

**THE STATES assembled on Tuesday,  
24th April 2001 at 9.45 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 -

Senator Frank Harrison Walker - out of the Island  
Senator Jean Amy Le Maistre - out of the Island  
Senator Paul Vincent Francis Le Claire - ill  
Terrence John Le Main, Deputy of St. Helier - out of the Island  
Kenneth William Syvret M.B.E, Deputy of St. Ouen - out of Island  
Peter Nicholas Troy, Deputy of St. Brelade - out of Island  
Jennifer-Anne Bridge, Deputy of St. Helier - out of Island

Prayers

**Connétable of St. Clement - illness**

The Bailiff, on behalf of the States, welcomed back the Connétable of St. Clement following his recent illness and wished him a full recovery.

**Subordinate legislation tabled**

The following enactments were laid before the States, namely -

**Diseases of Animals (Foot and Mouth - Restrictions No. 10) (Jersey) Order 2001. R & O 62/2001.**

**Social Security (Contributions) (Amendment No. 6) (Jersey) Order 2001. R & O 63/2001.**

**Social Security (Married Women) (Amendment No. 2) (Jersey) Order 2001. R & O 64/2001.**

**Social Security (Overlapping Benefits) (Amendment No. 3) (Jersey) Order 2001. R & O 65/2001.**

**Social Security (Claims and Payments) (Amendment No. 3) (Jersey) Order 2001. R & O 66/2001.**

**Social Security (Determination of Claims and Questions) (Amendment No. 2) (Jersey) Order 2001. R & O 67/2001.**

**Social Security (General Benefit) (Amendment) (Jersey) Order 2001. R & O 68/2001.**

**Social Security (Old Age Pensions and Survivor's Benefit) (Jersey) Order 2001. R & O 69/2001.**

**Telecommunications (Telephones) (Amendment No. 32) (Jersey) Order 2001. R & O 70/2001.**

**Conservation of Wildlife (Amendment) (Jersey) Order 2001. R & O 72/2001.**

**Diseases of Animals (Foot and Mouth - Restrictions No. 9A) (Jersey) Order 2001. R & O 73/2001.**

**Petroleum (Licensing) (Fees) (Jersey) Order 2001. R & O 74/2001.**

**Foot-and-Mouth Disease (Amendment) (Jersey) Order 2001. R & O 75/2001.**

**Civil Service Administration (Salaries) (Amendment No. 21) (Jersey) Order 2001. R & O 76/2001.**

### **Finance and Economics Committee: appointment of member**

THE STATES appointed the Connétable of St. Ouen as a member of the Finance and Economics Committee.

### **Public Services Committee - resignation of member**

THE STATES noted the resignation of the Connétable of St. Ouen from the Public Services Committee.

### **Matters presented**

The following matters were presented to the States -

#### **Financial Report and Accounts 2000.**

Presented by the Finance and Economics Committee.

#### **Field 1114, La Grande Route de St Jean, St. Helier - sale of organically grown food (P.192/2000): report - P.192/2000 Rpt.**

Presented by the Planning and Environment Committee.

#### **Fireworks: restrictions on sale - petition (P.25/2001): report - P.25/2001 Rpt.**

Presented by the Home Affairs Committee.

#### **Draft Financial Services Commission (Amendment No. 3) (Jersey) Law 200 (P.39/2001): amendment (P.39/2001 Amd.) - comments. - P.39/2001 Amd. Com.**

Presented by the Finance and Economics Committee.

#### **Nonpareil, La Route de Beaumont, St. Peter: sale of site to the Channel Island Co-operative Society Limited (P.63/2001): comments - P.63/2001 Com.**

Presented by the Planning and Environment Committee.

#### **Financial assistance for the cost of ophthalmic and dental care for persons aged over 65: proposed scheme - comments.**

Presented by the Finance and Economics Committee.

The following matters were presented on 3rd April 2001 -

#### **Public Sector Manpower Report for the period 1st July 2000 to 31st December 2000 - R.C.14/2001.**

Presented by the Human Resources Committee.

#### **Manpower report for the period 1st October 2000 to 31st December 2000 - R.C.15/2001.**

Presented by the Industries Committee.

#### **General Reserve: grant of additional funds to 31st December 2000 - R.C.16/2001.**

Presented by the Finance and Economics Committee.

#### **Financial assistance for the cost of ophthalmic and dental care for persons aged over 65: proposed scheme - comments - P.49/2001 Com.**

Presented by the Health and Social Services Committee.

**Draft Planning and Building (Jersey) Law 200- (P.50/2001): comments - P.50/2001 Com.**  
Presented by the Finance and Economics Committee.

The following matter was presented on 10th April 2001 -

**Parish Rates Review (P.41/2001): comments - P.41/2001 Com.**  
Presented by the Human Resources Committee.

The following matters were presented on 17th April 2001 -

**Draft Milk (Sale to Special Classes) (Jersey) Regulations 200- (P.47/2001): comments - P.47/2001 Com.**  
Presented by the Finance and Economics Committee.

**Jersey Mineral Strategy 2000-2020 (P.51/2001): report - P.51/2001 Rpt.**  
Presented by the Public Services Committee.

**Draft The Royal Bank of Scotland International Limited (Jersey) Law 200- (P.61/2001): report - P.61/2001 Rpt.**  
Presented by the Finance and Economics Committee.

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

### **Matters noted - land transactions**

THE STATES noted Acts of the Finance and Economics Committee dated 26th March and 9th April 2001 recording the following decisions of the Treasurer of the States under delegated powers, in pursuance of Standing Orders relating to certain transactions in land -

#### 26th March 2001

(a) as recommended by the Public Services Committee, the purchase from Mrs. Edith Patricia Slater Le Saint, née Lawton, of an area of land (measuring 114 square feet) at Vicq Farm, La Grande Route des Sablons, Grouville, for the sum of £114 (representing a rate of £1 a square foot) for the purpose of road widening, with the public being responsible for both parties' reasonable legal costs arising from this transaction;

(b) as recommended by the Health and Social Services Committee, the lease from Mr. Roy Huelin Vibert of the following properties at Baycroft Close, La Grande Route de St. Clement, St. Clement -

- (i) No. 1;
- (ii) No. 7; and
- (iii) No. 9;

for a period of three years from 1st July 2000, at an annual rent for each of £12,319.20, payable quarterly in advance, subject to annual review in line with the Jersey Retail Price Index, each lease to be subject to three months' notice by the tenant Committee only, with each party to be responsible for its own legal costs arising from these transactions;

(c) as recommended by the Education Committee, the entering into a Deed of Arrangement with Killarney Limited in order to clarify the southern boundary between the public land upon which St. Clement's and Le Rocquier Schools were constructed and the adjacent site known as Beach Gardens, in accordance with the terms and conditions set out in a report, dated 8th February 2001, prepared by the Department of Property Services (including the sharing of the cost of the boundary survey), with each party being responsible for its own legal costs arising from this transaction;

(d) as recommended by the Harbours and Airport Committee, the lease to Huelin Renouf Shipping of the

ground site (Letting No. N21) at the New North Quay, St. Helier Harbour, for a period of nine years, expiring on 30th April 2009, at an annual rent of £662.14 subject to annual review on 1st November, on the same terms and conditions as had applied to the previous tenant, with each party being responsible for its own legal costs arising from this transaction;

