

THE STATES assembled on Tuesday,
15th January 1991 at 10.15 a.m. under
the Presidency of the Deputy Bailiff,
Vernon Amy Tomes, Esquire.

His Excellency the Lieutenant Governor,
Air Marshal Sir John Sutton, K.C.B.,
was present.

All Members were present with the exception
of -

Leonard René Hamel, Connétable of St.
Clement - ill.
Iris Medora Le Feuvre, Connétable of
St. Lawrence - out of the Island.
Richard Winter Le Sauteur, Connétable
of Grouville - out of the Island.
Ronald Winter Blampied, Deputy of St.
Helier - out of the Island.
Maurice Clement Buesnel, Deputy of St.
Helier - ill.
Percy John Le Masurier, Deputy of St.
Ouen - out of the Island.

Prayers

The President administered the oath
of office to the newly-appointed Greffier
of the States, Ronald Stanley Gray,
Esquire.

Subordinate legislation tabled

The following enactments were laid
before the States, namely -

1. Motor Vehicles (Driving Licences)
(Amendment No. 3) (Jersey) Order
1990. R & O 8152.
2. Motor Vehicles (Construction and
Use) (Amendment No. 24) (Jersey)

Order 1990. R & O 8153.

3. Post Office (Foreign Post Provisions) (Amendment No. 18) (Jersey) Order 1990. R & O 8154.
4. Post Office (Foreign Parcel Post Provisions) (Amendment No. 12) (Jersey) Order 1990. R & O 8155.
5. Pilotage (Dues and Fines) (Amendment No. 2) (Jersey) Order 1990. R & O 8156.
6. Import and Export (Control) (Amendment No. 5) (Jersey) Order 1991. R & O 8157.
7. Importation of Equine Animals (Amendment No. 5) (Jersey) Order 1991. R & O 8158.
8. Miscellaneous Diseases of Animals (Jersey) Order 1991. R & O 8159.

La Caroline, La Grande Rue, St. Mary
(P.125/90): report. P.1/91

The Island Development Committee by Act dated 29th November 1990, presented to the States a report on the site known as 'La Caroline', on La Grande Rue, St. Mary.

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

Housing needs - Special Committee:
report. P.3/91

The Committee of Inquiry into the future housing needs of the Island presented its report to the States.

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

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 10th December 1990, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved -

- (a) as recommended by the Agriculture and Fisheries Committee, the lease to Mr. Charles Anthony Fossey of an area of 2.35.00 vergées of land at La Grande Maison, St. Catherine, for a period of one year from 1st January 1991, at an annual rent of #575 representing #200 a vergée;
- (b) as recommended by the Agriculture and Fisheries Committee the lease to Mr. Mark Le Quesne and Mr. Alan Douglas Le Quesne of an area of 6.36.00 vergées of land at La Grande Maison, St. Catherine, for a period of one year from 1st January 1991, at an annual rent of #1,656, representing #240 a vergée;
- (c) as recommended by the Public Health Committee, the lease to Mr. Barry Clement Rondel of Field 1547, Westmount, St. Helier, for the period of one year from 1st January 1991, at an annual rent of #60;
- (d) as recommended by the Education Committee, the lease from Mrs. Eileen Mary Gaudin, née Le Sueur and Mrs. Jennifer McMullon, née Gaudin of two three-bedroomed properties at 1 and 2 Belle Rive Villas, Le Hocq Lane, St. Clement, for a period of two years, commencing 1st August 1990, at a rent of #130 a week each, with an option to renew for a third year, subject to a rent review at the beginning of the third year;
- (e) as recommended by the Housing Committee the grant to The Jersey Electricity Company Limited of a servitude in perpetuity, free of charge, for the high tension cable at Orchid Court, St. Helier, in accordance with Plan No. 24L, with each party being responsible for the payment of its own legal costs;
- (f) as recommended by the Housing Committee, the grant of a servitude to Fairview Farm Limited to link the drainage for a

development of 16 flats, in accordance with Drawing No. 1266/2 in Field 673, Rue du Trot, St. Martin, to the head of the drain within the Maufant Estate, for the sum of #250 for each of the 16 units, with the company being responsible for the payment of all legal fees;

