huet, Deputy of St. Helier– ill.

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Prayers

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**Distinguished visitors – Portugal**

The Bailiff informed the Assembly of the visit from 4th to 7th April 1998 of His Excellency Dr. Jose Lello, Secretary of State for Consular Services and Communities, Foreign Ministry, Lisbon, Portugal, accompanied by His Excellency Dr. Jose Gregorio Faria, Portuguese Ambassador to the Court of St. James at London, Dr. Antoni de Almeida Ribeiro, Consul General in London, and their wives.

**Distinguished visitors – Madeira**

The Bailiff informed the Assembly of the visit from 11th to 13th May 1998 of His Excellency Dr. Alberto Joao Jardim, President of the Government of Madeira, accompanied by Dr. Luis Dantas, President's Cabinet Chief, Dr. Ebrazzao de Castro, Regional Secretary of Human Resources, Mr. Goncalo Nuno Dos Santos, Director of Madeira's Communities and their wives.

**Subordinate legislation tabled**

The following enactments were laid before the States, namely –

**Parish Rate (Form of Documents) (Amendment No. 8) (Jersey) Order 1998– R & O 9206.**

**Airport Dues (Tariff) (Jersey) Order 1998 – R & O 9207.**

**Matters presented**

The following matters were presented to the States –

**Public lotteries: report for 1997 – R.C.6/98.**  
Presented by the Gambling Control Committee.

**La Rocco Apartments, La Pulente, St. Brelade: development (P.18/98) – report – P.38/98**  
Presented by the Planning and Environment Committee

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

**The Jersey Electricity Company Limited: annual report and accounts for the period 30th September 1996 to 28th September 1997.**

Presented by the Finance and Economics Committee.

**Matters noted – land transactions**

THE STATES noted an Act of the Finance and Economics Committee, dated 23rd February 1998, 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 acquisition from Mr. David Alfred Bisson and Mrs. Marjorie Mary Bisson, née Hamel, of land (two areas measuring 525 square feet each) at La Grande Route des Sablons, Grouville, required for the construction of a pavement, for a consideration of £1 a square foot, with Mr. and Mrs. Bisson to be responsible for the cost of erecting the granite-faced walls and the Committee being responsible for Mr. and Mrs. Bisson's reasonable legal costs arising from the transaction;
- (b) as recommended by the Harbours and Airport Committee, the lease to Harbour Newsagent Limited of the Elizabeth Terminal shop (E13), St. Helier Harbour, measuring 294 square feet, for a period of nine years from 1st May 1996, at an annual rent of £4,235.43 (representing a rate of £14.40 a square foot), subject to annual review on 1st January in line with the Jersey Retail Prices Index (the Committee rescinded sub-paragraph (t) of Act No. 1 of 5th September 1994 of the Committee a previously constituted);
- (c) as recommended by the Harbours and Airport Committee, the renewal of the lease to TNT Offshore Island Express Limited of 3,160 square feet of warehouse accommodation on the New North Quay (N8), St. Helier Harbour, for a period of three years from 1st February 1998, at an annual rent of £14,852 (representing a rate of £4.70 a square foot), subject to annual review in line with the Jersey Retail Prices Index;
- (d) as recommended by the Public Services Committee, the acquisition from Mr. John Le Suer Gallichan of 8 square metres of land, including an existing outbuilding and steps, in Fields Nos. 1148 and 1150, Trinity for a consideration of £86, with the Committee being responsible for the cost of all accommodation works and both parties' legal fees arising from the transaction;
- (e) as recommended by the Planning and Environment Committee, the renewal of the lease to Mr. Charles Alan Le Maistre of Fields Nos. 253 and 254, Les Marais, Grouville, for a further term of three years from 25th December 1997, at an annual rent of £100 without review, subject to the proviso that no pesticides or fertilisers were to be used whatsoever, that no ploughing or cultivation should take place and that no construction was to be allowed on the land, with the tenant to be responsible for maintaining, preserving and protecting the land together with any hedges, trees and banks thereon.

