

**THE STATES assembled on Tuesday,
18th December 2001 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

**His Excellency the Lieutenant Governor,
Air Chief Marshal Sir John Cheshire, K.B.E., C.B.,
was present**

All members were present with the exception of -

Henry George Coutanche, Connétable of St. Lawrence- ill
Shirley Margaret Baudains, Deputy of St. Helier- ill
Robin Charles Hacquoil, Deputy of St. Peter- out of the Island
Maurice François Dubras, Deputy of St. Lawrence - ill
Peter Nicholas Troy, Deputy of St. Brelade - out of the Island
John Benjamin Fox, Deputy of St. Helier - out of the Island

Prayers

Welcome to Connétable of St. Clement

The Bailiff, on behalf of the members of the States, welcomed the newly elected Connétable of St. Clement, Mr. Derek Frederick Gray.

Tribute to Mr. Robert Lester Le Brocq, former Connétable of St. Helier

The Bailiff, on behalf of members of the States, paid tribute to Mr. Robert Lester Le Brocq for his nine years' service in the States as Connétable of St. Helier.

Welcome to Connétable of St. Helier

The Bailiff, on behalf of the members of the States, welcomed the newly elected Connétable of St. Helier Mr. Alan Simon Crowcroft, former Deputy of St. Helier (No. 2 District).

Subordinate legislation tabled

The following enactments were laid before the States, namely -

Airport Dues (Tariff) (No. 2) (Amendment) (Jersey) Order 2001. R & O 189/2001.

Amendment (No. 26) to the Tariff of Harbour and Light Dues. R & O 190/2001.

Amendment (No. 27) to the Tariff of Harbour and Light Dues. R & O 191/2001.

Road and Sand Racing (No. 2) (Jersey) Order 2001. R & O 192/2001.

Housing Committee - appointment of member

THE STATES appointed the Deputy of Trinity as a member of the Housing Committee.

Matters lodged

The following matters were lodged “au Greffe” -

Agriculture and Fisheries: policy report 2001. (P.126/2001) - amendments - P.126/2001. Amd.
Presented by the Agriculture and Fisheries Committee.

Draft Children (Jersey) Law 200- P.200/2001.
Presented by the Health and Social Services Committee.

Draft Adoption (Amendment No. 5) (Jersey) Law 200 P.201/2001.
Presented by the Health and Social Services Committee.

Draft Day Care of Children (Jersey) Law 200- P.202/2001.
Presented by the Education Committee.

Draft Criminal Justice (Evidence of Children) (Jersey) Law 200- P.203/2001.
Presented by the Legislation Committee.

Draft Boats and Surf-Riding (Control) (Amendment No. 22) (Jersey) Regulations 200 P.204/2001.
Presented by the Harbours and Airport Committee.

Compulsory purchase law review - P.205/2001.
Presented by the Planning and Environment Committee.

Draft Parish Rate (Administration) (Jersey) Law 200- P.206/2001.
Presented by the Legislation Committee.

Draft Parish Rate (Administration) (Jersey) Law 200- P.143/2001

THE STATES acceded to the request of the President of the Legislation Committee that the Draft Parish Rate (Administration) (Jersey) Law 200- (P.143/2001 lodged “au Greffe” on 9th October 2001) be withdrawn, the Committee having lodged a revised draft Law at the present meeting.

Arrangement of public business for the present meeting

THE STATES rejected a proposition of Senator Leonard Norman that consideration of the draft Jersey Potato Marketing Scheme 200- (Approval) (Jersey) Act 200- (P.182/2001) be deferred from the present meeting to a later date -

Members present voted as follows -

“Pour” (17)

Senators

Horsfall, Bailhache, Norman, Kinnard, Le Sueur.

Connétables

St. Clement, St. Helier.

Deputies

Trinity, Layzell(B), Breckon(S), Grouville, Huet(H), St. John, Dorey(H), Farnham(S), Ozouf(H)
Bridge(H).

“Contre” (26)

Senators

Le Maistre, Stein, Syvret, Walker.

Connétables

Grouville, St. Martin, St. Ouen, Trinity, St. Saviour, St. Brelade, St. Mary, St. John, St. Peter.

Deputies

H. Baudains(C), St. Mary, Duhamel(S), Routier(H), St. Martin, Le Main(H), Vibert(B), St. Ou
G. Baudains(C), Voisin(L), Scott Warren(S), Le Hérissier(S), Martin(H).