- (e) as recommended by the Housing Committee, the entering into Deeds of Transaction with Mr. Mark Jonathan Richard and Mrs. Hazel Amy Richard, née Rive, and Mr. John Anthony Burns in respect of rights of way and service rights to land south of the property "Cobo", Maufant Estate, St. Saviour, as set out in a report, dated 8th January 2001, of the Department of Property Services, and in respect of which the abovementioned would pay the collective sum of £10,000, and also the legal fees and disbursements incurred by the public in relation to this transaction;
- (f) as recommended by the Harbours and Airport Committee, the lease to Huelin-Renouf Air Freight Limited first floor office accommodation (Letting No. B136) - measuring 280 square feet) in the Freight Terminal Building, Jersey Airport, for a period of three years from 1st January 2001, at an annual rent of £3,740.80 (representing a rate of £13.36 a square foot), subject to annual review on 1st January 2002 and 2003;
- (g) as recommended by the Harbours and Airport Committee, the lease to T.N.T. Offshore Islands Express Limited of warehouse accommodation (Letting No. N8- measuring 3,160 square feet), for a period of two years from 1st February 2001, at an annual rent of £16,842.80 (representing a rate of £5.33 a square foot) subject to a rent review on 1st February 2002 in line with the Jersey Retail Price Index, on the basis that each party would be responsible for its own legal costs arising from this transaction;
- (h) as recommended by the Harbours and Airport Committee, the lease to George Troy and Sons Limited of office accommodation on the New North Quay (Letting Nos. N17 and N20- measuring a total of 1,184 square feet), for a period of three years from 1st January 2001, at an annual rent of £18,138.25 (representing a rate of £15.32 a square foot), subject to annual review in line with the Jersey Retail Price Index;

#### 9th April 2001

- (i) as recommended by the Agriculture and Fisheries Committee, the sale -
  - (i) to Mr. Peter John Lamy of Fields Nos. 285A, 285C and 359, St. Catherine, St. Martin for a consideration of £10,000; and
  - (ii) to Mr. Colin Stanley de la Haye and Mrs. Paulette Lamy de la Haye, née Renouf, of Bel Val Farm, Rue de Fliquet, St. Martin for a consideration of £2,000;

on the basis that both parties would be responsible for the legal costs of the public arising from these transactions;

- (j) as recommended by the Planning and Environment Committee, the purchase from Kilmory Estates Limited of an area of land (measuring 5.7.0 vergées) at Le Grouin Headland, St. Breladé's Bay, St. Brelade, being within a proposed Site of Special Interest and part of the existing coastal footpath, for a consideration of £10, on the basis that the Committee would be responsible for the payment of the vendor's reasonable legal fees together with the services of Professional Hi-Tech Services, who would be utilised in surveying the land for the purpose of the contract;
- (k) as recommended by the Health and Social Services Committee, the lease from Mr. William Bertram Payn of the property known as 5 Beachside Cottages, La Rue du Pont, Grouville, for a period of five years from 19th February 2001, at a commencement annual rent of £16,500 (representing a rate of £317.31 a week), with an option to renew for a further two-year period and with revised annual rents in line with the Jersey Retail Price Index figure as at 19th February in 2003 and 2005, on the basis

that each party would be responsible for its own legal costs arising from the transaction;

- (l) as recommended by the Public Services Committee, in relation to the property Beauvoir, Le Mont Arthur, St. Brelade -
  - (i) the sale to Mr. Ian Hudson and Mrs. Vivien Halliwell Hudson, née Marsden, of an area of land (measuring 464 square feet) to the northeast of their property, for the sum of £928 (representing a rate of £2 a square foot); and
  - (ii) the entering into a Deed of Arrangement with Mr. and Mrs. Hudson in order to clarify the northern and eastern boundaries of their property;

on condition that Mr. and Mrs. Hudson pay to the public a further sum of £550 in respect of the legal fees and disbursements it had incurred, together with the sum of £943.50, being the cost of the land survey and the establishment of the boundaries;

- (m) as recommended by the Harbours and Airport Committee;
  - (i) the lease to Channel Island Travel Holdings Limited of an office located at Alares House (Airport Letting No. BH4), Jersey Airport (measuring a total of 240 square feet) for a period of three years from 1st April 2001 at an annual rent of £2,980.80 (representing a rate of £12.42 a square foot), subject to annual review on 1st April 2002 and 2003; and
  - (ii) the annulment of the lease to Channel Island Travel Holdings Limited of first floor office accommodation at Alares House (Airport Letting No. B41), Jersey Airport, for a period of three years until 31st August 2003, with effect from 31st March 2001.

## **Matters lodged**

The following matters were lodged "au Greffe" -

**Draft Planning and Building (Jersey) Law 200- (P.50/2001): second amendment - P.50/2001 Amd.(2).**  
Presented by the Planning and Environment Committee.

**Committee of Inquiry: procedures for recruitment of Honorary Police Officers - P.67/2001.**  
Presented by Deputy R.G. Le Hérisier of St. Saviour and referred to the Home Affairs Committee for a report.

**Stabilisation of Property Prices and the Provision of Affordable Residential Accommodation - P.68/2001.**  
Presented by Deputy A. Breckon of St. Saviour and referred to the Policy and Resources Committee to co-ordinate the responses of relevant Committees.

**Draft Act further amending the Act of the States dated the 18th day of June 1991 establishing a Scheme to subsidise certain dental care - P.69/2001.**  
Presented by the Employment and Social Security Committee.

**Draft Public Holidays and Bank Holidays (No. 2) (Jersey) Act 200 P.70/2001.**  
Presented by the Legislation Committee.

**Draft Act amending further the Act of the States dated the 4th day of December 1990, establishing a Scheme to provide compensation for victims of crimes of violence - P.71/2001.**  
Presented by the Home Affairs Committee.

**Committee of Inquiry: Jersey Motor Transport Company (1987) Limited - P.72/2001.**  
Presented by Deputy A. Breckon of St. Saviour.

The following matters were lodged on 3rd April 2001 -

**Draft Criminal Justice (Community Service Orders) (Jersey) Law 2001 (Appointed Day) Act 200- P.52/2001.**  
Presented by the Legislation Committee.

**Draft Criminal Justice (Community Service Orders - Sentencing Powers) (Jersey) Regulations 200 P.53/2001.**  
Presented by the Legislation Committee.

**Projet d'Acte (2001) mettant en vigueur la Loi (1995) (Abrogation) sur les Etrangers. - P.54/2001.**  
Présenté par le Comité des Affaires Intérieures.

**Draft Immigration (Designated Ports of Entry and Exit) (Jersey) Act 200- P.55/2001.**  
Presented by the Home Affairs Committee.

**Jersey Aero Club Lease - lease of land - P.56/2001.**  
Presented by the Harbours and Airport Committee.

**De la Salle College, Beaulieu Convent School and FCJ Primary School: Grant of Funds - P.57/2001.**  
Presented by the Education Committee.

**St. Helier Waterfront leisure complex lease: structure of sub-leases - P.58/2001.**  
Presented by the Finance and Economics Committee.

THE STATES noted that, in accordance with Standing Order 22(3) the Education Committee had instructed the Greffier of the States to withdraw the proposition regarding De La Salle College, Beaulieu Convent School and FCJ Primary School: loans (P.84/2000 lodged "au Greffe" on 16th May 2000) having lodged a revised report and proposition.

The following matters were lodged on 10th April 2001 -

**Financial assistance for the cost of ophthalmic and dental care for persons aged over 65: proposed scheme (P.49/2001): amendment - P.49/2001 Amd.**  
Presented by the Deputy of St. John.

**Financial assistance for the cost of ophthalmic and dental care for persons aged over 65: proposed scheme (P.49/2001): second amendments - P.49/2001 Amd.(2).**  
Presented by Deputy A. Breckon of St. Saviour.

**Draft Planning and Building (Jersey) Law 200- (P.50/2001): amendments - P.50/2001 Amd.**  
Presented by Deputy J.L. Dorey of St. Helier.

**Draft Competition Regulatory Authority (Jersey) Law 2001 (Appointed Day) Act 200- P.59/2001.**  
Presented by the Industries Committee.

**Rent Control Tribunal: appointment of members - P.60/2001.**  
Presented by the Housing Committee.

**Draft The Royal Bank of Scotland International Limited (Jersey) Law 200- P.61/2001.**  
Presented by the Deputy of St. Mary.

**Convent Court, Val Plaisant/David Place and Philips House, Victoria Street, St. Helier: deed of arrangement - P.62/2001.**  
Presented by the Housing Committee.