**Matter noted – acceptance of tender**

THE STATES noted an Act of the Finance and Economics Committee, dated 23rd March 1998, showing that, in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that the Housing Committee had accepted the lowest of four tenders, namely that submitted by Hacquoil and

Cook Limited in the sum of £5,283,751.00 in a contract period of 76 weeks, for the redevelopment of Elysée Estate Phase II (Oak Tree Gardens), Trinity Hill, St. Helier.

### **Matters lodged**

The following matters were lodged “au Greffe” –

**Draft Building Loans (Miscellaneous Provisions) (Amendment No. 25) (Jersey) Regulations 199– P.33/98.**  
Presented by the Housing Committee.

**Nelson House, David Place, St. Helier: lease– P.34/98.**  
Presented by the Finance and Economics Committee.

**Fort Regent redevelopment – P.35/98.**  
Presented by the Sport, Leisure and Recreation Committee.

**Les Creux, St. Brelade: land use strategy– P.36/98.**  
Presented by the Sport, Leisure and Recreation Committee.

**Maritime offices, La Route du Port Elizabeth, St. Helier– P.37/98.**  
Presented by the Planning and Environment Committee.

The following matters were lodged on 24th February 1998 –

**Draft Licensed Premises (Exclusion of Certain Persons) (Jersey) Law 199 (P.17/98): amendments– P.29/98.**  
Presented by Deputy F.J. Hill of St. Martin.

**Draft Licensed Premises (Exclusion of Certain Persons) (Jersey) Law 199 (P.17/98): second amendments– P.30/98.**  
Presented by Deputy J.L. Dorey of St. Helier.

**Draft Acts annulling certain Road Traffic Orders relating to public parking places – P.31/98.**  
Presented by Deputy A.S. Crowcroft of St. Helier.

**Traffic calming within Jersey – P.32/98.**  
Presented by Senator R.J. Shenton.

### **Arrangement of public business for the next meeting on 17th March 1998**

THE STATES confirmed that the following matters lodged “au Greffe” would be considered at the next meeting on 17th March 1998 –

97-109 Bath Street, St. Helier: purchase– P.206/97.  
Lodged: 30th December 1997  
*Planning and Environment Committee.*

Les Creux, St. Brelade: land use strategy– P.36/98.  
Lodged: 3rd March 1998  
*Sport, Leisure and Recreation Committee.*

Les Creux/La Moye Farm, St. Brelade: rezoning of land – P.204/97  
Lodged: 30th December 1997  
*Planning and Environment Committee.*

Kensington Gate development, St. Helier– P.11/98.  
Lodged: 10th February 1998  
*Senator S. Syvret.*

La Rocco Apartments, La Pulente, St. Brelade: development– P.18/98.  
Lodged: 17th February 1998 and referred to the Planning and Environment Committee  
*Tourism Committee.*

Draft Petroleum-Spirit (Control) (Jersey) Regulations 199- P.20/98.  
Lodged: 17th February 1998  
*Defence Committee.*

Draft Acts annulling certain Road Traffic Orders relating to public parking places – P.31/98.  
*Deputy A.S. Crowcroft of St. Helier.*

Draft Building Loans (Miscellaneous Provisions) (Amendment No. 25) (Jersey) Regulations 199 – P.33/98.  
*Housing Committee.*

Nelson House, David Place, St. Helier: lease– P.34/98.  
*Finance and Economics Committee.*

Maritime offices, La Route du Port Elizabeth, St. Helier– P.37/98.  
*Planning and Environment Committee.*

#### **Jersey's constitution: contact with Home Office – questions and answers (Tape No. 430)**

Senator Richard Joseph Shenton asked Senator Pierre François Horsfall, President of the Policy and Resources Committee, the following questions –

- “1. Members of the States learn from the media of visits being made to the Home Office. Will the President inform the Assembly of the content of these meetings and the attendees, give an assurance that the States are advised of any future visits and circulate reports of such meetings to all Members?
2. In view of the recent exchange of correspondence between our Bailiff and the Home Secretary, does the President accept that contact with the Home Office in this casual manner weakens our constitutional links?
3. Does the President accept that Jersey is not a United Kingdom dependent territory and that our constitution is different from that of Gibraltar and the Isle of Man?”

