

**THE STATES assembled on Tuesday,
4th July 2000 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

All members were present with the exception of -

Senator Nigel Lewis Quérée - out of the Island
Francis Herbert Amy, Connétable of Grouville - out of the Island
Henry George Coutanche, Connétable of St. Lawrence - ill
Harry Hallelwell Baudains, Deputy of St. Clement - out of the Island

Prayers read by the Bailiff

Distinguished visitors

The Bailiff, on behalf of the members of the States, welcomed to the Assembly His Excellency the Lieutenant-Governor, General Sir Michael Wilkes, KCB, CBE, and His Excellency Monsieur Daniel Bernard, CMG, CBE, Ambassador of France at the Court of St. James, who this day were to sign the Agreement between the United Kingdom and France on the Establishment of a Maritime Boundary and the Agreement concerning Fishing in the Bay of Granville.

Her Majesty The Queen Mother - Loyal Address

The Bailiff informed the Assembly that, following discussions with his Consultative Panel, the text of a Loyal Address to Her Majesty Queen Elizabeth The Queen Mother had been prepared on the occasion of her 100th Birthday and it was intended that this would be moved by Senator Pierre François Horsfall at the States meeting on 18th July 2000. It was proposed that there would also be a short ceremony in the Royal Square on 4th August 2000 in order to allow members of the public to express their respect and affection for Her Majesty.

Interception of Communications (Jersey) Law 1993: report of the Commissioners for 1999 - R.C.27/2000

The Bailiff presented to the States the annual report of the Commissioner, Sir John Nutting, Bt., Q.C., made under the Interception of Communications (Jersey) Law 1993, and advised that the confidential appendix to the Report was not being published.

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

Subordinate legislation tabled

The following enactments were laid before the States, namely -

Gorey Fête (Jersey) Order 2000 R & O 55/2000.

Road Traffic (Saint Mary) (Jersey) Order 2000 R & O 56/2000.

Public Finances (General) (Amendment No. 21) (Jersey) Rules 2000 R & O 57/2000.

Harbours and Airport Committee - resignation of member

THE STATES accepted the resignation of the Connétable of St. Helier, from the Harbours and Airpor Committee.

Matters presented

The following matters were presented to the States -

Committee of Inquiry into building costs: interim report - R.C.25/2000.

Presented by the Committee of Inquiry.

States of Jersey Law 1966, as amended: delegation of functions - water pollution - R.C.26/2000.

Presented by the Public Services Committee.

St. Helier Waterfront Hotel: terms of lease (P.106/2000): comments - P.106/2000 Com.

Presented by the Finance and Economics Committee.

Income tax legislation: salary deduction (P.108/2000): comments - P.108/2000 Com.

Presented by the Finance and Economics Committee.

Income tax legislation: relief on second mortgages (P.109/2000): comments - P.109/2000 Com.

Presented by the Finance and Economics Committee.

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

States of Jersey Fire Service: annual report for 1999.

Presented by the Home Affairs Committee.

Audit Commission: Annual report for 1999.

Presented by the Finance and Economics Committee.

Audit Commission Report: Review of the arrangements for the maintenance of buildings owned by the States of Jersey.

Presented by the Finance and Economics Committee.

The following matters were presented on 27th June 2000 -

Manpower report for the period 1st October 1999 to 31st December 1999 - R.C.24/2000.

Presented by the Industries Committee.

St. Helier Waterfront Hotel: petition (P.65/2000) - comments - P.65/2000 Com.(2).

Presented by the Planning and Environment Committee.

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 26th June 2000 recording the following decision of the Treasurer of the States under delegated powers, in pursuance of Standing Orders relating to certain transactions in land -

as recommended by the Education Committee, the purchase from the Crown of an area of land (measuring 10,710 square feet) with vacant possession, for a consideration of £10,710 and the purchase from the Crown, subject to the approval of the Royal Court, of an area of land (measuring 5,920 square feet) currently administered by the Tenants de la Commune de la Moie, St. Brelade for a consideration of £4,144, subject to the terms and conditions as agreed by the Planning and Environment Committee and with the public being responsible for all reasonable legal fees involved in the transaction.

