

**THE STATES assembled on Wednesday,
17th November 1999 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

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

All members were present with the exception of-

Senator Richard Joseph Shenton - ill
Senator John Stephen Rothwell - out of the Island
Senator Stuart Syvret - out of the Island
Senator Frank Harrison Walker - ill
Margaret Anne Le Geyt, Deputy of St. Saviour - ill

Prayers

**Draft Firearms (Jersey) Law 199 - P.96/99
Amendments - P.140/99, Second amendments - P.146/99
Third amendments - P.147/99**

THE STATES resumed consideration of the Draft Firearms (Jersey) Law 199 which had been discontinued the previous day.

THE STATES commenced consideration of Article 15. After discussion Senator Leonard Norman proposed that the Article be referred back to the Committee which proposition was rejected.

Member present voted on the proposition of Senator Norman as follows -

“Pour” (15)

Senators

Horsfall, Le Maistre, Norman.

Connétables

St. Mary, St. Peter, Grouville, St. Helier, St. Martin, St. Ouen, Trinity, St. Saviour.

Deputies

Coutanche(L), Duhamel(S), St. John, Le Claire(H).

“Contre” (29)

Senators

Stein, Quérée, Bailhache, Kinnard.

Connétables

St. Lawrence St. John, St. Clement, St. Brelade.

Deputies

Wavell(S), H. Baudains(C), Le Sueur(H) St. Mary, S. Baudains(H), Trinity, Pullin(S), Johns(H), Layzell (B), Breckon(S), Grouville, Huet (H) St. Martin Blampied(H), Rabet(H), Crowcroft(H), Vibert(B), St. Peter, Dubras(L), St. Ouen, G. Baudains(C).

Article 15 was adopted, the States having accepted an amendment of the Deputy of St. Martin that paragraph (2) should be deleted.

Articles 16 to 27 were adopted, the States having accepted an amendment of Deputy Gerard Clifford Lemmens Baudains of St. Clement that sub-paragraph (c) of paragraph (2) of Article 27 should be deleted.

Members present voted on the amendment to Article 27 as follows -

“Pour” (18)

Senators

Horsfall, Le Maistre.

Connétables

St. Mary, St. Peter, Grouville, St. Martin, St. John, Trinity, St. Saviour, St. Clement.

Deputies

H. Baudains(C), Le Sueur(H), Pullin(S), St. Martin, St. John, Le Main(H), G. Baudains(C), Le Claire(H).

“Contre” (11)

Senators

Stein, Quérée, Bailhache, Kinnard.

Connétables

St. Lawrence, St. Ouen, St. Brelade.

Deputies

Wavell(S), Johns(H), Layzell(B), St. Ouen.

Articles 28 to 30 were adopted, the States having accepted amendments of Deputy Gerard Clifford Lemmens Baudains of St. Clement that in paragraph (3) of Article 28 and paragraph (3) of Article 29 all the words from “and any such notice” to the end of the respective paragraphs should be deleted, and that for paragraph (6) of Article 30 there should be substituted the following paragraph -

“(6) A notice required by this Article shall be given within fourteen days of the disposal or other event, and, if sent from a place outside the Island, shall be sent in such manner as most closely corresponds to the use of the registered post or recorded delivery service.”

Members present voted on the amendments as follows -

“Pour” (28)

Senators

Le Maistre, Quérée, Norman.

Connétables

St. Mary, St. Peter, Grouville, St. Helier, St. Martin, St. Ouen, St. Clement.

Deputies

H. Baudains(C), Le Sueur(H), Coutanche(L), St. Mary, Trinity, Pullin(S), Duhamel(S), St. Martin, St. John, Le Main(H), Rabet(H), Crowcroft(H), Vibert(B), St. Peter, Dubras(L), St. Ouen, G. Baudains(C), Le Claire(H).

“Contre” (16)**Senators**

Horsfall, Stein, Bailhache, Syvret, Kinnard.

Connétables

St. Lawrence, St. John, Trinity, St. Brelade.

Deputies

Wavell(S), S. Baudains(H), Johns (H) Layzell(B), Breckon(S), Huet(H), Blampied(H).