The President of the Policy and Resources Committee replied as follows –

- “1. There are normally two sorts of meeting involving States Members that take place at the Home Office.

The most frequent can best be described as working meetings which take place between ourselves and people from various United Kingdom Government Departments engaged in work affecting the Islands. These can include experts on nuclear matters, on European Union matters, Financial Services legislation and other issues including international conventions. These meetings are, in effect, facilitated by the Home Office and give the Islands the opportunity of safeguarding their interests in areas where our constitutional relationship prevents us from holding direct talks. These meetings take place two or three times a year, with two of the meetings being attended by Guernsey and the Isle of Man as well as by Jersey.

These meetings are vital if the Island is not to be unknowingly swept up by issues including

conventions of great importance and the effect of the meetings over the past few years has been to ensure that all United Kingdom Government Departments are now much more aware of our constitutional position and of their obligation to both consult with the Islands and to safeguard the Island's interests.

The effect of this is, without doubt, to strengthen the Island's constitutional position.

Contrary to the question, States members do not learn of these meetings from the media but should do so from reading the Minutes of the Policy and Resources Committee meetings which give some information regarding the meetings to be held including the names of those attending on behalf of the Island.

While no member has ever asked for additional information regarding these meetings I am happy to confirm that if a member reads of a particular meeting in the minutes and would like additional information on a particular topic, I would be happy to oblige.

These meetings are part of the regular work and responsibility of the Policy and Resources Committee and it is not my intention to automatically send reports to all States members. Should a matter of particular importance arise I would do as I did at the end of last year on the matter of European Union Tax Code of Conduct which was to make a statement to the Assembly at the next meeting.

The representation at the working meetings at the Home Office usually comprises the President and Vice-President of the Policy and Resources Committee plus an extra member of the Committee and because of the Financial Services and taxation subjects, members of the Finance and Economics Committee also attend taking into account that Senator Walker is both Vice-President of the Policy and Resources Committee and the President of the Finance and Economics Committee.

The political representatives are supported by the Chief Adviser, the Attorney General, the Director of Financial Services, the Environmental Adviser and the Greffier of the States as may be required.

The other type of meeting at the Home Office is when a serious matter has arisen and a delegation led by the Bailiff attends on the Home Secretary. The last time such a meeting took place was in October 1993 and related to fishing.

At the time of the United Kingdom Government's announcement of the present Financial Services Review, it was just this sort of meeting that I had in mind when I publicly stated that the matter was to be considered by the Policy and Resources Committee meeting on 27th January that we would be considering the case for asking the Bailiff to lead such a delegation to the Home Office.

In the event, Senator Shenton called for a special meeting of the States which was held on 27th January and resulted in the approval of a resolution which was conveyed to the Home Secretary by letter from the Bailiff.

Shortly after the special States Sitting it was suggested that I, as President of the Policy and Resources Committee, which is the Committee responsible for constitutional matters, should attend an informal meeting with Lord Williams. I was also told that the Chief Minister of the Isle of Man was to attend such a meeting and that Guernsey was also likely to do the same.

Having consulted with the Bailiff, I agreed to attend. The meeting took place on Wednesday 4th February and gave me the opportunity to do two things. The first was to confirm that it was our intention to co-operate fully with the Review once it was under way, and the second was to repeat that we were very disappointed at the events that had taken place and also very disappointed at the Home Secretary's response to the Bailiff's letter. I do not see any of this to be harmful to the Island's interests.