(g) as recommended by the Public Health Committee the lease from Mrs. Clara Altstadt née Mayer of Flat 4, Theresa Court, Old St. John's Road, St. Helier for a period of three years from 12th November 1990 at an annual rent of #5,460, subject to annual increases in line with the Jersey Cost of Living Index;

(h) as recommended by the Public Health Committee, the lease from Mrs. Anne Dorothy Taylor, née Brooksbank of the two-bedroomed property La Cachette, Route de Catillon, Grouville, for a period of one year from 8th December 1990 at a rent of #170 a week.

Matter noted - financial transaction

THE STATES noted an Act of the Finance and Economics Committee dated 10th January 1991, showing that in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that the Housing Committee had accepted the lowest of five tenders, namely that submitted by R.J. Wilkinson in the sum of #449,831 in a contract period of 42 weeks for the construction of three two-bedroomed houses and two three-bedroomed houses, each with garage at Balleine Close, St. Clement.

Matters lodged

The following subjects were lodged
``au Greffe" -

1. Lodging houses and seasonal workers' accommodation: guidelines. P.2/91. Presented by the Public Health Committee.

2. Draft Housing (General Provisions)
(Amendment No.) (Jersey)
Regulations 199 - price control.
P.4/91.
Presented by the Housing
Committee.

THE STATES noted that in pursuance of Standing Order 17(6) the following subjects, which were lodged ``au Greffe'', had been withdrawn -

1. West of Albert Pier reclamation site: development: sub-paragraph (a). P.53/89.
Lodged: 2nd May 1989.
Public Services Committee.
2. Rezoning of land for Category A housing. P.57/89.
Lodged: 9th May 1989.
Island Development Committee.
3. Rezoning of land for Category A housing (P.57/89): amendment. P.2/90.
Lodged: 9th January 1990.
Agriculture and Fisheries Committee.
4. West of Albert Pier: temporary building for agricultural produce. P.158/89.
Lodged: 12th December 1989.
Agriculture and Fisheries Committee.

Arrangement of Public Business for the present Sitting

THE STATES confirmed that the following subjects lodged au Greffe should be considered at the present Sitting -

Draft Finance (Jersey) Law 199 .
P.191/90.
Lodged: 4th December 1990.
Finance and Economics
Committee.

Draft Road Traffic (No. 39)
(Jersey) Regulations 199 . P.193/90.
Lodged: 11th December 1990.
Defence Committee.

Langford, Mont Millais, St.
Helier: purchase. P.194/90.
Lodged: 11th December 1990.

Island Development Committee.

Lighting of main roads in St.
Helier. P.195/90.
Lodged: 11th December 1990.
Public Services Committee.

Draft Census (Jersey)
Regulations 199 . P.192/90.
Lodged: 11th December 1990.
Etat Civil Committee.

Arrangement of Public Business for
the next Sitting on 29th January 1991

THE STATES confirmed that the
following subjects lodged au Greffe should
be considered at the next Sitting on 29th
January 1991 -

Sex discrimination. P.135/90.
Lodged: 11th September 1990.
Senator C. Stein.

Lodging houses and seasonal
workers' accommodation: guidelines.
P.2/91.
Lodged: 15th January 1991.
Public Health Committee.

Draft Housing (General
Provisions) (Amendment No.)
(Jersey) Regulations 199 - price
control. P.4/91.
Lodged: 15th January 1991.
Housing Committee.

Credit transactions. Questions and
answers

Senator Terence John Le Main asked
Senator Pierre François Horsfall, President
of the Finance and Economics Committee
the following questions -

Question 1

``Will the President inform the House
whether his Committee intends to
exercise stricter control over
companies, banks, financial
institutions and retailers in respect
of the offering of instant credit to
customers?''