Matters lodged

The following matters were lodged “au Greffe” -

Introduction of work permits - P.107/2000.

Presented by Senator P.V.F. Le Claire.

Income tax legislation: salary deduction. - P.108/2000.

Presented by Senator P.V.F. Le Claire.

Income tax legislation: relief on second mortgages - P.109/2000.

Presented by Senator P.V.F. Le Claire.

François Scornet: commemorative statue - P.110/2000.

Presented by Senator P.V.F. Le Claire.

Projet de Loi (200-) (Amendement No. 8) réglant la procédure criminelle (P.89/2000): amendement - P.111/2000.

Presented by Député G.C.L. Baudains de St. Clément.

Draft Trade Marks (Jersey) Law 2000 (Appointed Day) Act 200 - P.112/2000.

Presented by the Finance and Economics Committee.

Social Security registration cards: proof of identity - P.113/2000.

Presented by Senator P.V.F. Le Claire.

Draft Harbours (Administration) (Amendment No. 5) (Jersey) Law 200 . P.114/2000.

Presented by the Harbours and Airport Committee.

Draft Aerodromes (Administration) (Amendment No. 4) (Jersey) Law 200 - P.115/2000.

Presented by the Harbours and Airport Committee.

States Veterinary Officer: appointment - P.116/2000.

Presented by the Agriculture and Fisheries Committee.

Chief Officer of the States of Jersey Police Force: appointment - P.117/2000.

Presented by the Home Affairs Committee.

Explosives magazines, Crabbé: lease - P.118/2000.

Presented by the Home Affairs Committee.

Royal Court House/States Building: approval of drawings - P.119/2000.

Presented by the Public Services Committee.

Draft HSBC Republic Holdings (C.I.) Limited (Jersey) Law 200 - P.120/2000.

Presented by the Deputy of St. Mary.

Draft The Royal Bank of Canada (Jersey) Law 200 - P.121/2000.

Presented by the Deputy of St. Mary.

Falles Holdings Limited: lease of land at La Collette II, St. Helier.- P.122/2000.

Presented by the Planning and Environment Committee.

Teaching of Jèrriais: grant of funds from the general reserve - P.123/2000.

Presented by the Education Committee.

Waterfront Enterprise Board: appointment of Non-States directors - P.124/2000.

Presented by the Policy and Resources Committee.

Anti-inflation policy - P.125/2000.

Presented by the Finance and Economics Committee.

Invesco House, The Forum, Grenville Street, St. Helier: assignment of lease - P.126/2000.

Presented by the Telecommunications Board.

St. Helier Waterfront Hotel: terms of lease (P.106/2000) - amendment - P.127/2000.

Presented by the Senator P.V.F. Le Claire.

Sunburst Investments Ltd (JMT (1987) Ltd.): lease of land at La Collette II, St. Helier - P.128/2000.

Planning and Environment Committee.

The following matter was lodged on 27th June 2000 -

St. Helier Waterfront Hotel: terms of lease - P.106/2000.

Presented by the Policy and Resources Committee.

Arrangement of public business for the present meeting

THE STATES agreed to meet on Tuesday 11th July 2000 if there was insufficient time to deal with all matters set down for consideration at the present meeting.

THE STATES agreed to defer consideration of the Draft Electronic Communications (Jersey) Law 200 . (P.98/2000 - lodged "au Greffe" on 20th June 2000) from the present meeting to 18th July 2000.

THE STATES agreed to defer consideration of Les Ormes Farm, Field 773, La Route de la Blanche Pierre, St. Lawrence: development in the Green Zone (P.82/2000 - lodged "au Greffe" on 6th June 2000 and consideration of which commenced on 20th June 2000) from the present meeting to a later date.

THE STATES agreed that the following matters lodged "au Greffe" would be considered at the next meeting on 18th July 2000 -

Chief Officer of the States of Jersey Police Force: appointment - P.117/2000.

Lodged: 4th July 2000.

Home Affairs Committee.

States Veterinary Officer: appointment - P.116/2000.

Lodged: 4th July 2000.

Agriculture and Fisheries Committee.