2. I do not accept that any of the reply given to question 1 can be described as 'contact in a casual manner' nor do I accept in any way that our constitutional links are other than strengthened as a result.

3. Jersey is not a United Kingdom Dependent Territory, it is a Crown Dependency.

Our constitution is indeed very different from Gibraltar which is not only a Dependent Territory but is also within the European Union.

I would add for the avoidance of doubt that Gibraltar is never involved in any of our dealings with the Home Office. In fact, as a Dependent Territory Gibraltar comes under the auspices of the Foreign and Commonwealth Office.

Like us, the Isle of Man is a Crown Dependency coming under the Home Office and our constitutional positions, while not being identical, are very similar.”

### **Public car parks and the school bus service – questions and answers (Tape No. 430)**

Senator Richard Joseph Shenton asked Senator Vernon Amy Tomes, President of the Public Services Committee, the following questions –

- “1. Will the President inform members of the current excess of income over operating costs in respect of public car parks, together with the anticipated additional income from the proposed increases in car parking charges?
2. Will the President inform members of the current cost of the school bus service, the estimated cost of including the Colleges in the Scheme, and the estimated surplus of income over operating costs in 1998?

Senator Shenton withdrew a third question that he had proposed to ask.

The President of the Public Services Committee replied as follows –

- “1. The actual excess of income over operating costs in respect of public car parks in 1997 was £1 million. The anticipated additional income from the proposed increases in car parking charges from 20p to 35p an hour, is £1.1 million in 1998. This estimate is based on March 1998 implementation date and assumes a ten per cent fall off in demand for car parking spaces. This estimate does not allow for the income from the car parks to be charged for in 1998 for the first time, which is provisionally estimated at £200,000.
2. The current net cost of running the school bus service is £800,000 a year and the cost of including the colleges in the scheme was estimated at an additional £350,000 giving a total cost of £1.15 million a year.

The estimated surplus of income from car park charges over operating costs in 1998 is estimated at £2.6 million, calculated as follows–

	£
Status quo	1,300,000
New chargeable car parks	200,000
Increased charges	<u>1,100,000</u>
Total	<u>2,600,000</u>

If the new charges had come into effect on 1st January 1998 this income would have increased to

£2,800,000.

The £2,600,000 will be allocated as follows –

	£	
Transferred to general revenues	1,500,000	
School bus service Available to fund development of car parks	800,000	
300,000	<u>300,000</u>	
Total	<u>2,600,000</u>	”

### **Cinergy Communications – questions and answers** (Tape No. 430)

Deputy Jeremy Laurence Dorey of St. Helier asked Deputy Paul Francis Routier of St. Helier, President of the Telecommunications Board, the following questions –

- “1. Will the President inform Members what is the relationship, in terms of finances, technical resources, staffing and premises, between Jersey Telecoms and Cinergy Communications?”
2. Is the President satisfied that Cinergy Communications represents fair competition for private sector IT providers?”

The President of the Telecommunications Board replied as follows –

- “1. Cinergy Communications has been set up as a joint venture between the Telecommunications Boards of both Jersey and Guernsey, to provide a highly resilient Internet service across the Channel Islands.

Under the joint venture agreement, the Board is accountable for half the assets and liabilities of Cinergy Communications. The arrangements for the provision of finances, technical resources, staffing, premises and any other overheads are shared equally between Jersey and Guernsey. Cinergy Communications has its own accounting and banking arrangements in order to ensure the complete separation from the parent Board’s own activities. Great care has, and is, being taken to establish Cinergy Communications on an arms’ length and non-discriminatory basis.

2. Yes. As stated in the previous answer, Cinergy Communications has been established as a separate business entity working independently to its own Business Plans; one of the primary reasons for this is to ensure that there is fair competition in the market place”.