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

“I am not aware that there are widespread problems at present arising in this area that would justify the complex legislation that would be required to effect the control to which the Senator has referred and which does not exist in the United Kingdom legislation.”

Senator Le Main

Question 2

“Will the President consider promoting legislation in relation to offers of credit facilities to protect the customer by requiring certain information to be clearly stated, e.g. monthly amounts of repayments, total cost, annual percentage rate of interest, total interest payable as a separate figure from amount of loan?”

President, Finance and Economics Committee

“Such legislation would be similar to the United Kingdom's Consumer Credit Act and would involve a considerable amount of law drafting time and several staff to administer. The legislation is intricate and not readily distilled into simpler terms. However, the majority of institutions making credit available in Jersey are United Kingdom based and often voluntarily provide such information to their customers, and I am sure it would be helpful to customers if this were to be adopted generally.”

Senator Le Main

Question 3

“Will the President also consider making provision for the protection of customers by requiring the inclusion of a warning not to sign an agreement unless the customer is sure that he can afford the repayments, and provision for there to be a cooling off period during which the customer could decide not to proceed with the transaction?”

President, Finance and Economics Committee

“Provision could be made in relevant legislation for warning notices and for cooling off periods. It would be

for consideration also, however, whether these and other aspects referred to in the previous question should not be dealt with as part of a general review of consumer protection in the Island. There are numerous areas where consumer protection laws have been enacted in the United Kingdom but not followed here and much of that legislation is inter-connected. It would be appropriate therefore to obtain an overview of the legislation before deciding to implement any one part of it. The wide ranging nature of the legislation would suggest that a number of Committees would be involved, and how the matter may then be progressed is something I shall be happy to discuss with the President of the Policy and Resources Committee, whom I know already has these matters under active consideration."

Visiting yachtsmen, berth and marina facilities. Questions and answers

Senator Terence John Le Main asked Senator Bernard Thomas Binnington, President of the Harbours and Airport Committee the following questions -

Question 1

"Can the President inform the House of the amount of revenue derived during 1989 from visiting yachtsmen, i.e. in respect of mooring fees, shopping, restaurants, etc., and can he also confirm that Guernsey received revenue amounting to £7.9 million from such sources in the same year?"

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

"It is estimated that the amount of revenue derived from visiting yachtsmen in 1989 amounted to between #8-#9 million. This figure is calculated using the number of visiting yachtsmen and multiplying that number by a figure obtained from the Economic Adviser's office as a result of a survey of the spending patterns of the visiting yachtsmen. The figure of #7.9 million which is quoted as the revenue received by Guernsey in that year from similar

sources was obtained from a report published by the Guernsey Tourism Department and as a result of a survey conducted in that year by a company employed by them."

Senator Le Main

Question 2

"Can the President inform the House how many local berths there are in all sheltered harbours and marinas in Jersey and what is the amount of the annual revenue derived from these berths?"

President, Harbours and Airport Committee

"There are 1,544 berths in local harbours and marinas allocated to local yachtsmen and the annual revenue derived during the year 1990 from these berths amounted to #81,433."

Senator Le Main

Question 3

"Can the President indicate how long it is likely to be before another marina is built in Jersey, where it will be and how many berths it will provide?"

President, Harbours and Airport Committee

"It is difficult under present circumstances to indicate how long it will be before another marina is constructed in Jersey, as this matter is presently being considered by the Island Development Committee's advisers, Andrews Downie and Partners, and will therefore be included in their report which will be debated by the States some time this year. The Harbours and Airport Committee has since 1986 had plans to construct a 1,000 yacht marina west of the Albert Pier."

Supplementary question and answer

Senator Le Main - "Is it wise to continue to proceed with the investigation into a 1,000 yacht marina west of the Albert Pier before

coming back to this House for some indication whether this House would be in approval of building such a marina so close to Elizabeth Castle?"