**Nonpareil, La Route de Beaumont, St. Peter: sale of site to the Channel Island Co-operative Society Limited - P.63/2001.**  
Presented by the Harbours and Airport Committee.

**Draft Housing (General Provisions) (Amendment No. 16) (Jersey) Regulations 200 P.64/2001.**

Presented by the Housing Committee.

The following matters were lodged on 17th April 2001 -

**Jersey Financial Services Commission: appointment of Commissioners - P.65/2001.**

Presented by the Finance and Economics Committee.

**Beresford House, Bellozanne, St. Helier: variation of terms of lease - P.66/2001.**

Presented by the Planning and Environment Committee.

### **Arrangement of public business for the present meeting**

THE STATES agreed to defer consideration of the following matters lodged "au Greffe" and set down for consideration at the present meeting -

Draft Companies (Amendment No. 6) (Jersey) Law 200- P.29/2001.

Lodged: 20th February 2001.

*Finance and Economics Committee.*

Jersey Mineral Strategy 2000 - 2020 - P.51/2001.

Lodged: 27th March 2001.

*Planning and Environment Committee.*

Jersey Mineral Strategy 2000-2020 (P.51/2001): report. - P.51/2001 Rpt.

Presented: 17th April 2001.

*Public Services Committee.*

THE STATES confirmed that the following matters lodged "au Greffe" would be considered at the present meeting -

Draft Criminal Justice (Community Service Orders) (Jersey) Law 2001 (Appointed Day) Act 200- P.52/2001.

Lodged: 3rd April 2001.

*Legislation Committee.*

Draft Criminal Justice (Community Service Orders - Sentencing Powers) (Jersey) Regulations 200- P.53/2001.

Lodged: 3rd April 2001.

*Legislation Committee.*

Projet d'Acte (2001) mettant en vigueur la Loi (1995) (Abrogation) sur les Etrangers - P.54/2001.

Logé le 3 avril 2001.

*Comité des Affaires Intérieures.*

Draft Immigration (Designated Ports of Entry and Exit) (Jersey) Act 200- P.55/2001 (re-issue).

Lodged: 3rd April 2001.

*Home Affairs Committee.*

De la Salle College, Beaulieu Convent School and FCJ Primary School: Grant of Funds - P.57/2001.

Lodged: 3rd April 2001.

*Education Committee.*

St. Helier Waterfront leisure complex lease: structure of sub-leases - P.58/2001.

Lodged: 3rd April 2001.

*Finance and Economics Committee.*

Draft Competition Regulatory Authority (Jersey) Law 2001 (Appointed Day) Act 200- P.59/2001.  
Lodged: 10th April 2001.  
*Industries Committee.*

Rent Control Tribunal: appointment of members - P.60/2001.  
Lodged: 10th April 2001.  
*Housing Committee.*

Draft The Royal Bank of Scotland International Limited (Jersey) Law 200- P.61/2001.  
Lodged: 10th April 2001.  
*Deputy of St. Mary.*

Draft The Royal Bank of Scotland International Limited (Jersey) Law 200- (P.61/2001): report - P.61/2001 Rpt.  
Presented: 17th April 2001.  
*Finance and Economics Committee.*

Nonpareil, La Route de Beaumont, St. Peter: sale of site to the Channel Island Co-operative Society Limited - P.63/2001.  
Lodged: 10th April 2001.  
*Harbours and Airport Committee.*

Nonpareil, La Route de Beaumont, St. Peter: sale of site to the Channel Island Co-operative Society Limited (P.63/2001): comments - P.63/2001 Com.  
Presented: 24th April 2001.  
*Planning and Environment Committee.*

### **Arrangement of public business for the next meeting on 15th May 2001**

THE STATES confirmed that the following matters lodged "au Greffe" would be considered at the next meeting on 15th May 2001 -

Draft Planning and Building (Jersey) Law 200- P.50/2001.  
Lodged: 27th March 2001.  
*Planning and Environment Committee.*

Draft Planning and Building (Jersey) Law 200- (P.50/2001): comments - P.50/2001 Com.  
*Finance and Economics Committee.*

Draft Planning and Building (Jersey) Law 200- (P.50/2001): amendments - P.50/2001 Amd.  
Lodged: 10th April 2001.  
*Deputy J.L. Dorey of St. Helier.*

Draft Planning and Building (Jersey) Law 200- (P.50/2001): second amendment - P.50/2001 Amd.(2).  
Lodged: 24th April 2001.  
*Planning and Environment Committee.*

Jersey Aero Club Lease - lease of land - P.56/2001.  
Lodged: 3rd April 2001.  
*Harbours and Airport Committee.*

Jersey Financial Services Commission: appointment of Commissioners - P.65/2001.  
Lodged: 17th April 2001.  
*Finance and Economics Committee.*



THE STATES rejected a proposition of Deputy Jeremy Laurence Dorey of St. Helier to defer consideration of the draft Planning and Building (Jersey) Law 200- (P.50/2001 lodged "au Greffe" on 27th March 2001) to a subsequent meeting.

Members present voted as follows -

**"Pour" (18)**

**Senators**

Bailhache, Syvret, Kinnard, Lakeman.

**Connétables**

Trinity, St. Clement, St. Mary.

**Deputies**

St. Mary, Duhamel(S), Routier(H), Huet(H), St. Martin, St. John, G. Baudains(C), Dorey(H), Scot Warren(S), Le Hérisier(S), Martin(H).

**"Contre" (26)**

**Senators**

Horsfall, Stein, Quérée, Norman, Le Sueur.

**Connétables**

St. Peter, Grouville, St. Martin, St. Saviour, St. Brelade, St. Lawrence, St. John.

**Deputies**

H. Baudains(C), S. Baudains(H), Trinity, Layzell(B), Breckon(S), Grouville, Crowcroft(H), Vibert(B), St. Peter, Dubras(L), Voisin(L), Farnham(S), Ozouf(H), Fox(H).

**Projet withdrawn under Standing Order 17(6)**

THE STATES noted that in accordance with Standing Order 17(6) the following matter had been withdrawn -

Draft Piercing and Tattooing (Jersey) Law 200- P.52/2000.

Lodged: 11th April 2000.

*Health and Social Services Committee.*

**Senator Frank Harrison Walker - attendance**

Senator Frank Harrison Walker, having returned to the Island during consideration of the arrangement of public business for the next meeting, was present for the remainder of the meeting.

**Introduction of legislation concerning the minimum wage, unfair dismissal and maternity pay - questions and answers (Tape No. 642)**

Senator Corrie Stein asked Senator Terence Augustine Le Sueur, President of the Employment and Social Security Committee, the following questions -

"1. The States approved on 12th December 2000 on a proposition, as amended, of the Employment and

Social Security Committee 'the introduction of legislation ... to facilitate the introduction of the minimum wage, including the provision to introduce pay statements, and to offer protection from unfair dismissal.'  
Would the President advise members -

- (a) when the Committee intends to bring forward legislation for States consideration on unfair dismissal, and consequently on minimum pay and maternity rights to this Assembly?
  - (b) would the President assure members that more than £3.70 per hour, plus inflation, will be proposed by the Committee as a minimum wage bearing in mind that (i) the majority of members wished this during the Minimum Wage Legislation debate which took place on 16th March 1999, and (ii) the cost of living is much higher in Jersey than in the United Kingdom.
2. Is the President aware that so far the introduction of a minimum wage has had no effect on job losses according to the Confederation of British Industry which scrutinizes minimum pay thoroughly in the United Kingdom, and that in most other Northern and Western European countries, minimum pay has been in place since the early and mid 1950s?
3. During the recent Budget debate the United Kingdom has increased paid maternity leave to 26 weeks. Would the President advise members whether -
- (a) the Committee is considering extending the same benefits to expectant women in Jersey when it introduces legislation on maternity rights bearing in mind that this is a much better policy for mothers and that it might help them to return to work at the end of the 26 weeks?
  - (b) the Committee proposes to offer fathers two weeks' paid paternity leave in line with the United Kingdom policy?
  - (c) the Committee would agree, as proposed in the United Kingdom, that parents who adopt in Jersey, should in future qualify for the full range of benefits enjoyed by birth parents?"