### **Legislative provisions proposed for dealing with fiscal crime – questions and answers** (Tape No. 430)

Senator Stuart Syvret asked Deputy Derek Ryder Maltwood of St. Mary, Vice-President of the Finance and Economics Committee, the following question –

“Will the President provide members with a full explanation of what provisions have been made in the proposed all-crimes money laundering legislation (the draft Proceeds of Crime (Jersey) Law 199-) to deal with the subject of fiscal crime?”

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

“All-crimes money laundering legislation has been under consideration for some time. Wide consultation has involved the finance industry, professional bodies and other interested parties. It is intended that a further draft be circulated for comment by all parties within the next few weeks.

Any member who wishes to receive a copy of that draft should contact the Director of the Financial Services Department, but I will ensure that a copy is sent to Senator Syvret so that he can have the opportunity to comment on the draft. In due course a full draft Law will be laid before the States with an accompanying report in the usual way.

The draft will of course include, amongst a number of other matters, the creation of money laundering offences surrounding the giving of assistance in the Island to a person to enable him to retain or use the benefits of his criminal conduct. Broad policy decisions with regard to the criminal conduct from which such benefits are derived make it likely that the Law will focus on the proceeds of any offence in the Island for which a person is liable on conviction to imprisonment for a specified period yet to be determined or to the proceeds of any conduct outside the Island which would amount to such an offence if it had been committed in the Island. Such offences include all common law crimes and, in the context of this particular question, include fraud and other offences of a similar nature.

The crime of money laundering will arise therefore if any of a very wide range of financial services were provided in connection with the proceeds of fraud (amongst many other offences), including fraud relating to fiscal matters.

It is not intended that there be any direct mention of fiscal offences in the legislation nor any specific exemption of tax related offences from the definition of crime. The other Crown dependencies – Guernsey and the Isle of Man – are understood to be taking a similar policy line in their plans for this type of legislation, as are most of the dependent territories of the United Kingdom, and as does the United Kingdom itself in its all-crimes money laundering legislation.”

### **Le Riches Stores car park at Red Houses, St. Brelade: personal statement by Deputy M.E. Vibert of St. Brelade**

Deputy Michael Edward Vibert of St. Brelade made a personal statement in the following terms–

“Members will be aware that I presented a Petition of 1,230 signatures and accompanying proposition (P.129/97) on 9th September 1997 asking the States to request the Planning and Environment Committee to reconsider its decision to grant planning permission for the demolition of two bungalows and extend the car park at Le Riches Stores, Red Houses, St. Brelade.

The prayer of the petition has, in effect, been granted, in that the proposition was referred to the Planning and Environment Committee who reconsidered the matter and presented a report (P.187/97) to the States on 25th November 1997.

This report concluded that the Planning and Environment Committee remains of the opinion that its decision to grant permission is reasonable having regard to all the circumstances of the case. Also, and perhaps most importantly, the report also states that in the event of the Committee deciding to revoke or modify the permission, the States would not only be liable to a claim for compensation but, moreover, any such decision could be immediately challenged in the Royal Court. Advice I have received suggests that such a challenge would, almost inevitably, be successful and a revocation by the Planning and Environment Committee would be overturned.

I still believe the decision to allow the loss of two homes and the extension of the car park to be wrong but in the circumstances I do not believe it would be in the interests of good government to force another



debate on the issue. There seems no point in debating the issue again when even if the States and subsequently the Planning and Environment Committee decide against allowing the development it would be, in effect, irrelevant, as under the existing Planning Law any appeal against such a change of decision would be almost certain to be upheld by the Court.

Following discussions and with the reluctant agreement of the main organisers of the Petition, I have decided to withdraw P.129/97. I will instead work to ensure that if the applicant insists on going ahead with the car park development it is done as sympathetically and as least intrusively as possible. I have also sought and been given a number of assurances from the Planning and Environment Committee as to enforcing agreed conditions on any such development and also concerning its attitude to any future applications for further commercial development in the area. Le Riches has also given assurances it will consult neighbours over any possible future developments proposed to the car park and before any application for Sunday trading at the Red Houses store.