Senators N.L. Quérée and C.G.P. Lakeman declared an interest in the matter raised by draft Jersey Potato Marketing Scheme 200- (Approval) (Jersey) Act 200- (P.182/2001) and withdrew from the Chamber during consideration of the proposition that the debate be deferred.

Divulging of personal information relating to a States' tenant - personal statement

Deputy Terence John Le Main of St. Helier, President of the Housing Committee, made a personal statement in the following terms -

“Following the questions raised by fellow States members last week I have had time to reflect on my open and honest reply to a tenant of the Housing Committee who had written to the Jersey Evening Post making certain erroneous statements and asking me to respond.

I have always respected the confidentiality of the sometimes very sensitive information to which I am privy but in this instance I felt that questions had been asked through the medium of the newspaper and the public had the right to a full answer through the same medium.

While I have no regrets over the action which I took I do acknowledge that it was a mistake to include details of the actual rents paid by the tenant and that including this information did not add anything to the points that I made. For that alone I publicly offer my apologies to the tenant concerned.”

Investing in Tourism's future - P.170/2001

THE STATES resumed consideration of the proposition of the Tourism Committee concerning Investing in Tourism's future (P.170/2001 lodged “au Greffe” on 13th November 2001) and, adopting the proposition -

- (a) received the report of the Tourism Committee dated 25th October 2001 concerning a New Tourism Investment Fund and agreed, in principle, that the sum of £10 million be allocated to the Fund;
- (b) agreed that the New Tourism Investment Fund would be used to implement the tourism strategy “Tourism Adds Value” in each of the following two areas -
 - (i) public and voluntary sector projects and infrastructure works,
 - (ii) initiatives designed to stimulate investment in improved distribution channels by more effective use of information technology and marketing development initiatives;
- (c) charged the Finance and Economics Committee to identify the appropriate source of funding;
- (d) requested the Tourism Committee to develop further a policy to address the quality and competitiveness of the supply of tourist accommodation in the Island, including the possibility of financial support for prime sites and/or Tourism Destination areas as proposed in the draft Island Plan.

Members present voted as follows -

“Pour” (27)

Senators

Horsfall, Le Maistre, Stein, Quérée, Walker, Kinnard, Lakeman.

Connétables

St. Ouen, Trinity, St. Saviour, St. Brelade, St. Mary, St. John, St. Helier.

Deputies

H. Baudains(C), St. Mary, Routier(H), Layzell(B), Grouville, St. Martin, Le Main(H), Vibert(I)
St. Ouen, Scott Warren(S), Farnham(S), Ozouf(H), Bridge(H).

“Contre” (19)

Senators

Bailhache, Syvret, Norman, Le Sueur, Le Claire.

Connétables

Grouville, St. Martin, St. Peter, St. Clement.

Deputies

Trinity, Duhamel(S), Breckon(S), Huet(H), St. John, G. Baudains(C), Dorey(H), Voisin(L)
Le Hérisier(S), Martin(H).

Draft Sea Fisheries (Minimum Size Limits) (Jersey) Regulations 200- P.191/2001

THE STATES, in pursuance of Articles 2, 6 and 8 of the Sea Fisheries (Jersey) Law 1994, having consulted with the Secretary of State and obtained his concurrence, made Regulations entitled the Sea Fisheries (Minimum Size Limits) (Jersey) Regulations 2001.

Draft Sea Fisheries (Trawling, Netting and Dredging) (Jersey) Regulations 200- P.192/2001

THE STATES commenced consideration of the draft Sea Fisheries (Trawling and Dredging) (Jersey) Regulations 200- and adopted the Preamble and Regulations 1 to 43.

Regulation 44 was adopted, the Bailiff having granted leave to the Agriculture and Fisheries Committee to move without notice an amendment that, in paragraph 3, for the words “Except as provided by paragraph (2)’ there should be substituted the words “Except as provided by paragraph (4)’.

Regulations 45 to 63 and Schedules 1 to 6 were adopted.

THE STATES, in pursuance of Articles 2, 5, 7, 8 and 22 of the Sea Fisheries (Jersey) Law 1994, having consulted with the Secretary of State and obtained his concurrence, made Regulations entitled the Sea Fisheries (Trawling and Dredging) (Jersey) Regulations 2001.

Draft Sea Fisheries (Inshore Trawling, Netting and Dredging) (Jersey) Regulations 200- P.193/2001

THE STATES, in pursuance of Articles 2, 5 and 22 of the Sea Fisheries (Jersey) Law 1994, made Regulations entitled the Sea Fisheries (Inshore Trawling, Netting and Dredging) (Jersey) Regulations 2001.