The President of the Employment and Social Security Committee replied as follows -

- "1.(a) Reports and propositions on the introduction of legislation for minimum wage and employment, including unfair dismissal, have been approved by the States, the latter (Projet 99/2000), as the Senator has said, only last December.

It is not only unfair dismissal legislation that is holding up minimum pay and maternity rights. There are, in fact, a number of other provisions needed to make these work such as ensuring proper contractual arrangements exist from the start, that pay statements are issued to all staff and that there are conciliation and enforcement bodies in place. Maternity rights also need to be underpinned with anti-discrimination legislation. This is all clearly explained in the report submitted to the States and debated last December. In essence a basic framework of employment legislation is needed, and that we are now progressing.

The first phase includes unfair dismissal as it relates to maternity issues. Just to clarify the phrase 'maternity rights', members may wish to re-read P.99/2000 which goes into some detail on other aspects of maternity rights, which are included in the next phase.

The Law Draftsman has advised that work on the minimum wage legislation can begin in parallel with the new employment law. Law Drafting briefs have been prepared or are in the process of being prepared on each of the main parts of the first phase of the legislation. As members may recall, we are committed to consulting fully on the details through the Employment Forum. The Forum is just completing its work on the enforcement mechanisms and have started consulting on detailed aspects of the unfair dismissal proposals. I aim to bring both the Employment and Minimum Wage Laws to the States by the end of this year.

- (b) Although many members supported an increased rate at the time, an amendment to that effect was, in fact, narrowly defeated. Clearly time has moved on and situations will have changed. Members may wish to refer back to the Minimum Wage Legislation (P.227/1998) which sets out the process for determining and increasing a minimum wage rate, namely that an independent body (the Employment Forum) would advise the Committee on a minimum wage rate, having examined all the relevant evidence and consulted widely. Based on that advice, the Employment and Social Security Committee would make recommendations to the States. The Employment Forum will begin work on this after advising on the unfair dismissal provisions.

I would add that there are many issues to take into account in determining a minimum wage, not simply the cost of living. On the last occasion, we commissioned a full economic impact assessment of various rates of minimum wage. I am advised that the Employment Forum will revisit that evidence and update it as necessary.

2. Yes.

However, in terms of the impact of the minimum wage system in the United Kingdom, we would normally look to Government sources for evidence of any effects. As far as I am aware, the United Kingdom Government erred on the side of caution by introducing minimum wage at a reasonably low rate so as to minimise the impact. I believe that other countries have also rightly taken a cautious approach when first introducing minimum wage systems.

- 3.(a) As members will be aware from the Employment Legislation report and the previous States Strategic Policy Review and Action Plan, the States have agreed, in principle, to introduce a maternity policy throughout the Island *to match* that offered by the States of Jersey. This entitles a female States employee who has been employed on a permanent basis for a period of at least one year to have 18 weeks maternity leave and to receive maternity pay at a rate of 90 per cent of her salary for a period of 12 weeks. The Employment and Social Security Committee is therefore working towards implementation of that decision. Concerns expressed by small businesses during the consultation process have led us to appreciate that this is a big enough step to take initially.
- (b) The Committee is not proposing to cover this aspect in the first phases of the Employment Legislation. The report and proposition, to which I have referred, stated that other family friendly policies would be developed towards the end of the current programme. There are so many issues to be dealt with and we have to recognise that each has its own economic impact. Our proposition set an order of priorities which the States only recently approved.
- (c) The Committee has already approved the principle of giving equal maternity grants to parents who adopt. We are advised by the Law Draftsman that the changes needed to existing legislation are not simple ones. The Committee will be looking to see if there needs to be a separate benefit for adoptive parents which can be introduced more quickly by an Act of the States. In terms of other benefits and credits available to families, there is no differentiation between those who have natural or adopted children. For example, Family Allowance is based on the family unit, however that might be comprised. The recently introduced 'home responsibilities' credits will be awarded to the parent staying at home to care for the child, adopted or otherwise, for up to five years."

#### **Supply of television aerials to States tenants' homes - question and answer (Tape No. 642)**

Deputy Judith Ann Martin of St Helier asked Deputy Harry Hallewell Baudains of St. Clement, Vice-President of the Housing Committee, the following question -

"Would the President inform members how much, on average, the Department paid to the company that supplied all the television aerials to States tenants' homes during the last two years?"

The Vice-President of the Housing Committee replied as follows -

“The Committee has contracts with two companies for the provision of a basic television reception service. This service is provided to 3,659 of the Committee’s 4,600 dwellings. One company, Newtel, is responsible for the service to the majority of dwellings and was paid £78,097 in 1999 and £80,808 in 2000. The other company, Channel Rentals, was paid £1,524 in 1999 and the same again in 2000.

Tenants receiving this service are recharged the cost, about 45p week, with their rent.”

**Proposed duty-free at Jersey Airport - question and answer (Tape No. 642)**

Deputy Roy George Le Hérisier of St. Saviour asked the Deputy of St. Mary, President of the Harbours and Airport Committee, the following question -

“Would the President confirm when it is intended to open the duty-free shop at the airport and, if delays have been encountered, would he identify what these are and what the effect is upon the proposed timetable for opening the shop?”

The President of the Harbours and Airport Committee replied as follows -

“Since the Policy and Resources Committee agreed that, for Jersey Airport, incorporation ‘ ... was not appropriate’, the Harbours and Airport Committee has agreed to take part in a study into the Financial Future of the Airport. That study will be carried out by Oxford Economic Research Assistants (OXERA) in the near future.

The study will analyse the future funding needs of the airport and, in view of its position as a strategic Island asset, whether all of its financial needs should be met from landing dues and airport revenue surpluses or whether the taxpayer should make some form of contribution. The profits from a duty free shop form part of that study.

The Harbours and Airport Committee wishes to see a duty free shop at the airport and will bring forward a report and proposition to the States when the outcome of the funding study is known.”

**Tax liabilities for 1999 - questions and answers (Tape No. 642)**

Senator Stuart Syvret asked Senator Frank Harrison Walker, President of the Finance and Economics Committee, the following questions -

- “1. Would the President provide members with details of the tax liabilities that arose in 1999, broken down by standard industrial classification and would he include for comparative purposes the same information for the years from 1992?”
2. In respect of 1999, would the President inform members of the percentage of tax liability attributable to personal taxation and the percentage attributable to corporate taxation for each of the sectors described above?”

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

- “1. As at 31st December, 2000 the income tax charged for the year of assessment 1999 amounted to £331.00 million.

This excludes tax charged on those involved in the supply of gas, water and electricity and on those few people running private schools in order to preserve their confidentiality.

The figure of £331.00 million breaks down as follows -

A. BY INDUSTRY	£ million
1. Agriculture	3.27
2. Fishing	0.21
3. Quarrying included in construction	
4. Manufacturing	1.86
5. Electricity, Gas, Water not supplied	
6. Construction and Quarrying	6.19
7. Wholesale and Retail	11.83
8. Hotels and Restaurants	5.88
9. Transport and communi- cations	2.14
10. Financial Intermediation	152.82
11. Real Estate (fee income)	0.32
14. Health and Social Work	1.77
15 (i) Other business services	9.71
15 (ii) Other community, social and personal services	7.17
16. Private households with employees no records kept	

Standard Industrial classification 12 (Public Administration and Defence) and 13 (Education) have been excluded because no direct tax revenue arises from those activities carried on by the States. Similarly, the figures given under 14 (Health and Social Work) and 15 (ii) (other community social and personal services) reflect only the profits of private providers.