I find the state of affairs whereby the Planning and Environment Committee decisions once made cannot be effectively challenged by objectors most unsatisfactory but accept it cannot be changed retrospectively to offer any assistance in this particular case. I will be discussing with the Planning and Environment Committee its proposals for changes to the Planning Law with a view to ensuring it is not just applicants, as at present, but also objectors who, in future, would have some sort of right of appeal against a Planning and Environment Committee decision.”

### **Membership of Housing Committee: personal statement by Deputy F.J. Hill of St. Martin**

Deputy Frederick John Hill of St. Martin made a personal statement in the following terms—

“Members may have heard through various channels that I have been asked to consider my position as a member of the Housing Committee. The circumstances which have led to my making this statement today have arisen through an anonymous phone call to the Housing Department alleging that my daughter and grandson were illegal occupiers of a house owned jointly by my wife and myself. This allegation was made known to me by the President of the Housing Committee on the evening of Friday 13th February 1998. I assured the President that there was no substance to the allegation and suggested that she should instigate an investigation immediately.

The property concerned has been lawfully purchased and is lawfully rented to a legally residentially qualified Jersey person. My daughter and grandson are his lawful lodgers.

On the morning of February 16th the property was visited and the matter was investigated by a senior member of the Housing Department who was satisfied that my wife and I were not in breach of any Housing Law. This fact was verbally made known to me that morning at the conclusion of the officer’s enquiries. I understand that the same officer also interviewed my tenant at his place of work and was again satisfied that there was no breach of the Housing Law.

At the Housing Committee Meeting held on Friday 20th February when the matter was discussed, members were told that I was not in breach of the Housing Law. Since then my wife and I have received formal Housing consent for the lease transaction.

My wife and I agreed to purchase the house last August but due to contractual problems and renovations the property was not occupied until 1st February. Throughout those months I has openly discussed the house with members of the Department and Committee including the President. At no time did anyone say that I was doing anything untoward.

To the best of my understanding there is nothing in the Jersey Housing Law which prevents a non

residentially qualified relative of the owner of a property lodging in that property with a residentially qualified person.

Throughout the house transaction, the lease arrangements and the investigation, I have acted openly and in good faith. I am not in breach of any Housing Law and this has been formally established. As a matter of principle I do not consider it appropriate that I should resign from the Housing Committee.”

### **Le Riches Stores car park at Red Houses, St. Brelade– statement**

Senator Nigel Lewis Quérée, President of the Planning and Environment Committee, made a statement in the following terms –

“Members will be aware that proposition P.129/97 which was lodged ‘au Greffe’ on 9th September 1997 by Deputy Vibert, with an accompanying petition, asks the States to decide whether they are of opinion to request the Planning and Environment Committee to reconsider its decision to grant planning permission for a proposed car park extension at Le Riches Stores, Red Houses, St. Brelade.

The Planning and Environment Committee subsequently reconsidered the matter and presented a report to the States on 25th November 1997, in response to the proposition. This report concluded that the Committee remains of the opinion that its decision to grant permission is reasonable having regard to all the circumstances of the case; these circumstances include modifications to the plan for a single level car park rather than the two level car park given planning permission in May 1993.

Following subsequent discussions between Deputy Vibert, neighbouring residents and Planning Officers, the Planning and Environment Committee has been advised by Deputy Vibert that he will withdraw proposition P.129/97 subject to certain assurances, and in this respect the Planning and Environment Committee wishes to confirm the following to the States –

1. That all conditions attached to the permit will be strictly enforced.
2. That any proposed revisions to the approved plans, or request to amend the conditions, will be advertised.

The Committee has also been requested to give an assurance that no further commercial development will be allowed at Le Riches Stores, Red Houses. The Committee wishes to re-emphasise that the approved permission is for an improvement and extension of the existing car park and does not involve any extension to the existing building or any increase in the existing retail area. It is not possible under the Planning Law for the Planning and Environment Committee to give definite assurances regarding any future applications, but the Committee considers that permission would almost certainly not be granted for any further expansion of the existing building/retail area given the existing site constraints: and that it is highly unlikely that permission would in future be granted for any further expansion of the overall site curtilage.”