President, Harbours and Airport Committee - "The investigations were conducted in 1986 and in fact took the form of an engineering feasibility study and an Economic Adviser's economic feasibility study. No further investigations are being undertaken but the whole matter is now in the hands of the Island Development Committee and their associates and their advisers to see whether it is right for the marina to be built there or elsewhere along the south coast."

Senator Le Main

Question 4

"Will the President consider the provision of extra marina facilities as a matter of urgency to provide Jersey with an additional source of income, having regard to the recession which exists in the United Kingdom?"

President, Harbours and Airport Committee

"My Committee does consider that the provision of extra marina facilities is a matter of urgency, not only as an additional source of income but having due regard to the considerable demand for these facilities in the Island both from visitors and residents alike."

Estate agents valuation fees.

Question and answer

Senator Corrie Stein asked Senator Pierre François Horsfall, President of the Finance and Economics Committee the following question -

"Will the President inform the House of the total amount of valuation fees paid to local estate agents by each Committee for the year 1990?"

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

``The expenditure during the year 1990 on property valuations carried out by local estate agents amounts to #57,833 made up as follows -

Defence Committee	#1,380
Public Services Committee	#432
Education Committee	#6,153
Public Health Committee	#10,965
Social Security Committee	#5,000
Island Development Committee	#5,298
Housing Committee	#27,085
Harbours and Airport Committee	#1,520

The practice for such valuations in the future may well be modified, of course, by the current review being undertaken by the Policy and Resources Committee of the Land Office and Property Management Department."

Supplementary questions and answers

Senator J.S. Rothwell - ``Could the President tell us how much of the expenditure in this respect by the Housing Committee totalling #27,085 is due to the exercise of price control?"

President, Finance and Economics Committee - ``I am afraid I will have to have notice of that question. I cannot answer it, the President of Housing may, but I certainly cannot, but I could at a later date."

Senator R.J. Shenton - In view of the word `local' being used in the question, were there any fees paid out to other than `local' estate agents, i.e. other valuers. We seem to have so many specialists these days coming along that I just wonder if perhaps the `local' context is, shall we say, not taking account of perhaps fees that have been paid to people based outside of the Island?"

President, Finance and Economics Committee - ``I do not know how much would have been paid, but certainly there would have been fees paid for example, to the negotiator employed by the Policy and Resources Committee on the commercial site acquisitions in the town. It would be possible to provide that answer at a later time.

The question specifically related to local estate agents and I have to admit that the point made by Senator Shenton had escaped me, but certainly it has to be that there would have been some fees paid outside of the Island in relation to the acquisition of commercial sites, but also I would add that somebody asked about the Housing Committee, of course the Housing Committee would have incurred a large number of fees in relation to the site acquisitions which have been quite numerous in recent years as a result of P.57 but also other houses and properties that have been bought by the Housing Committee, I would have expected that figure to be quite high."

Senator C. Stein - ``Do we confine ourselves to one practice or do we use more and do we also pay a concessionary fee to those or that estate agent, or do we pay the normal going fees?"

President, Finance and Economics Committee - ``We use a number of estate agents, they have to be professionally qualified in the skill of valuation, we have actually used five different agents in the past year to provide valuations, but these can be for various reasons, such as a speciality, for example agricultural land, you would perhaps go to a different valuer than you might if it was a commercial property, and the other thing of course, the choice of agent can sometimes be dictated by the fact that the vendor will ask for the independent valuation, it has to be independent, therefore if the vendor has himself or herself retained a valuer, then it cannot be that one, so it does mean that we have to move around a number of valuers. The fees paid are normally the scale fee, though on occasion we do have a discounted fee, but in the main they are the scale fee which is .25 of a per cent."