#### B. BY INDIVIDUALS

Employees	92.99
Rentiers and retired	21.67

#### C. BY OTHERS

Investment Holding Companies	13.17
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These figures have been compiled on the same basis as before and have been published in the Treasurer's 2000 Financial Report and Accounts which was released today. The general conclusion to be drawn is one of a strong economy continuing to grow at a healthy rate. Over the years 1992 to 1999 the figures show an increase of 61 per cent or more than 8.7 per cent a year, a result that would be the envy of many other places around the world.

The Senator also asked me to provide, for comparative purposes, the same information for the years 1992 to 1998. In reply I would refer him to the answers I gave to the States on 16th February, 1999 and 4th April, 2000 when I presented those figures in answer to similar questions.

I do not propose to read out those figures again but members will find with their papers a copy of the information I gave them at those times.

2. The split between the tax on profits made by companies (corporate taxation) and the tax on profits made by self employed individuals (personal taxation) within the sectors mentioned earlier is as follows -

BY INDUSTRY	COMPANIES	INDIVIDUALS
	£. million	
Agriculture	1.84 = 56%	1.43 = 44%
Fishing	0.08 = 38%	0.13 = 62%

Manufacturing	1.75 = 94%	0.11 = 6%
Construction and Quarrying	4.15 = 67%	2.04 = 33%
Wholesale and Retail	10.16 = 86%	1.67 = 14%
Hotels and Restaurants	5.27 = 90%	0.61 = 10%
Transport and communications	1.84 = 86%	0.30 = 14%
Financial Intermediation	149.49 = 98%	3.33 = 2%
Real Estate(fee income)	0.14 = 44%	0.18 = 56%
Health and Social Work	0.35 = 20%	1.42 = 80%
Other business services	1.37 = 14%	8.34 = 86%
Other community, social and personal services	4.31 = 60%	2.86 = 40%

Tax payable by employees is, of course, all personal taxation but there is no information to analyse the tax payable by employees by reference to the jobs they do.

The tax payable by rentiers and the retired is all personal taxation and tax payable by Investment Holding companies is all corporate taxation.

Of the total tax charged for the year of assessment 1999 59 per cent was corporate taxation, 41 per cent was personal taxation.

Last year, after giving the split of the Island's Tax Revenues, as between corporate and personal taxation I agreed, in answer to a supplementary question from Senator Syvret, to provide the States with comparative figures for the member States of the European Union. Following research into this matter, a statement was prepared but, unfortunately, I overlooked bringing it to members' attention. I would now like to rectify that omission. The statement reads as follows -

1. Members will recall that, on 4th April last in answer to a question from Senator Syvret I gave details of the split of the Island's tax revenues as between corporate and personal taxation.
2. In reply to a supplementary from the Senator, I said that I would provide the House with similar details in respect of the taxation revenues of the member states of the European Union.
3. Some time has been spent on researching this matter but the United Kingdom Inland Revenue publishes the only useful statistics in the public domain. None of the 14 other members publishes information in a form which allows the details requested to be extracted.
4. The only possible course of action would be a direct approach to the fiscal authorities of each of the countries concerned but the outcome of that is, to say the least, uncertain and our lawyers have advised that substantial costs would be involved.
5. In the light of our lawyer's advice, I have no alternative but to say that the cost of providing this information would far outweigh any known benefits.

#### **Letter forwarded to the Director of the Jersey Heritage Trust - questions and answers (Tape No. 642)**

The Deputy of St. Martin asked Senator Frank Harrison Walker, President of the Finance and Economics Committee, the following questions -

- “1. During Question Time on Tuesday 27th March, the President confirmed that a confidential letter received by him (in October 1998) had been forwarded to the Director of the Jersey Heritage Trust against the wishes of the author. Would the President confirm that he did not personally forward the letter as it was forwarded, within a week of him receiving it, by a member of the Treasury. If the answer is in the affirmative, would the president explain why the author's consent was sought a week

after the letter had actually been sent?

2. In an answer to a supplementary question the President stated that he had sought the opinion of the Solicitor General as to the merits of forwarding that confidential letter. Would the President advise members of the date he sought that opinion? If that opinion has only recently been sought, why was it not sought at the time of his receipt of the letter in October 1998?
3. When answering a supplementary question, the President alluded to the fact that other avenues were available to the author. To assist the author or any other public spirited person who might want to pass on confidential information, would the President advise what avenues he has in mind?
4. In view of the fact that the author wrote as a private individual and his letter contained valid concerns about potential waste of taxpayer's money being spent on Mont Orgueil Castle, would the President advise whether the Committee investigated his queries? If the answer is in the affirmative, what were the conclusions? If the answer is in the negative, why not?
5. In answer to a further supplementary question the President, when referring to a circular distributed by Deputy Gerard Baudains in respect of work carried out at Mont Orgueil Castle claimed that the circular 'sadly contains many inaccuracies and in some respects were just plain wrong and I will be making a statement correcting that in the very near future'. Would the President advise members when he intends to make that statement?"

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

"Due to my absence from the Island on Wednesday of last week, I only received the questions from the Deputy of St. Martin on Thursday.

They are not questions I can delegate to anyone else and they require me to consult with both the Jersey Heritage Trust and the Solicitor General before compiling my answers. My other political commitments have made this impossible in the time remaining.

Accordingly, I apologise to the Deputy but I will not be able to answer his questions until the next meeting of the States on 15th May 2001.

I can, however, confirm that my response to the document circulated to all States members by Deputy Baudains and referred to in the Deputy of St. Martin's fifth question will be circulated later this week."

#### **New computer retail outlet in St. Helier - questions and answers** (Tape No. 642)

The Deputy of St. Martin asked Deputy Maurice François Dubras of St. Lawrence, President of the Industries Committee, the following questions -

"The latest Industries Committee's Manpower Report (R.C.15) shows that there are 3,410 job vacancies in the Island of which 640 are in the wholesale and retail trades sector and a further 70 in computer and related activities. It has been reported that Time Computers, a large United Kingdom computer retailer has opened an outlet in St. Helier. In view of the large number of job vacancies and that the Committee should have particular regard for the population and immigration policy recommendations adopted by the States in November 1997, would the President -

- (a) give details of the licence granted under Regulation of Undertakings and Development (Jersey) Law 1973, as amended, in respect of the number of staff the Company are able to employ?
- (b) give details of the terms and conditions under which the licence for qualified persons was issued?
- (c) give details of the terms and conditions under which the licence for unqualified persons was issued?

- (d) say how many (j) category licences were applied for and granted?
- (e) advise what special services this United Kingdom retailer brings to the Island that are not being provided by the large number of highly competitive companies who are currently operating in the Island and are having difficulty in recruiting staff in a highly competitive environment?"

The President of the Industries Committee replied as follows -

"Before answering these questions, I would like to make an important point, on advice from the Solicitor-General, about the disclosure of confidential information about a specific business.

The Regulation of Undertakings and Development (Jersey) Law, 1973 ('RUDL'), is one of a number of regulatory laws which require any person who wishes to carry on a specified activity to apply for a licence to do so, and to disclose information for that purpose. There is no statutory prohibition in the RUDL on disclosure, but the view of the Law Officers is that there is an implied duty of confidentiality in respect of information obtained by the Industries Committee in the exercise of its powers under RUDL.

The duty of confidentiality can be waived by the person to whom the duty is owed. I would stress therefore that these questions are only being answered because the company has waived the implied duty of confidentiality.

The answer to the Deputy's first three parts of his question is as follows -

Time Computers has received an RUDL licence to employ six people, all of whom must be locally-qualified. The company did not request any non-locally qualified posts.

I wish to remind the Deputy that questions regarding (j) category housing consents are a matter for the Housing Committee.

In considering applications to commence an undertaking, the Industries Committee takes into consideration various licensing criteria as outlined in its policy document. Such criteria include, for example -

- the importance of the service to be rendered to local residents;

- the need to maintain a range of job opportunities for local residents and school leavers;

- to ensure the full development of their skill potential;

- the need to maintain competition within the Island;

- the need to protect consumer interests.