### **Sea Fisheries (Inshore Waters) (Jersey) Regulations 1998 – P.12/98**

THE STATES, in pursuance of Articles 2, 5 and 22 of the Sea Fisheries (Jersey) Law 1994, made Regulations entitled the Sea Fisheries (Inshore Waters) (Jersey) Regulations 1998.

### **Sea Fisheries (Miscellaneous Provisions) (Jersey) Regulations 1998 – P.13/98**

THE STATES, in pursuance of Articles 2, 5, 8 and 22 of the Sea Fisheries (Jersey) Law 1994, and with the concurrence of the Secretary of State, made Regulations entitled the Sea Fisheries (Miscellaneous Provisions) (Jersey) Regulations 1998.

### **Sea Fisheries (Establishment and Regulation of Fisheries) (Jersey) Regulations 1998 – P.14/98**

THE STATES, in pursuance of Articles 2 and 8 of the Sea Fisheries (Jersey) Law 1994, and with the concurrence of the Secretary of State, made Regulations entitled the Sea Fisheries (Establishment and Regulation of Fisheries) (Jersey) Regulations 1998.

### **Sea Fisheries (Size Limits) (Jersey) Regulations 1998 – P.15/98**

THE STATES, in pursuance of Articles 6 and 8 of the Sea Fisheries (Jersey) Law 1994, and with the concurrence of the Secretary of State, made Regulations entitled the Sea Fisheries (Size Limits) (Jersey) Regulations 1998.

### **Police Force (Amendment No. 8) (Jersey) Law 199 – P.16/98**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Police Force (Amendment No. 8) (Jersey) Law 199 .

### **Draft Regulation of Undertakings and Development (Amendment No. 9) (Jersey) Regulations 199 – P.22/98**

THE STATES commenced consideration of the draft Regulation of Undertakings and Development (Amendment No. 9) (Jersey) Regulations 199 .

After discussion, and on the proposition of Senator Jean Amy Le Maistre, the draft Regulations were referred back to the Finance and Economics Committee.

### **Regulation of Undertakings and Development (Amendment No. 7) (Jersey) Law 1997 (Appointed Day) Act 1998 – P.23/98**

THE STATES, in pursuance of Article 7 of the Regulation of Undertakings and Development (Amendment No. 7) (Jersey) Law 1997, as amended, made an Act entitled Regulation of Undertakings and Development (Amendment No. 7) (Jersey) Law 1997 (Appointed Day) Act 1998.

### **Terms of Employment (Jersey) Regulations 1998 – P.24/98**

THE STATES, by virtue and in exercise of the powers conferred upon them by the Order in Council of the fourteenth day of April 1884, made Regulations entitled the Terms of Employment (Jersey) Regulations 1998.

### **Social Security (Amendment No. 13) (Jersey) Law 1997 (Appointed Day) Act 1998– P.25/98**

THE STATES, in pursuance of Article 2 of the Social Security (Amendment No. 13) (Jersey) Law 1997, made a Act entitled the Social Security (Amendment No. 13) (Jersey) Law 1997 (Appointed Day) Act 1998.

## **Havre des Pas Bathing Pool – P.26/98**

THE STATES, having accepted an amendment of Senator Jean Amy Le Maistre, that for the words “General Reserve” there should be substituted the words “Tourism Investment Fund”, adopted a proposition of Senator Richard Joseph Shenton and requested the Finance and Economics Committee to make available from the Tourism Investment Fund sufficient funds to enable the restoration of the Havre des Pas Swimming Pool to commence without delay.

Senator Shenton accepted that this would relate to Phase I only of the refurbishment and development of the Havre des Pas swimming pool (as set out in P.27/98).