St. Helier Waterfront Hotel: petition - P.65/2000.

Lodged: 2nd May 2000.

Senator S. Syvret.

St. Helier Waterfront Hotel: petition (P.65/2000) - comments - P.65/2000 Com.

Presented: 20th June 2000.

Policy and Resources Committee.

St. Helier Waterfront Hotel: petition (P.65/2000) - comments - P.65/2000 (Com.(2))

Presented: 27th June 2000.

Planning and Environment Committee.

Draft Misuse of Drugs (Amendment No. 2) (Jersey) Law 200 - P.94/2000.

Lodged: 20th June 2000.

Health and Social Services Committee.

Draft Electronic Communications (Jersey) Law 200 - P.98/2000.

Lodged: 20th June 2000.

Policy and Resources Committee.

St. Helier Waterfront Hotel: terms of lease - P.106/2000.

Lodged: 27th June 2000.

Policy and Resources Committee.

St. Helier Waterfront Hotel: terms of lease (P.106/2000): comments - P.106/2000. Com.
Presented: 4th July 2000.
Finance and Economics Committee.

Draft Trade Marks (Jersey) Law 2000 (Appointed Day) Act 200 - P.112/2000
Lodged: 4th July 2000.
Finance and Economics Committee.

Draft Harbours (Administration) (Amendment No. 5) (Jersey) Law 200 - P.114/2000.
Lodged: 4th July 2000.
Harbours and Airport Committee.

Draft Aerodromes (Administration) (Amendment No. 4) (Jersey) Law 200 - P.115/2000.
Lodged: 4th July 2000.
Harbours and Airport Committee.

Explosives magazines, Crabbé: lease - P.118/2000.
Lodged: 4th July 2000.
Home Affairs Committee.

Royal Court House/States Building: approval of drawings - P.119/2000.
Lodged: 4th July 2000.
Public Services Committee.

Draft HSBC Republic Holdings (C.I.) Limited (Jersey) Law 200 - P.120/2000
Lodged: 4th July 2000.
Deputy of St. Mary

Draft The Royal Bank of Canada (Jersey) Law 200 - P.121/2000
Lodged: 4th July 2000
Deputy of St. Mary

Falles Holdings Limited: lease of land at La Collette II, St. Helier- P.122/2000.
Planning and Environment Committee.

Teaching of Jèrriais: grant of funds from the general reserve - P.123/2000.
Lodged: 4th July 2000.
Education Committee.

Waterfront Enterprise Board: appointment of Non-States directors. P.124/2000.
Lodged: 4th July 2000.
Policy and Resources Committee.

THE STATES agreed that as it was unlikely that consideration of all the items listed above could be completed in one day, the States should also meet on 19th July 2000 and on 20th July 2000 if it was necessary to do so.

Anti-inflation strategy - P.125/2000

THE STATES, adopting a proposition of Senator Stuart Syvret, agreed that the proposition on Anti-inflation strategy (P.125/2000 lodged "au Greffe" at the present meeting) should not be considered on 18th July 2000, but should be deferred to a later date.

Members present voted as follows -

"Pour" (26)

Senators

Le Maistre, Stein, Syvret, Kinnard, Le Sueur, Le Claire, Lakeman.

Connétables

St. Martin, St. Ouen, St. Clement.

Deputies

S. Baudains(H), Duhamel(S), Layzell(B), Breckon(S), Grouville, Huet(H), St. John, Crowcroft(H)
St. Ouen, G. Baudains(C), Dorey(H), Troy(B), Scott Warren(S), Le Hérissier(S), Bridge(H), Marti
(H).

“Contre” (22)

Senators

Horsfall, Bailhache, Norman, Walker.

Connétables

St. Mary, St. Peter, St. Helier, St. John, Trinity, St. Saviour, St. Brelade.

Deputies

St. Mary, Trinity, Routier(H), Le Main(H), Vibert(B), St. Peter, Dubras(L), Voisin(L), Farnham(S)
Ozouf(H), Fox(H).