Time Computers is a leading retailer which will fulfil in different ways all the criteria I have just mentioned. I should add, moreover, that it has a large existing local client base many of whom have purchased software and hardware by mail order and who would benefit from having after sales service and support from within the Island. All staff are, I understand, given comprehensive training in the United Kingdom before being allowed to enter the store. The training is a complete IT course and before they are allowed to pass out of training school, all staff have to be competent in customer service, product knowledge, software applications, sales skills training and so on. Upon completion of this course, all staff are given personal development plans and quarterly appraisals.

The States of Jersey is encouraging the growth of an IT industry in Jersey and the services and training provided by this company offers an excellent opportunity to local residents and supports development in this dynamic sector of the Island's economy.



I am also advised that Time Computers may also wish to use Jersey as its base for internet-based retailing at a future date. This would be wholly in line with States strategy of encouraging low employment, high value added business to the Island and I strongly hope that the company's experience over the next year or two will be positive thus hopefully leading to such a development.

Welcoming firms like Time Computers to Jersey is exactly what we need to do to maintain and improve competitiveness, ensure economic growth, and enable local employees to strive for the best possible training and job opportunities. The Industries Committee will continue to adopt a positive approach to such applications."

### **Drafting of new legislation concerning taxis and cabs - questions and answers (Tape 642)**

The Deputy of St. John asked Deputy Alan Simon Crowcroft, President of the Public Services Committee, the following questions -

- “1. On 13th March 2001 I asked the President when the Public Services Committee would bring the new taxi and cab legislation to the States for debate. The President replied as follows -

‘Subject to the Policy and Resources Committee allocating sufficient additional law drafting time to prepare the new Regulations, the new Regulations will be brought to the States for approval later this year. As soon as I have a decision that sufficient law drafting time has been granted and I have discussed the programme for drafting the Regulations with the Law Draftsman, I will advise the Deputy of the likely date for lodging the new Regulations.’.

At the time of tabling these questions the President has not yet contacted me. Would the President advise members whether the Policy and Resources Committee has allocated any law drafting time this year for this particular legislation?

2. If the answer to Question 1 is in the negative, would the Committee review a number of requests from taxi/cab operators who have applied for taxi or cab licences and have been rejected on the grounds that the new legislation would be coming into force shortly and, if not, would he give the reason/s?”

The President of the Public Services Committee replied as follows -

- “1. I was informed on 18th April 2001, that at their meeting on 5th April 2001, the Policy and Resources Committee decided not to allocate Law Drafting time to the taxi and cab legislation because of other demands on the time that is available.

I understand that the situation will be reviewed in two to three months' time to see if there is time remaining this year which can be allocated to the taxi and cab legislation. I would expect that the Public Services and the Home Affairs Committees to make strong representations in due course to the Policy and Resources Committee, stressing that this work is of the utmost urgency if the level of service provided by taxis and cabs is to be improved. I would also expect that the Tourism Committee will support the undertaking of this essential Law Drafting work.

2. In view of the answer to Question 1, the Public Services Committee will be reviewing the situation on the previously rejected applications to decide if the policy of rejecting such applications until the new Regulations come into force should be revised. The Deputy of St. John will be informed of the Committee's decision, and of the result of the next bid for Law Drafting time.”

### **Use of speed cameras and the TETRA radio by the States of Jersey Police - questions and answers (Tape No. 642)**

Deputy Gerard Clifford Lemmens Baudains of St. Clement asked Deputy Alastair John Layzell, President of the Home Affairs Committee, the following questions -

- “1. The Chief Officer of the States of Police has recently been reported as saying that speed both in Jersey and in the United Kingdom was the most significant factor in the cause of road accidents, and that there was evidence to show that introducing speed cameras at accident hot spots in the United Kingdom along with sign posting and publicity would, on average, result in a twenty-eight per cent reduction in road accidents. He also stated that speed cameras have been proved to play a significant part in the reduction of accidents, casualties and deaths. (JEP 11.4.01).
  - (a) Has the Committee studied the research undertaken by the United Kingdom Transport Research Laboratory and the Department of Environment, Traffic and Regions’ in ‘What causes road accidents’ investigation, which states that only six per cent of accidents are caused by excessive speed and, if not, why not?
  - (b) Given that the above research figures are markedly out of kilter with the Chief Officer’s statements, what steps will the President be taking to ensure that future public statements are as accurate as possible and properly reflect a reasonable prioritisation of police resources in order to ensure the most efficient use of taxpayers’ money?
2.
  - (a) Given that the Northamptonshire Police ‘Safety camera marketing team’ claims a twenty-eight per cent reduction in fatalities for 2000 (55 deaths compared with 76 in 1999) despite the fact 1999 was unusual when compared to the county’s annual average over a five year period of 56 casualties, and that the Thames Valley Police are also claiming their speeding crackdown is working, despite figures rising from 156 in 1999 to 177 in 2000, would the President state where the evidence to which the Police Chief refers comes from?
  - (b) Would he advise members of the cost of speed cameras?
3. In view of recent concerns expressed in the United Kingdom by the Police Federation and others about the use of Terrestrial Trunked Radio (TETRA) by Police Forces, which include: possible irreparable brain damage to officers who use it, interference with air traffic control during take off and landing, interference with speed cameras, breath test devices and hospital electronic equipment, would the President -
  - (a) confirm that our police force uses this equipment?
  - (b) if the answer to (a) is in the affirmative, would he give members details of how the Committee intends to address all the problems and why it has not heeded the advice of the Stewart Report of May 2000 about the health hazards of such equipment?
  - (c) advise members whether the police switch off their radios near the hospital and airport, during breath testing, etc.?
    - (i) if the answer to (c) is in the affirmative, how do the police maintain contact?
    - (ii) if the answer is in the negative, how does the Committee justify the risks involved?”

The President of the Home Affairs Committee replied as follows -

- “1. & 2. The Chief Officer was quoting from a Home Office Police Research Group Briefing Note on the cost benefit analysis of traffic light and speed cameras. Notwithstanding his statement, the Deputy’s questions are, in my opinion, premature. The justification of the Chief Officer’s remarks, the statistical evidence and the likely cost of speed cameras has not been considered by the Committee. A report is being prepared for its May meeting.

3. (a) I can confirm that the States of Jersey Police are currently using TETRA.
- (b) The report to which Deputy Baudains refers, chaired by Sir William Stewart, and commissioned to focus on the concerns regarding mobile phones states:

‘The balance of evidence does not suggest that mobile phone technologies put the health of the general population of the United Kingdom at risk. There is some evidence that outputs from mobile phone technologies may cause, in some cases, subtle biological effects, although importantly, these do not necessarily mean that health is affected.’

While TETRA uses technology similar to that of mobile phones, the Stewart Report, although outlining possible problems, states that there is no obvious health risk at the present time. It does however recommend a precautionary approach.

As a result of this, the United Kingdom Home Office has been involved throughout the Jersey TETRA project and has also commissioned reviews by the Defence Evaluation and Research Agency and the National Radiological Protection Board, on areas specifically related to TETRA. The outcome of this research will be made public.

If there is, at any time, conclusive evidence to suggest that there are health concerns in the operation of this equipment, it will be thoroughly investigated and modifications will be made. At the present time this is not the case, and I refer to a recent statement from the Home Secretary who stated,

‘On the basis of the evidence before us on both interference and safety issues we see no reason to halt the roll-out programme.’

- (c) There is no substantiated evidence to support any claim that the TETRA equipment used by the States of Jersey Police will interfere with the airport or any aeronautical equipment. Therefore the equipment is not switched off at this location.

On the issue of radios used within the hospital environment a recent update report from the United Kingdom Medical Devices Agency (MDA) dated March 2001 states,

‘In the case of an emergency services dealing with an on site incident, the risk of interference should be treated as secondary to the risks associated with managing the incident.’

Finally, the breath testing equipment highlighted by the United Kingdom pilot force Lancashire, are of a different type from those used by the Jersey Police and therefore the results do not apply.”