Members present voted as follows –

### **“Pour” (31)**

#### **Senators**

Shenton, Rothwell, Le Maistre, Stein, Bailhache, Syvret, Kinnard.

#### **Connétables**

St. Clement, St. Lawrence, St. Peter, Grouville, St. Martin, St. Ouen.

#### **Deputies**

H. Baudains(C), Le Sueur(H), Coutanche(L), S. Baudains(H), Le Geyt(S), Pullin(S), Duhamel(S), Breckon(S), Grouville, St. John, Le Main(H), Blampied(H), Rabet(H), Crowcroft(H), Vibert(B), de la Haye(B), Le Cornu(C), Dubras(L).

### **“Contre” (16)**

#### **Senators**

Horsfall, Quérée, Norman.

#### **Connétables**

St. Mary, St. Brelade, St. Helier, St. John.

#### **Deputies**

St. Mary, Trinity, Johns(H), Routier(H), Dorey(H), Layzell(B), St. Martin, S. Pierre, S. Ouen.

## **Millennium projects – P.27/98**

THE STATES adopted paragraph (1), having deleted sub-paragraph (b) and redesignated the subsequent sub-paragraphs.

Members present voted as follows –

### **“Pour” (41)**

#### **Senators**

Shenton, Horsfall, Rothwell, Le Maistre, Stein, Quérée, Bailhache, Syvret, Norman, Kinnard.

#### **Connétables**

St. Clement, St. Lawrence, St. Brelade, St. Peter, Grouville, St. Martin, St. Ouen, ~~John~~.

#### **Deputies**

H. Baudains(C), Le Sueur(H), Coutanche(L), St. Mary, S. Baudains(H), Le Geyt(S), Trinity, Pullin(Routier(H), Dorey(H), Layzell(B), Breckon(S), Grouville, St. Martin, Le Main(H), Blampied(H), Rabe(H), Crowcroft(H), Vibert(B), Le Cornu(C), St. Peter, Dubras(L), St. Ouen.

**“Contre” (5)**

**Connétable**

St. Mary.

**Deputies**

Johns(H), Duhamel(S), St. John, de la Haye(B).

THE STATES adopted paragraph (2), having accepted an amendment of Senator Jean Amy Le Maistre that for the figure “£100,000” there should be substituted the figure “£150,000”.

THE STATES thereupon adopted the proposition, as amended and –

- (1) referred to their Act dated 3rd December 1997, in which they allowed the estimate of capital expenditure allocated to Millennium projects in the sum of £2 million and approved the following projects –
  - (a) Urban Park – landscaping;
  - (b) feature to commemorate 1,000 years of Jersey history;
  - (c) construction of wayside crosses;
  - (d) bursary schemes;as described in the Committee’s report dated 26th January 1998, with an allowance for contingencies;
- (2) requested the Finance and Economics Committee to make available to the Policy and Resources Committee funds in the region of £150,000 to enable the Millennium Celebrations Committee to promote and co-ordinate the planning of Millennium celebrations for the year 2000.

**Public Finances (General) (Jersey) Rules 1967: amendment – P.28/98**

THE STATES, adopting a proposition of Senator Richard Joseph Shenton, charged the Finance and Economics Committee to prepare amendments to Rule 4 of the Public Finance (General) (Jersey) Rules 1967, as amended for approval by the States, the effect of which would be –

- (a) to delete the requirement that no proposition or draft legislation which, if adopted, would entail the expenditure or raising of public money, shall be presented to the States unless, at least 21 days prior to the presentation, the matter has been submitted to the Finance and Economics Committee for its information and recommendation, if any;
- (b) to require that on presentation to the States any such legislation or proposition shall be referred to the Finance and Economics Committee for a report to be made within a reasonable time prior to the matter being debated.

THE STATES rose at 5.37 p.m.

**G.H.C. COPPOCK**

*Greffier of the States.*