Draft Sea Fisheries (Log Books and Landing Declarations) (Jersey) Regulations 200- P.194/2001

THE STATES commenced consideration of the draft Sea Fisheries (Log Books and Landing Declarations)

(Jersey) Regulations 200- and adopted the Preamble.

Regulations 1 - 7 were adopted.

Members present voted as follows -

“Pour” (39)

Senators

Le Maistre, Stein, Quérée, Bailhache, Syvret, Walker, Kinnard, Le Sueur, Lakeman.

Connétables

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

Deputies

H. Baudains(C), St. Mary, Trinity, Duhamel(S), Routier(H), Layzell(B), Breckon(S), Grouville, Hué
(H), St. Martin, Le Main(H), Vibert(B), St. Ouen, G. Baudains(C), Dorey(H), Voisin(J),
Scott Warren(S), Le Hérissier(S), Bridge(H), Martin(H).

“Contre” (3)

Senator

Le Claire.

Connétable

Grouville.

Deputy

St. John.

THE STATES, in pursuance of Articles 2 and 22 of the Sea Fisheries (Jersey) Law 1994, having consulted with the Secretary of State and obtained his concurrence, made Regulations entitled the Sea Fisheries (Log Books and Landing Declarations) (Jersey) Regulations 2001.

Draft Act amending further the Act of the States dated the 27th day of April 1999 establishing a scheme to make child care more available for low income families - P.183/2001

THE STATES, adopting a proposition of the Employment and Social Security Committee, made an Act further amending their Act dated 27th April 1999 establishing a Scheme to make child care more available for low income families.

Draft Health Insurance (Medical Benefit) (Amendment No. 55) (Jersey) Regulations 200 P.184/2001

THE STATES, in pursuance of Articles 18 and 46 of the Health Insurance (Jersey) Law 1967, as amended, made Regulations entitled the Health Insurance (Medical Benefit) (Amendment No. 55) (Jersey) Regulations 2001.

Draft Family Allowances (Jersey) Regulations 200-P.185/2001

THE STATES, in pursuance of Article 7 of the Family Allowances (Jersey) Law 1972, as amended, made Regulations entitled the Family Allowances (Jersey) Regulations 2001.

Draft The Royal Bank of Scotland International Limited (Jersey) Law 2001 (Appointed Day) Act 200-P.190/2001

THE STATES, in pursuance of Article 11 of The Royal Bank of Scotland International (Jersey) Law 2001, made an Act entitled The Royal Bank of Scotland International Limited (Jersey) Law 2001 (Appointed Day) Act 2001.

Draft Jersey Potato Marketing Scheme 200- (Approval) (Jersey) Act 200- P.182/2001 and Corrigendum

THE STATES, in pursuance of Article 2(6) of the Agricultural Marketing (Jersey) Law 1953, as amended, made an Act entitled the Jersey Potato Marketing Scheme 2001 (Approval) (Jersey) Act 2001 -

Members present voted as follows -

“Pour” (39)

Senators

Horsfall, Le Maistre, Stein, Bailhache, Syvret, Norman, Walker, Le Sueur, Le Claire.

Connétables

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

Deputies

H. Baudains(C), St. Mary, Trinity, Duhamel(S), Routier(H), Breckon(S), St. Martin, St. John, Le Main(H), Vibert(B), St. Ouen, G. Baudains(C), Dorey(H), Voisin(L), Scott Warren(S), Farnham(S), Le Hérissier(S), Ozouf(H), Bridge(H), Martin(H).

“Contre” (0)

Senators N.L. Quérée and C.G.P. Lakeman and the Connétable of St. Saviour, having declared an interest in the matter raised by the draft Jersey Potato Marketing Scheme 200-, withdrew from the Chamber prior to its consideration.

Compliments of the season

The Bailiff wished the members of the States and their families a Merry Christmas and a Peaceful New Year.

Senator Pierre François Horsfall, O.B.E., on behalf of the Senators, the Connétable of Grouville, on behalf of the Connétables, and Deputy Harry Hallewell Baudains of St. Clement, on behalf of the Deputies, wished the Bailiff and Lady Bailhache, the Law Officers and the officers of the States, the compliments of the season.

THE STATES rose at 7.04 p.m.

C.M. NEWCOMBE

Greffier of the States.