Articles 31 to 33 were adopted, the States having accepted an amendment of the Deputy of St. Martin that subparagraph (e) of paragraph (1) of Article 33 should be deleted.

Articles 34 to 44 were adopted, the States having rejected amendments of Deputy Gerard Clifford Lemmens Baudains of St. Clement that the words “(the proof of which shall lie on him)” in Article 41, in paragraphs (1) and (2) of Article 42, in paragraph (1) of Article 43 and in Article 44 should be deleted.

Members present voted on the amendments to Article 41 to Article 44 as follows -

“Pour” (4)**Senators**

Le Maistre, Norman.

Deputies

Duhamel(S), G. Baudains(C).

“Contre” (40)**Senators**

Horsfall, Stein, Bailhache, Syvret, Kinnard.

Connétables

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

Deputies

Wavell(S), H. Baudains(C), Le Sueur(H), Coutanche(L), St. Mary, S. Baudains(H), Trinity, Pullin(S) Johns(H), Layzell(B), Breckon(S), Huet(H), St. Martin, St. John, Le Main(H), Blampied(H), Rabet(H), Crowcroft(H), Vibert(B), St. Peter, Dubras(L), St. Ouen, Le Claire(H).

Articles 45 to 49 were adopted.

THE STATES commenced consideration of Article 50 and rejected an amendment of Deputy Gerard Clifford Lemmens Baudains of St. Clement that after paragraph (1) there should be inserted the following paragraph -

- “(2) Any person who -
- (a) is intending to visit the Island;
 - (b) wishes to bring to the Island a firearm or ammunition to which Article 2 applies; and
 - (c) prior to his arrival in the Island, satisfies the Chief Officer that, in his country of residence, a person may be in possession of such a firearm or such ammunition without being the holder of a valid certificate issued by the appropriate authority in that country,
- may be issued with a permit under, and in accordance with the other provisions of, this Article.”

Members present voted as follows -

“Pour” (15)

Senators

Le Maistre, Norman.

Deputies

H. Baudains(C), Trinity, Duhamel(S), St. Martin, St. John, Le Main(H), Rabet(H), Crowcroft(H), Viber(B), St. Peter, St. Ouen, G. Baudains(C), Le Claire(H).

“Contre” (25)

Senators

Stein, Bailhache, Syvret, Kinnard.

Connétables

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

Deputies

Wavell(S), Le Sueur(H), Coutanche(L), St. Mary, S. Baudains(H), Pullin(S), Johns(H), Layzell(B), Huei(H), Blampied(H), Dubras(L).

THE STATES accepted an amendment of the Deputy of St. Martin that after paragraph (4) there should be inserted the following paragraphs -

- “(5) Any person aggrieved by a decision of the Chief Officer under this Article to -
- (a) refuse to issue a permit;
 - (b) impose conditions on the grant of a permit;
 - (c) add, vary or remove a condition attached to a permit; or

(d) cancel a permit,

may, within twenty-eight days after the day on which he receives notice of the refusal, condition, addition, variation, removal or cancellation, as the case may be, appeal to the Court.

(6) Paragraphs (2) and (3) of Article 55 shall apply *mutatis mutandis* to appeals under this Article.”.

THE STATES thereupon adopted Article 50 as amended.

Articles 51 to 61 and the Schedule were adopted.

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

Senator Stuart Syvret - attendance

Senator Stuart Syvret, having returned to the Island, arrived in the Chamber prior to the consideration of Article 28 of the Draft Firearms (Jersey) Law 199 and was present for the remainder of the meeting.

Inn on the Park site, St. Helier; future use - P.126/99 Amendment - P.157/99, Comments - P.126/99 Com.

THE STATES commenced consideration of a proposition of Deputy Terence John Le Main of St. Helier concerning the Inn on the Park: future use, and accepted an amendment of Deputy Terence Augustine Le Sueur of St. Helier that after the word “entertainment” there should be inserted the words “or for community,”. After discussion Deputy Le Main withdrew the proposition.

Cupressus Leylandii Trees - P.123/99 Comments P123/99 Com.

