



THE STATES assembled on Tuesday,  
1st June, 1982 at 10.15 a.m. under the  
Presidency of the Bailiff, Sir Frank  
Ereaut.

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All members were present with the exception of –

Senator Bernard Thomas Binnington – out of the Island.  
Charles Binet Ahier, Connétable of Trinity – ill.  
Brian Edward Troy, Deputy of St. Saviour – out of the Island.

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Prayers.

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#### **South African Ambassador – welcome.**

The Bailiff, on behalf of Members of the States, welcomed to the House His Excellency Marais Steyn, the South African Ambassador to the Court of St. James, and Mrs. Steyn.

#### **Contingencies vote of credit – Finance and Economics Committee.**

THE STATES noted an Act of the Finance and Economics Committee dated 1st June, 1982, informing the House that it had made available out of its Contingencies vote of credit the sum of £1,000 to be donated to the Falkland Islands South Atlantic Fund.

#### **Standing Order No. 44 – Statement by the Bailiff.**

The Bailiff made a statement in the following terms –

“I have been asked to give a ruling as to whether members of the States who hold shares in the Jersey New Waterworks Company are debarred under Standing Order 44 of the Standing Orders of the States of Jersey from taking part in the debate on the Proposition P.61 of 1982 concerning the

acquisition by the States of a controlling interest in the Share Capital of that Company.

Standing Order 44, entitled 'Declaration of Financial Interest' provides that where any member of the States has a direct pecuniary interest, being an interest which is immediate and personal and not merely of a general or remote character, in the subject matter of any Proposition, he shall declare his interest and withdraw from the Chamber during the consideration of, and voting on, the Proposition.

As I have ruled on previous occasions, the proper interpretation of that Standing Order is that the interest referred to must be a direct pecuniary interest, and separately belonging to the member or members whose interest is in question, and not in common with the rest of Her Majesty's subjects, or on a matter of State policy.

The object of the Proposition is to enable the States to acquire a controlling interest in the share capital of a public utility Company. That is clearly a matter of State policy. Moreover, the interest is one which does not belong separately to the member or members in question, but to all members of the public who hold shares in the Company.

Accordingly, I rule that Standing Order 44 does not apply to this debate and so does not debar members from taking part in the debate and voting on the Proposition."

### **Members' attendance – Statement by the Bailiff.**

The Bailiff made a statement in the following terms –

“At the first two afternoon sittings last month, there was some difficulty in making up a quorum of the House when it returned at 2.30 p.m., and the business of the House was delayed for a few minutes (on one occasion for 6 minutes) until a quorum could be found.

At the last two sittings last month, this situation was much improved – and I hope that improvement will be maintained.

I must nevertheless remind all members that they are warned on each sitting day for 2.30 p.m., as well as 10.15 a.m., and now that the House normally adjourns at 12.45 p.m. for lunch, it is unsatisfactory that the business of the House should be held up at 2.30 p.m. when the sitting resumes.

I therefore wish to inform members that if, in future, there is not a quorum when the House resumes at 2.30 p.m., I will enforce Article 19 of the States of Jersey Law, 1966, and Standing Order 3(3) of the Standing Orders of the States of Jersey.

I shall cause members to be summoned, and the time which I shall consider reasonable will be short, and considerably less than the six minutes to which I have referred. If there is still no quorum, I shall then adjourn the House without putting any question.

Before adjourning the House, however, I will cause a roll-call to be held in order to ascertain which members are absent. All such members will then be liable to be fined under Article 19, unless they are either absent or ill, or subsequently offer an excuse which is accepted by the States.”

#### **Subordinate legislation tabled.**

The following enactments were laid before the States, namely –

Victoria Venue Cycle Races (Jersey) Order, 1982.  
R & O 7053.

**Jersey Electricity Company Limited – Director’s Report and Accounts for 1981.**

The Finance and Economics Committee by Act dated 19th May, 1982, presented to the States the Jersey Electricity Company Limited Director’s Report and Statement of Accounts for 1981.

**Report of the Advisory Training Council.**

The Education Committee by Act dated 26th May, 1982, presented to the States the Report of the Advisory Training Council.

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

**Matters noted – financial transactions.**

THE STATES noted an Act of the Finance and Economics Committee dated 5th May, 1982, 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 £510,444.43 in a contract period of 36 weeks for the construction of low energy housing at Don Farm, St. Brelade.

**Wessex Body Scanner Appeal. P.66/82.**

THE STATES acceded to the request of the President of the Public Health Committee that the Proposition relating to the Wessex Body Scanner Appeal (P.66/82 – lodged on 25th May, 1982) be considered on 8th June, 1982.

**Local housing associations. Question and answer.**

Deputy Maurice Clement Buesnel of St. Helier asked Senator Jane Patricia Sandeman, President of the Housing Committee, the following question –

“In order to reduce building costs to Housing Loan applicants, will the Committee consider the possibility of setting up and encouraging local housing associations.”

