

THE STATES assembled on Tuesday,  
5th December 1995 at 9.30 a.m. under  
the Presidency of the Bailiff,  
Philip Martin Bailhache, Esquire

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

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All Members were present with the exception of -

Carlyle John Le Herissier Hinault,  
Connétable of St. John - excused.

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Prayers

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Subordinate legislation tabled

The following enactments were laid before the  
States, namely -

1. Pilotage (Dues and Fees)  
(Amendment No. 7) (Jersey) Order 1995.  
R & O 8888.
2. Collective Investment Funds  
(Unclassified Funds) (Prospectuses)  
(Amendment) (Jersey) Order 1995.  
R & O 8889.
3. Collective Investment Funds  
(Recognized Funds) (General Provisions)  
(Amendment No. 8) (Jersey) Order 1995.  
R & O 8890.

Matter noted - land transaction

THE STATES noted an Act of the Finance and  
Economics Committee dated 27th November 1995,  
showing that, in pursuance of Standing Orders

relating to certain transactions in land, the Committee had approved, as recommended by the Planning and Environment Committee, the lease to Mr. Bernard Anthony Copple of the undermentioned four plots of land at Les Mielles de Morville, La Grande Route des Mielles, St. Ouen, for a further period of three years from 28th February 1995, with an option to renew for a further term of three years, for the following rents -

- (a) £30 a year for the general grazing rights in respect of -
  - (i) an area of open land which incorporated Field No. 1565, St. Ouen (measuring approximately 47.5 vergées); and
  - (ii) land to the north of Les Laveurs slipway which incorporated Field No. 1321, St. Ouen (measuring approximately 9.5 vergées);
- (b) £80 a year for plot 102 comprising Fields Nos. 1580 and 1607, St. Ouen (measuring 14 vergées); and
- (c) £100 a year for plot 121 comprising Fields Nos. 1580 and 1607, St. Ouen (measuring 7.5 vergées);

subject to the same terms and conditions as at present with the following restrictions -

1. no pesticides (including weedkillers) or fertiliser to be applied to the land;
2. no ploughing or cultivation to be undertaken without prior consultation with the Conservation Officer; and
3. no trees or hedgerows to be damaged or removed.

Matter noted - acceptance of tender

THE STATES noted an Act of the Finance and Economics Committee dated 27th November 1995, showing that, in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that the Harbours and Airport Committee had accepted the lowest of four tenders, namely that submitted by Stansell QVC Limited, in the sum of £9,669,168 and a contract period of 60 weeks, for the construction of the new Departures Hall, Jersey

Airport.

Matters lodged

The following matters were lodged ``au Greffe" -

1. Television subtitling and bursaries in broadcast journalism - P.177/95.  
Presented by the Broadcasting Committee.
3. Licensing Law: proposed amendments - P.178/95.  
Presented by the Tourism Committee.

The following matters were lodged ``au Greffe" on 28th November 1995 -

1. Draft Public Service Vehicles (Fees) (Amendment No. 6) (Jersey) Regulations 199 - P.172/95.  
Presented by the Defence Committee.
2. Draft Island Planning (Amendment No. 7) (Jersey) Law 199 - P.173/95.  
Presented by the Planning and Environment Committee.
3. Draft Parish Rate (Administration) (Amendment No. 6) (Jersey) Law 1995 (Appointed Day) Act 199 - P.174/95.  
Presented by the Legislation Committee.
4. St. Helier Waterfront Development (P.156/95): amendment - P.175/95.  
Presented by the Connétable of St. Helier.
5. Draft Pilotage (General Provisions) (Amendment No. 6) (Jersey) Regulations 199 - P.176/95.  
Presented by the Harbours and Airport Committee.

Yacht Marina, West of Albert Pier: business plan. P.160/95 (Revised) - withdrawn

THE STATES noted that Senator Nigel Lewis Quérée had withdrawn his proposition regarding a

business plan for the yacht marina, west of the Albert Pier (lodged ``au Greffe" on 7th November 1995).