THE STATES commenced consideration of a proposition of Deputy Terence John Le Main of St. Helier concerning Cupressus Leylandii trees. After discussion Deputy Terence John Le Main withdrew the proposition, the President of the Planning and Environment Committee having undertaken to investigate issues relating to Cupressus Leylandii trees in conjunction with any other Committee involved.

Draft European Communities Legislation (Implementation) (Amendment) (Jersey) Law 199 - P.163/99

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the European Communities Legislation (Implementation) (Amendment) (Jersey) Law 1999.

Establishment of a Statistics User Group - P.142/99 Amendment - P.169/99

THE STATES commenced consideration of a proposition of the Policy and Resources Committee concerning the establishment of a Statistics User Group and accepted an amendment of the Policy and Resources Committee that in sub-paragraph (1)(c), after the words “for a period”, for the word “of” there should be substituted the words “not exceeding”.

THE STATES, adopting a proposition of the Policy and Resources Committee as amended -

- (1) approved the establishment, with effect from 1st January 2000, of a Statistics Users Group with the functions set out in the Report of the Committee dated 22nd September 1999 comprising -
 - (a) a Chairman to be appointed for a period of three years by the States on the recommendation of the Policy and Resources Committee, who shall be neither a member of the States nor an officer of a Department of the States;
 - (b) a Secretary who shall be the Head of Statistics of the Policy and Resources Department;
 - (c) up to ten regular members who shall be appointed for a period not exceeding three years by the Policy and Resources Committee from persons nominated by interested bodies; and
 - (d) up to three retained external experts, to be appointed by the Policy and Resources Committee in consultation with the Group;
- (2) agreed that the Joint Advisory Council be dissolved and accordingly rescinded their Act dated 24th September 1996 revising the constitution and terms of reference of the Council.

Draft Invalid Care Allowance (Jersey) Regulations 199 - P.172/99

THE STATES, in pursuance of Articles 15 and 17 of the Invalid Care and Disability Allowances (Jersey) Law 1978, as amended, made Regulations entitled the Invalid Care Allowance (Jersey) Regulations 1999.

Draft Harbours (Amendment No. 30) (Jersey) Regulations 199 - P.159/99

THE STATES, in pursuance of Article 4 of the Harbours (Administration) (Jersey) Law 1961, as amended, made Regulations entitled the Harbours (Amendment No. 30) (Jersey) Regulations 1999.

Draft Boats and Surf-Riding (Control) (Amendment No. 19) (Jersey) Regulations 199 - P.160/99

THE STATES, in exercise of the powers conferred on them by Article 4 of the Harbours (Administration) (Jersey) Law 1961, as amended made Regulations entitled the Boats and Surf-Riding (Control) (Amendment No. 19) (Jersey) Regulations 1999.

Draft Amendment (No. 22) to the Tariff of Harbour and Light Dues - P.161/99

THE STATES, in pursuance of Article 6 of the Harbour and Light Dues (Jersey) Law 1947 as amended,

commenced consideration of the draft Amendment (No. 22) to the Tariff of Harbour and Light Dues. After discussion the States agreed to defer further consideration of the matter until the next day, Thursday, 18th November 1999.

Jersey Financial Services Commission: appointment of Commissioners - P.166/99. Consideration in camera

The Bailiff, in pursuance of paragraph (1A) of Article 3 of the Financial Services Commission (Jersey) Law 1998 as amended, and in accordance with Standing Order 46(2), ordered the withdrawal of strangers and the closing of the doors of the Chamber in order that the appointment of the Commissioners of the Jersey Financial Services Commission be considered in camera.

THE STATES, having deliberated thereon in camera, proceeded to vote in public assembly and, adopting a proposition of the Finance and Economics Committee and in pursuance of Article 3 of the Financial Services Commission (Jersey) Law 1998, as amended, appointed the undermentioned persons as Commissioners of the Jersey Financial Services Commission, with effect from 1st December 1999 for the three-year period to 30th November 2002 -

Mr. Scott Jamieson Dobbie, C.B.E.;

Jurat John Claude Tibbo;

Mr. Andrew Winckler.

Adjournment

THE STATES then adjourned until the following day, Thursday, 18th November 1999.

The States rose at 6.08 p.m.

G.H.C. COPPOCK

Greffier of the States.