The President of the Housing Committee replied as follows –

“My Committee is always pleased to consider any suggestion which may result in the reduction of building costs to Housing Loan applicants. I would like to invite the Deputy to meet with the Housing Committee to give him the opportunity to explain why he feels this objective could be achieved by the encouragement of local housing associations, presumably similar to those which operate in the United Kingdom.”

#### **Accident at the Gas Works Site. Statement of Social Security Committee.**

The President of the Social Security Committee made a statement in the following terms –

“As Members will know, at approximately 12.55 p.m. on 19th March, 1982, a large cloud of butane vapour violently ignited on the premises of the Jersey Gas Company Limited, causing burn injuries of varying degrees to eight employees and two Fire Officers. The butane had escaped from the discharge valve of a 7 tons capacity road tanker vehicle belonging to the Company. The vehicle was parked in the designated unloading bay at the works. About 3 tons of butane escaped and formed a vapour cloud.

A full investigation of the industrial accident was immediately undertaken by the Accident Prevention Officers of the Social Security Department under Article 3 of the Safeguarding of Workers (Jersey) Law, 1956. They were assisted by two specialist Inspectors of the United Kingdom Health and Safety Executive, who arrived on the Island the following day. A comprehensive report into the incident has been prepared by the department together with a report from the Health and Safety Executive.

The butane leak occurred when the tanker vehicle was being prepared for the normal discharge of its load. Following discovery of a minor leak the coupling was disconnected for replacement. When this was done, butane started to discharge through the screwed opening from where the fitting had been removed. It appeared at that time that the main discharge valve, designed in the fail safe mode, situated inside the tanker and which normally holds back all the contents, was in fact in the open position. All indications on the hydraulic system controlling the valve showed that the pressure was off and that the main valve should have been in the closed position.

The rate of butane discharge was rapid, and a large vapour cloud developed. Ignition of the vapour cloud occurred and the source was believed to have been the exhaust system of the diesel engine providing power for the pumps of the water drenching system of the Gas Company site which was situated some 24 ft. from the tanker.

Investigation revealed that during the fire the valve closed, which stopped the flow of butane, and the fire was subsequently extinguished. The main valve, sealed after the incident, was removed under supervision some days later and taken to the Health and Safety Engineering Laboratories at Sheffield for examination. Whilst the full scientific report on the condition of the valve is awaited, there is no prima facie evidence that it was defective.

The Committee accepts the findings and in order to help to prevent the recurrence of a similar accident in the future, certain recommendations for remedial measures to be taken have been made to the Jersey Gas Company Limited. The adoption of the measures by the Company will have the effect that it is extremely unlikely that a similar incident will occur in the future.

The general conclusions of the report, which the Committee accepts, is that the main Shand and Jurs discharge valve failed in the open position when no method of determining the actual state of the valve was available, together with the removal of the coupling.

The Committee recognises that there are wider issues which go far beyond its jurisdiction. Accordingly it has sent copies of the reports, which naturally comment on these wider issues, to both the Defence and Island Development Committees and their Chief Officers for their consideration. The Committee and its Officers will be pleased to assist them in any way.

Finally on behalf of the Committee I would like publicly to express our grateful thanks to the United Kingdom Health and Safety Executive and their specialist officers for their speedy response and subsequent assistance which we greatly value. Coupled with this I would like to say that having examined all the evidence in the reports we cannot speak too highly of the courage of all those concerned in seeking to deal with this serious incident – the risks which we now appreciate more fully were very great.”

#### **Security Interests (Jersey) Law, 1982.**

THE STATES commenced consideration of a Bill to make provision for the creation of security interests in respect of certain intangible moveable property and with regard to capacity of persons to give security over certain property under the law of another jurisdiction and for connected purposes and adopted the Preamble and Articles 1 to 5. Article 6 was adopted, the States having previously rejected an amendment of Deputy Robin Ernest Richard Rumboll of St. Helier on the casting vote of the Bailiff. Articles 7 and 8 were adopted, the States having previously rejected an amendment to Article 8 of Deputy Robin Ernest Richard Rumboll of St. Helier. Articles 9 to 16 were adopted (Article 12 as substituted by the Finance and Economics Committee).

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Security Interests (Jersey) Law, 1982.

**Jersey New Waterworks Company Limited: acquisition of controlling interest.**

THE STATES, adopting a Proposition of the Finance and Economics Committee –

- (a) authorised the making of an offer to the shareholders of the Jersey New Waterworks Company Limited on the basis of the provisions set out in the Appendix to the Report of the Finance and Economics Committee, dated 7th May, 1982 (P.61/82);
- (b) authorised the Treasurer of the States to make the necessary payments from an additional vote of credit to be requested on the next Supply Day.

**Pathological Laboratory – Staff. Deferred supply.**

THE STATES, adopting a Proposition of the Finance and Economics Committee, acceded to its request for the following Supplementary vote of credit to be voted out of the General Reserve –

Public Health Committee

Pathological Laboratory – Staff (3411)    £25,000.

THE STATES rose at 4.15 p.m.

**E.J.M. POTTER,**

*Greffier of the States.*