Arrangement of public business for the next meeting on 12th December 1995

THE STATES confirmed that the following subjects lodged ``au Greffe" would be considered at the next meeting on 12th December 1995 -

St. Helier Waterfront Development - P.156/95.  
Lodged: 7th November 1995.  
Policy and Resources Committee.

St. Helier Waterfront Development (P.156/95): amendment - P.175/95.  
Lodged: 28th November 1995.  
Connétable of St. Helier.

2 to 10 Halkett Place and 21 and 23 Hill Street, St. Helier: redevelopment - P.161/95.  
Lodged: 21st November 1995.  
Planning and Environment Committee.

Taxis and cabs in Jersey: re-organisation - P.154/95.  
Lodged: 7th November 1995.  
Public Services Committee.

States members: part reimbursement of Class 2 social security contributions - P.168/95.  
Lodged: 21st November 1995.  
House Committee.

Draft Gambling (Amendment No. 4) (Jersey) Law 199 - P.170/95.  
Lodged: 21st November 1995.  
Gambling Control Committee.

Centrepoint II, Green Street, St. Helier: purchase of St. Helier Day Nursery - P.171/95.  
Lodged: 21st November 1995.  
Planning and Environment Committee.

Draft Public Service Vehicles (Fees) (Amendment No. 6) (Jersey) Regulations 199 - P.172/95.  
Lodged: 28th November 1995.  
Defence Committee.

Draft Parish Rate (Administration) (Amendment No. 6) (Jersey) Law 1995 (Appointed Day) Act 199 - P.174/95.  
Lodged: 28th November 1995.

Legislation Committee.

Draft Pilotage (General Provisions)  
(Amendment No. 6) (Jersey) Regulations  
199 - P.176/95.  
Lodged: 28th November 1995.  
Harbours and  
Airport Committee.

Ann Street Brewery Company Limited - questions  
and answers (Tape No. 315)

Deputy Philip John Rondel of St. John asked  
Senator Pierre François Horsfall, President of  
the Finance and Economics Committee, the  
following questions -

1. Would the President inform the States as to the amount of shares in Ann Street Brewery Company Limited that are owned by the States of Jersey, or by funds which are administered on behalf of the States, and what percentage do these holdings represent of the share capital of Ann Street Brewery Company Limited?
2. Is the President able to confirm that Ann Street Brewery Company Limited has a shareholding in Les Pas Holdings Limited? If so, and given that the States are in dispute with Les Pas Holdings Limited regarding ownership of the foreshore around St. Helier, does the President feel it right that the States should continue to have investments in Ann Street Brewery Company Limited?"

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

1. The States of Jersey owns 43,500 of the Redeemable Convertible 2nd Preference shares of £1 each. The holding represents 7.3 per cent of that class of authorised share capital issued by the company.

There are other investments in the company's shares in the Treasurer of the States' custody but these are held on behalf of two charitable trusts and a closed pension fund and, while they may be held in the Treasurer's or States' name, they are not and cannot be administered for the States' benefit but only for the benefit of the

respective beneficiaries.

2. I understand that, at the Annual General Meeting of the Ann Street Brewery Company Limited, last July, the Chairman and Managing Director, in reply to a question from a shareholder, said that the company owned 16,666 shares in Les Pas Holdings Limited.

With regard to the second part of the Deputy's question, the Finance and Economics Committee has indeed discussed this very issue but the matter is not, in all cases, as straightforward as it may seem and the Committee has deferred a final conclusion for a report from its officers who have been discussing matters with the Crown Officers particularly in the cases where investments in the company have been willed to the Treasurer's custody in a trust form.