### **Jersey Police Authority - statement**

The President of the Home Affairs Committee made a statement in the following terms -

“The States approved the establishment and initial constitution of the Jersey Police Authority on 19th May 1998, and approved certain recommendations of the Working Party on Policing including, amongst others, a recommendation that the office of Chef de Police for each Parish be established by law to have charge of the Honorary Police within each Parish, and that the Connétables should cease to fulfil an operational policing role.

The States also agreed that the Police Authority should be appointed with the principal role of assisting the Defence Committee (now the Home Affairs Committee) to bring to the States the necessary legislative

changes to implement the findings of the Working Party, including the establishment of the Jersey Police Authority by law.

The Jersey Police Authority has embarked upon the task of identifying the wide range of legislative amendments required to implement the proposed changes in relation to the Honorary Police. Over fifty sources of primary legislation require amendment and there still remains a further assessment of the common law powers and subordinate legislation which may need to be amended. This task has been assisted by the work of a Legislation Sub-Committee of the Authority which consulted widely on the format of the review of the existing legislation.

The Home Affairs Committee is conscious of the proposals relating to the future role of Connétables contained in the recent Report of the Review Panel on Machinery of Government in Jersey, which to some degree may impact on the previous decision of the States relating to the structure of the Honorary Police.

It will therefore be apparent to members that some further delay can be expected before my Committee will be in a position to bring forward comprehensive legislation relating to the changes to the structure of the Honorary Police in the Island.

However, my Committee is anxious to ensure that the Police Authority is established by law at the earliest possible opportunity, and accordingly we will bring to the States and in the first instance, draft legislation to implement the previous decision of the States to establish the Police Authority by law and transfer away from the Committee certain responsibilities for policing. At this time, the membership of the Authority will be subject to review. Further detailed changes to the structure of the Honorary Police will follow very shortly after the Police Authority is established.

The Police Authority has recently appointed a Project Officer to assist in its current tasks.

The Home Affairs Committee would like to take this opportunity to support and endorse the initiatives taken by the Jersey Police Authority and a Working Group established last year by the Comité des Connétables (including representatives of the Honorary Police) which is actively working to develop closer and effective working practises between the Honorary Police and the States of Jersey Police.”

### **Jersey Council for Safety and Health - appointment of Chairman**

THE STATES, adopting a proposition of the Employment and Social Security Committee, approved the appointment of Mr. Robert Staddon, as chairman of the Jersey Council for Safety and Health at Work for a term of three years with effect from 1st May 2001.

### **Draft Financial Services Commission (Amendment No. 3) (Jersey) Law 200 P.39/2001 P.39/2001: amendment; P.39/2001 Amd. - comments**

THE STATES commenced consideration of the draft Financial Services Commission (Amendment No. 3) (Jersey) Law 200- and adopted the preamble.

Articles 1 to 3 were adopted, the States having rejected amendments of Deputy Jeremy Lawrence Dorey that -

In paragraph (a) of Article 3, in the paragraph to be substituted for Article 3(1A) of the principal Law-

- (a) in sub-paragraph (a), there should be deleted the words “from persons nominated by the Committee”; and
- (b) in sub-paragraph (b), there should be deleted the words “nominated by the Committee”.

Members present voted on the amendments as follows -

**“Pour” (11)**

**Senators**

Stein, Syvret.

**Connétables**

St. Helier.

**Deputies**

S. Baudains(H), Breckon(S), St. Martin, St. John, G. Baudains(C), Dorey(H), Le Hérissier(S), Martin(H).

**“Contre” (34)**

**Senators**

Horsfall, Quérée, Bailhache, Norman, Walker, Kinnard, Le Sueur, Lakeman.

**Connétables**

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

**Deputies**

H. Baudains(C), St. Mary, Trinity, Duhamel(S), Routier(H), Layzell(B), Grouville, Huet(H), Vibert(B), S Pierre, Dubras(L), Voisin(L), Scott Warren(S), Farnham(S), Ozouf(H), Fox(H).

Articles 4 to 8 were adopted.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Financial Services Commission (Amendment No.3) (Jersey) Law 200-.

**Aircraft noise zones: revision - P.45/2001**

THE STATES commenced consideration of the Aircraft noise zones: revision (P.45/2001) and rejected a proposition of Senator Stuart Syvret that the proposition be referred back to the Planning and Environment Committee.

Members present voted as follows -

**“Pour” (11)**

**Senators**

Stein, Syvret, Kinnard.

**Deputies**

S. Baudains(H), Breckon(S), St. Martin, G. Baudains(C), Dorey(H), Scott Warren(S), Le Hérissier(S), Martin(H).

**“Contre” (32)**

**Senators**

Horsfall, Quérée, Bailhache, Norman, Walker, Le Sueur.

**Connétables**

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

#### **Deputies**

H. Baudains(C), St. Mary, Trinity, Duhamel(S), Routier(H), Layzell(B), Grouville, Huet(H), St. John Vibert(B), St. Peter, Dubras(L), Voisin(L), Farnham(S), Ozouf(H), Fox(H).

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

- (a) rescinded the existing Aircraft Noise Zones including Appendix 1(a) and drawing number 1.02.01.182 as approved by Act of the States, dated 7th December 1982;
- (b) approved, in pursuance of Article 3 of the Island Planning (Jersey) Law 1964, as amended, a new aircraft noise zone policy and aircraft noise exposure contours as set out in Table 1 of the report of the Planning and Environment Committee dated 6th March 2001 and shown on drawing number 655/1 at the Appendix to the said report, as the basis for determining planning and development applications in accordance with the new policy;
- (c) authorised the Greffier of the States to sign the said drawing on behalf of the States.

#### **Draft Milk (Sale to Special Classes) (Jersey) Regulations 200-P.47/2001 P.47/2001: amendment**

THE STATES commenced consideration of the draft Milk (Sale to Special Classes) (Jersey) Regulations 200- and adopted the preamble.

Regulations 1 to 8 were adopted, the States having accepted an amendment of the Employment and Social Security Committee that for paragraph (2) of Regulation 8 there should be substituted the following paragraph -

“(2) These Regulations shall be deemed to have come into force on the twelfth day of April 2001 and shall remain in force for three years from that date.”.

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 Milk (Sale to Special Classes) (Jersey) Regulations 2001.

#### **Draft Airport Dues (Amendment No. 4) (Jersey) Law 200P.48/2001**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Airport Dues (Amendment No. 4) (Jersey) Law 200.

#### **Financial assistance for the cost of ophthalmic and dental care for persons aged over 65: proposed scheme - P.49/2001**

##### **Comments P.49/2001**

##### **P.49/2001: amendment; P.49/2001: second amendments; P.49/2001: third amendments**

THE STATES commenced consideration of a proposition of the Employment and Social Security Committee regarding the establishment of a scheme in Jersey to subsidise the cost of ophthalmic and dental care for persons aged over 65, and adopted paragraph (a), having rejected an amendment of the Deputy of St. John that -

at the end of the paragraph, there should be inserted the words -

“except that in paragraph 3(a) of the report after the words ‘resident in Jersey for five years’ there should be added the words ‘and having paid Jersey Social Security contributions for at least five years’ ”.

Members present voted on the amendment as follows -

**“Pour” (2)**

**Deputies**

Duhamel(S), St. John.

**“Contre” (42)**

**Senators**

Horsfall, Stein, Bailhache, Syvret, Norman, Walker, Kinnard, Le Sueur.

**Connétables**

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

**Deputies**

H. Baudains(C), St. Mary, S. Baudains(H), Trinity, Routier(H), Layzell(B), Breckon(S), Grouville, Hu (H), St. Martin, Crowcroft(H), Vibert(B), St. Peter, Dubras(L), G. Baudains(C), Dorey(H), Voisin(L), Scott Warren(S), Farnham(S), Le Hérisssier(S), Ozouf(H), Fox(H), Martin(H).