Public Employees Contributory Retirement Scheme: Committee of Management - appointment of member

THE STATES adopting a proposition of

the Establishment Committee, approved, in accordance with Regulation 3(2) of the Public Employees (Contributory Retirement Scheme) (General) (Jersey) Regulations 1989, the appointment of Senator R.J. Shenton as a member of the Committee of Management for the remainder of the period ending 31st December 1991.

Manual Workers' Joint Council:
Employers' Side Membership - appointment of members

THE STATES adopting a proposition of the Establishment Committee, in accordance with an Act of the States dated 9th November 1961, concerning the membership of the Manual Workers' Joint Council, approved the nomination of the six representatives of the States to serve as Members of the Employers' Side, as follows -

Senator R.J. Shenton
Senator J.S. Rothwell
Senator Corrie Stein
Deputy S.M. Baudains
Deputy T.J. Jordan
Deputy F.H. Walker.

St. Martin's School extension

THE STATES adopting a proposition of the Education Committee -

- (a) approved Drawing No. 2708/52a showing the construction of a new nursery unit at St. Martin's School;
- (b) authorised the Greffier of the States to sign the said Drawing on behalf of the States.

Suspension of Standing Order No. 18

THE STATES adopting a proposition of the Harbours and Airport Committee, agreed to suspend Standing Order No. 18 in order to allow the proposition of that Committee regarding the appointment of members to the Jersey Transport Authority to be considered at the present Sitting.

Jersey Transport Authority:
appointment of members

THE STATES, adopting a proposition of the Harbours and Airport Committee referred to their Acts dated 10th June 1980 and 5th May 1987 regarding the constitution of the Jersey Transport Authority and appointed the following as members of the Authority -

Senator R.R. Jeune, O.B.E.
Deputy T.J. du Feu of St. Peter
Deputy R.E.R. Rumboll of St.
Helier.

Finance (Jersey) Law 1991. P.191/90

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Finance (Jersey) Law 1991.

Road Traffic (No. 39) (Jersey)
Regulations 1991. P.193/90

THE STATES in pursuance of the powers conferred on them by the Order in Council of the twenty-sixth day of December 1851 and Article 49 of the Road Traffic (Jersey) Law 1956, as amended, made Regulations entitled the Road Traffic (No. 39) (Jersey) Regulations 1991.

Langford, Mont Millais, St. Helier:
purchase. P.194/90

THE STATES, adopting a proposition of the Island Development Committee -

- (a) approved the purchase from Mr. David Alfred Bisson and Mrs. Marjorie Mary Bisson, née Hamel, of the property known as Langford, Mont Millais, St. Helier for the agreed sum of #2,160,000, the agreement being conditional on the public meeting the vendor's costs involved in the sale and the contract being passed by the Royal Court before 1st February 1991;
- (b) authorised the payment or discharge of the expense to be incurred in connexion with the acquisition of the said land and all interests therein and the payment of all legal expenses from the Island Development Committee's

vote of credit ``Acquisition of
Land - Major Reserve" (Vote No.
C0904);

(c) authorised the Attorney General
and the Greffier of the States to
pass on behalf of the public any
contracts which might be found
necessary to pass in connexion
with the said properties and any
interests therein.

Lighting of main roads in St.
Helier. P.195/90

THE STATES, adopting a proposition
of the Public Services Committee approved
the provision of an annual grant in the sum
of #50,000, to the Parish of St. Helier
which amount would be subject to regular
review, to assist with the cost of the
provision of street lighting in the Parish
of St. Helier.

Census (Jersey) Regulations 1991.
P.192/90

THE STATES, having accepted an
amendment of the Etat Civil Committee that
in Regulation 11, paragraph 1, sub-
paragraph (b) should be deleted and sub-
paragraph (c) re-lettered (b), and in
pursuance of Article 2 of the Census
(Jersey) Law 1951, made Regulations
entitled the Census (Jersey) Regulations
1991.

THE STATES rose at 12.05 p.m.

R.S. GRAY

Greffier of the States.