There is also the aspect which representatives of the electorate and the trustees of any charitable fund have to bear in mind regarding the benefit of the investments held for its beneficiaries. There must be sound financial reasons for trustees to dispose of shares, not merely political views, and any disposal of the company's shares must be in the financial best interest of the beneficiaries. In this respect, it is considered that the investment in the company is a satisfactory one. The annual dividend yield has proved to be consistent and good; the dividend on ordinary shares has, in fact, steadily increased as has the capital of the company and its reserves. The annual yield on the Preference shares held by the States and the trusts is effectively 10 per cent. These aspects, together with legal advice, are some of the main factors which will have to be weighed by the Committee in coming to a decision in this matter."

## Budget 1996

THE STATES commenced consideration of the Budget for the financial year commencing 1st January 1996, which, in accordance with Article 16 of the Public Finances (Administration) (Jersey) Law 1967, as amended, had been presented to the

Assembly on 14th November 1995, by the Finance and Economics Committee and comprised -

- (i) the estimate of the revenue expenditure and of the income of the Committees of the States;
- (ii) the estimate of the transactions of the capital fund;
- (iii) the estimate of the transactions of the trading funds; and
- (iv) the report of the Finance and Economics Committee thereon.

THE STATES, having considered the estimates of the revenue expenditure and of the income of the various Committees, decided to allow the said estimates as detailed in the undermentioned pages of the Budget as follows -

Policy and Resources Committee - Page 2.

Finance and Economics Committee - Pages 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11.

Defence Committee - Pages 12, 13, 14 and 15.

Public Services Committee - Pages 16, 17, 18, 19, 20, 21, 22 and 23.

Education Committee - Pages 24, 25, 26, 27, 28, 29, 30 and 31.

Health and Social Services Committee - Pages 32, 33, 34 and 35.

Agriculture and Fisheries Committee - Pages 36 and 37.

Tourism Committee - Pages 38 and 39.

Employment and Social Security Committee - Pages 40 and 41.

Planning and Environment Committee - Pages 42 and 43.

Housing Committee - Pages 44 and 45.

Establishment Committee - Pages 46 and 47.

Prison Board - Pages 48 and 49.

Sport, Leisure and Recreation Committee - Pages 48 and 49.

Etat Civil Committee - Pages 50 and 51.

Cottage Homes Committee - Pages 50 and 51.

Gambling Control Committee - Pages 50 and 51.

Legislation Committee - Page 50.

Overseas Aid Committee - Page 52.

Broadcasting Committee - Pages 52 and 53.

Industrial Relations Committee - Page 52.

Occupation and Liberation Committee - Page 52.

House Committee - Page 54.

Harbours and Airport Committee - La Collette Reclamation Scheme - Pages 54 and 55.

Special Committee on Freedom of Information - Page 54.

#### TRADING COMMITTEES

Harbours and Airport Committee - Pages 56 and 57.

Telecommunications Board - Page 58.

Committee for Postal Administration - Page 59.

THE STATES, referring to the summary of income and revenue expenditure appearing on page 69 agreed the total revenue expenditure in the sum of £392,274,300; the total income from Committees in the sum of £170,701,000; and having allowed for the total investment income in the sum of £7,000,000 and the estimated transfer to trading funds of £5,343,900, agreed the amount to be transferred to the general reserve in the sum of £11,000,000.

THE STATES noted that on the basis of levels of taxation proposed by the Finance and Economics Committee the surplus on the revenue account to be transferred to the capital fund amounted to £32,138,500.

Having allowed for a balance of £21,064,900 to be brought forward at 1st January 1996, the transfer from the strategic reserve of £5,000,000, and taking into account the capital repayments and receipts of £22,438,000, the States noted that there would be available in



the capital fund the sum of £80,641,400. The States then proceeded to consider the estimates of capital expenditure recommended by the Finance and Economics Committee on pages 62 and 63 of the Budget and -

#### NON-TRADING COMMITTEES

The estimate of the capital expenditure of the Finance and Economics Committee appearing on page 62 of the Budget was allowed.

The estimate of the capital expenditure of the Defence Committee appearing on page 62 of the Budget was allowed.