THE STATES adopted paragraph (b).

THE STATES commenced consideration of paragraphs (c) and (d) and adopted the amendments of Deputy Alan Breckon of St. Saviour that -

- (1) In paragraph (c) of the proposition for the words “the charity Age Concern (Jersey)” there be substituted the words “the Employment and Social Security Committee”.
- (2) In paragraph (d) of the proposition for the words “Age Concern Jersey” there be substituted the words “Employment and Social Security Committee”.

Members present voted as follows -

**“Pour” (35)**

**Senators**

Horsfall, Stein, Bailhache, Syvret, Norman, Walker, Kinnard, Le Sueur.

**Connétables**

St. Peter, St. Martin, St. Ouen, Trinity, St. Saviour, St. Brelade, St. Lawrence, St. John.

**Deputies**

H. Baudains(C), St. Mary, S. Baudains(H), Trinity, Routier(H), Breckon(S), Grouville, St. Martin, Vibe (B), St. Peter, Dubras(L), Dorey(H), Voisin(L), Scott Warren(S), Farnham(S), Le Hérisssier(S), Ozouf(H), Fox(H), Martin(H).

**“Contre” (7)**

**Connétables**

Grouville, St. Helier, St. Clement, St. Mary.

**Deputies**

Duhamel(S), Huet(H), St. John.

THE STATES acceded to a request of the President of the Employment and Social Security Committee that the following amendments presented by that Committee be withdrawn -

- (a) paragraph (c) of the proposition be deleted;
- (b) subsequent paragraphs be re-numbered;
- (c) in the re-numbered paragraph (c) for the words “made available to Age Concern (Jersey)” there be substituted the word “utilised”.

THE STATES, adopting the proposition of the Employment and Social Security Committee, as amended, agreed that a scheme to subsidise the cost of ophthalmic and dental care should be established in Jersey and that -

- (a) the scheme should be targeted to those people over the age of 65 who satisfied the criteria set out in paragraph 3(a) of the report of the Employment and Social Security Committee dated 15th March 2001;
- (b) the level of financial assistance available to each eligible individual should be that described in paragraph 3(b) of the said report;
- (c) the Employment and Social Security Committee be asked to administer the scheme on behalf of the States for a trial period of one year, with appropriate management, accounting and audit provision;
- (d) the Finance and Economics Committee be requested to transfer the sum of £150,000 from the Health and Social Services Committee to the Employment and Social Security Committee and that the total sum of £680,000 be made available to the Employment and Social Security Committee to operate the scheme for the first full year; and
- (e) the scheme should be jointly monitored by the Health and Social Services and Employment and Social Security Committees throughout the first year.

Senator Christopher Gerard Pellow Lakeman, having declared an interest in the matter, withdrew from the Chamber prior to consideration of this item.

**Draft Criminal Justice (Community Service Orders) (Jersey) Law 2001 (Appointed Day) Act 200-P.52/2001**

THE STATES, in pursuance of Article 13 of the Criminal Justice (Community Service Orders) (Jersey) Law 2001, made an Act entitled the Criminal Justice (Community Service Orders) (Jersey) Law 2001 (Appointed Day) Act 2001.

**Draft Criminal Justice (Community Service Orders - Sentencing Powers) (Jersey) Regulations 200-P.53/2001**



THE STATES, in pursuance of Article 4(4) of Criminal Justice (Community Service Orders) (Jersey) Law 2001, made Regulations entitled the Criminal Justice (Community Service Orders - Sentencing Powers) (Jersey) Regulations 2001.

**De La Salle College, Beaulieu Convent School and FCJ Primary School: Grant of Funds - P57/2001**

THE STATES, adopting a proposition of the Education Committee, agreed, in principle, that the sum of £5 million should be made available to De La Salle College, Beaulieu Convent School and FCJ Primary School to enable them to undertake essential capital development so that appropriate provision might be made for their pupils, and charged the Finance and Economics Committee to identify the appropriate source of funding.

Senator Terence Augustine Le Sueur declared an interest and withdrew from the Chamber prior to consideration of this item.

**St. Helier Waterfront leisure complex lease: structure of sub-leases - P.58/2001**

THE STATES, adopting a proposition of the Finance and Economics Committee, referred to their Acts dated 27th July 1999, 4th July 2000 and 3rd August 2000 and authorised the Attorney General and the Greffier of the States, following the passing of the contract for the lease of eight vergées of land west of Albert Pier, St. Helier (as shown on drawing 1704/2) to CTP (Jersey) Limited as the site of the Waterfront leisure complex, to join on behalf of the public into any contract of sub-lease by CTP (Jersey) Limited of any part of the property or any other disposition out of the lease or any sub-lease (which has been approved by the Finance and Economics Committee of the States of Jersey or such other Committee which may have responsibility for the public's interest in the leisure complex from time to time) to ratify and confirm such sub-lease or disposition on such terms as may be determined by the Finance and Economics Committee (or other such Committee as aforesaid).

**Draft Competition Regulatory Authority (Jersey) Law 2001 (Appointed Day) Act 200- P.59/2001**

THE STATES, in pursuance of Article 21 of the Competition Regulatory Authority (Jersey) Law 2001, made an Act entitled the Competition Regulatory Authority (Jersey) Law 2001 (Appointed Day) Act 2001.

**Rent Control Tribunal: appointment of members - P.60/2001**

THE STATES, adopting a proposition of the Housing Committee, and in pursuance of paragraph (1) of Article 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 ending on 12th April 2002, namely -

Mr. Terence Lavery - Chairman  
Mrs. Jill Meredith Clapham  
Mr. Ronald Peter Welling  
Mr. Christopher John Sheehan.

**Draft The Royal Bank of Scotland International Limited (Jersey) Law 200- P.61/2001  
P.61/2001: report**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled The Royal Bank of Scotland International Limited (Jersey) Law 200-.

**Nonpareil, La Route de Beaumont, St. Peter: sale of site to the Channel Island Co-operative Society Limited - P.63/2001**

## **P.63/2001: comments**

THE STATES, adopting a proposition of the Harbours and Airport Committee -

- (a) approved the sale by the public of the site of the property formerly known as Nonpareil, La Route de Beaumont, St. Peter (as shown on Drawing No. 557/01/23) to the Channel Islands Coöperative Society Limited for the sum of £150,000, with each party being responsible for its own legal fees;
- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contracts on behalf of the public ; and
- (c) authorised the Treasurer of the States to credit payment received in connection with the sale of the said property to the Planning and Environment Committee's vote of credit CO 904 'Acquisition of Land - Major Reserve'.

## **Arrangement of public business for the present meeting**

TTHE STATES acceded to the request of the Vice President of the Home Affairs Committee that the following matters set down for consideration at the present meeting be deferred to a later date -

Projet d'Acte (2001) mettant en vigueur la Loi (1995) (Abrogation) sur les Etrangers - P.54/2001.  
Logé le 3 avril 2001.  
*Comité des Affaires Intérieures.*

Draft Immigration (Designated Ports of Entry and Exit) (Jersey) Act 200- P.55/2001 (re-issue).  
Lodged: 3rd April 2001.  
*Home Affairs Committee.*

## **Changes in Presidency**

The Bailiff retired from the Chamber during consideration of the proposition of Senator Stuart Syvret that the proposition of the Planning and Environment Committee concerning Aircraft noise zones: revision (P.45/2001) be referred back to that Committee, and the Deputy Greffier of the States took over the presidency. The Bailiff resumed the presidency during consideration of the proposition of the Employment and Social Security Committee concerning 'Financial assistance for the cost of ophthalmic and dental care for persons aged over 65: proposed scheme (P.49/2001)' but retired from the Chamber during consideration of the preamble of Draft The Royal Bank of Scotland International Limited (Jersey) Law 200- (P.61/2001) and the Greffier of the States presided for the remainder of the meeting.

THE STATES rose at 6.23 p.m.

**C.M. NEWCOMBE**

*Greffier of the States.*