The estimate of the capital expenditure of the Public Services Committee appearing on page 62 of the Budget was allowed.

The estimate of the capital expenditure of the Education Committee appearing on page 62 of the Budget was allowed.

The estimate of the capital expenditure of the Health and Social Services Committee appearing on page 62 of the Budget was allowed.

The estimate of the capital expenditure of the Establishment Committee appearing on page 62 of the Budget was allowed.

The estimate of the capital expenditure of the Planning and Environment Committee appearing on page 62 of the Budget was allowed.

The estimate of the capital expenditure of the Housing Committee appearing on page 63 of the Budget was allowed.

The estimate of the capital expenditure of the Sport, Leisure and Recreation Committee appearing on page 63 of the Budget was allowed.

#### TRADING COMMITTEES

The estimate of the capital expenditure of the Harbours and Airport Committee appearing on page 63 of the Budget was allowed.

THE STATES having terminated the discussion on the capital estimates noted that the amount to be voted from the capital fund

was £44,702,000 (with a transfer to the capital fund from the strategic reserve of £10,000,000)

THE STATES then proceeded to consider the estimates of capital expenditure to be financed from the trading funds on page 64 of the Budget and -

The estimate of the capital expenditure of the Harbours and Airport Committee appearing on page 64 of the Budget was allowed.

The estimate of the capital expenditure of the Telecommunications Board on page 64 was allowed.

The estimate of the capital expenditure of the Committee for Postal Administration appearing on page 64 of the Budget was allowed.

THE STATES, having noted the estimated transactions of the trading funds, decided to allow the said estimates as detailed in the undermentioned pages of the Budget as follows -

#### TRADING FUNDS

Harbours - Page 60

Airport - Page 60

Telecommunications Board - Page 61

Committee for Postal Administration - Page 61.

THE STATES considered the estimates of income to be produced from taxation appearing on page 67 of the Budget and agreed the estimate as follows -

	£	£
Impôts on spirits	4,272,000	
Impôts on wines	3,020,000	
Impôts on beer	1,915,000	
Impôts on tobacco	8,403,000	
Impôts on motor fuel	5,345,000	
Goods imported into the Island	500,000	23,455,000

Income tax 225,300,000

THE STATES adopted in second reading a Bill to continue certain expiring fiscal Laws; to prescribe the standard rate of income tax for the year nineteen hundred and ninety-six; to amend further the law relating to income tax to increase certain personal allowances and reliefs, and with regard to the delivery of certain statements and returns to the Comptroller, the deduction of tax from certain payments not made out of profits or gains already taxed, the taxation of certain payments to foster parents and the exemption from tax for certain friendly societies, and in respect of annuity contracts; and to amend the laws relating to beer duty; and to increase tobacco duty and oils and spirits duty.

The said Bill was lodged ``au Greffe".

THE STATES, in pursuance of Article 25 of the Public Finances (Administration) (Jersey) Law 1967, as amended, have declared that the Bill to continue certain expiring fiscal Laws; to amend further the law relating to income tax to increase certain personal allowances and reliefs, and with regard to the delivery of certain statements and returns to the Comptroller, the deduction of tax from certain payments not made out of profits or gains already taxed, the taxation of certain payments to foster parents and the exemption from tax for certain friendly societies, and in respect of annuity contracts; and to amend the laws relating to beer duty; and to increase tobacco duty and oils and spirits duty (which Bill has this day been lodged ``au Greffe"), shall immediately have effect as if it were a Law passed by the States and sanctioned by Her Majesty in Council.

THE STATES having terminated the discussion on the Budget agreed the summary of the estimated income and revenue expenditure for 1996 appearing on page 69 of the Budget as follows -

INCOME

	£	£
Taxation		248,755,000
Committees		170,701,000
Investment Income		7,000,000
		426,456,000
LESS		

Revenue expenditure	392,274,300
Estimated transfer	
to trading funds	5,343,900
	397,618,200
	28,837,800

ADD

Estimated surplus	
brought forward at	
1st January 1996	14,300,700
	43,138,500

APPROPRIATION TO RESERVES

General reserve	11,000,000
Balance to be	
transferred to	
capital fund	32,138,500

THE STATES further agreed the estimated transactions of the capital fund for 1996 as follows -

Estimated balance brought forward	
1st January 1996	21,064,900

Transfer from strategic reserve	5,000,000
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Capital repayments and receipts	22,438,000
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Estimated balance on revenue	
account	32,138,500
(as above)	80,641,400

Capital expenditure	44,702,000
Less: Transfer from strategic	
reserve	10,000,000
	34,702,000

PLUS: Loan sanction repayments	10,700,000	45,402,000
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Estimated balance in hand at	
31st December 1996	£35,239,400

Health and Safety Appeal Tribunal: appointment of members

THE STATES, adopting a proposition of the Employment and Social Security Committee, appointed the undermentioned as members of the Health and Safety Appeal Tribunal, in pursuance of Article 17 of the Health and Safety at Work (Jersey) Law 1989 and the Health and Safety at Work (Appeal Tribunal) (Jersey) Regulations

1989, for a period of three years commencing 1st  
January 1996 -

Advocate Geoffrey Le Vesconte  
Fiott, Chairman  
Advocate Charles Malcolm Belford Thacker,  
Deputy Chairman  
Mr. David Le Marquand  
Mr. John William Gollop.

Boats and Surf-Riding (Control) (Amendment  
No. 12) (Jersey) Regulations 1995 - P.162/95

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. 12) (Jersey)  
Regulations 1995.

Harbours (Amendment No. 24) (Jersey) Regulations  
1995 - P.163/95

THE STATES, in pursuance of Article 4 of the  
Harbours (Administration) (Jersey) Law  
1961, as amended, made Regulations entitled the  
Harbours (Amendment No. 24) (Jersey) Regulations  
1995.

Draft Amendment (No. 18) to the Tariff of  
Harbour and Light Dues - P.164/95

THE STATES, in pursuance of Article 6 of the  
Harbour and Light Dues (Jersey) Law 1947, as  
amended, approved the draft Amendment (No. 18)  
to the Tariff of Harbour and Light Dues.

Plat Douet School, St. Saviour - extension and  
refurbishment: approval of drawings - P.165/95

THE STATES, adopting a proposition of the  
Education Committee -

- (a) approved drawings Nos. 2945/RS17,  
2945/WD12 to 15, 2945/WD18 and 19,  
2945/WD21 and 22 and 2945/WD24 showing  
the proposed alterations and extensions  
to Plat Douet School, St. Saviour; and
- (b) authorised the Greffier of the States  
to sign the said drawings on behalf of  
the States.

La Collette Yacht Basin, St. Helier -  
reconstruction of showers and toilets: approval

of drawings - P.166/95

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

- (a) approved drawings Nos. 2960/01, 2960/02 and 2960/03 showing the proposed reconstruction of showers and toilets at La Collette Yacht Basin, St. Helier;
- (b) authorised the Greffier of the States to sign the said drawings on behalf of the States.

Elizabeth Harbour Terminal extensions: approval of drawings - P.167/95

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

- (a) approved drawings Nos. 2848/207, 2848/208, 2848/209 and 2848/210 showing the proposed alterations and extensions to the Elizabeth Harbour terminal;
- (b) authorised the Greffier of the States to sign the said drawings on behalf of the States.

Family Allowances (Jersey) Regulations 1995 - P.169/95

THE STATES, in pursuance of Article 7 of the Family Allowances (Jersey) Law 1972, as amended, made Regulations entitled the Family Allowances (Jersey) Regulations 1995.

THE STATES rose at 5.20 p.m.

G.H.C. COPPOCK

Greffier of the States.