Projet withdrawn under Standing Order No. 17(6)

THE STATES noted that, in pursuance of Standing Order 17(6), the following matter, which was lodged “au Greffe” had been withdrawn -

Cycle Registration Scheme - P.86/99.
Lodged: 22nd June 1999.
Deputy T.J. Le Main of St. Helier.

A recently issued stamp - question and answer (Tape No. 589)

Senator Paul Vincent Francis Le Claire asked Senator Frank Harrison Walker, President of the Committee for Postal Administration, the following question -

“In view of recent adverse public comments, will the Committee agree to withdraw from sale with immediate effect the 26p Jersey stamp depicting the Island alongside a ring of 15 stars representing the European Union?”

The President of the Committee for Postal Administration replied as follows -

“The 26p Europa stamp was issued on 9th May 2000, together with a 34p Europa 2000 stamp, an identical version of which was released on the same day by every member of PostEurop. PostEurop is a European association of Post Offices, of which Jersey is a member. We have issued Europa stamps since 1978. Concern has been expressed that the stamp, which illustrates Jersey’s geographical position in Europe, could be misinterpreted as depicting the Island as part of the European Union. The text accompanying the stamps on the First Day Cover and Presentation Pack makes it quite clear that Jersey is not part of the European Union.

Europa stamp issues are determined by the PostEurop Plenary Assembly. Some years ago they decided that ‘the Millennium should be marked by a common design approach to give it the importance it deserves in the world of philately’. The 34p stamp depicted this common PostEurop design, and the 26p stamp was designed by Jersey Post to complement that design.

The Committee for Postal Administration has taken note of public concern over the 26p stamp which features a map of Europe and a circle of stars - released on 9th May as part of the Europa 2000 issue. However, as this stamp has now been superseded by other 26p stamps from two subsequent stamp issues, it feels there is no point in withdrawing the Europa 26p as very few, if any, remain on operational sale at post offices. Withdrawing the stamp from operational use, as opposed to withdrawing it from sale, or making it invalid, are not practicable options as the stamp has already been released, but the Committee for Postal Administration does not believe such a course can be justified.

The Committee for Postal Administration regrets that the stamp design has been misinterpreted by some, but emphasises that there was no intention to misrepresent Jersey as part of the European Union, at any time."

Change in Presidency

The Bailiff retired from the Chamber and the Deputy Bailiff, Michael Cameron St. John Birt, Esquire took over the Presidency.

St. Helier leisure complex lease - questions and answers (Tape No. 589)

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

- “1. Would the President provide for the Assembly a detailed description of the procedures adopted by the Finance and Economics Committee when giving consideration to the agreement between the Waterfront Enterprise Board Ltd and CTP Ltd., as previously constituted, before and during the Committee’s meeting of 28th June 1999, including an account of the time period given to members to consider the proposals?
2. Would the President make available at this meeting the Committee meeting support papers relevant to the above item?”

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

- “1. The detailed proposals in respect of this agreement have been the subject of a great deal of debate in a number of forums, both before and after that particular Finance and Economics Committee meeting. The process of the Finance and Economics Committee was fully known when the States overwhelmingly approved the principal terms of the lease on 27th July 1999.

I do not believe that revisiting one part of the decision making process, in isolation, over a year after the event, and after the Assembly has reached an unequivocal decision, which itself was the subject of a threatened rescindment motion that was subsequently withdrawn, would add any value to the process whatsoever.

The proposition lodged by the Finance and Economics Committee that is before the States today relates solely to the change of developer and an increase in the maximum grant payable.

Following the decision of the States on 27th July 1999, the principle of whether or not we proceed with the leisure complex is not up for debate.

2. To be consistent with the answer to Question 1, the answer has to be ‘no’.”

Costs awarded against the Bâtonnier in a recent case - question and answer (Tape No. 589)

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

“In a recent court case costs were awarded against the Bâtonnier in the sum of approximately £100,000. Would the President advise members what the costs of the Bâtonnier and his advisers were and who paid this account?”

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

It may be helpful to indicate immediately that although a claim has been made in parts of the media that costs awarded against the Bâtonnier is in the sum of approximately £100,000 -

- (a) No claim has yet been submitted to the Judicial Greffier for taxation in accordance with the usual rules and it remains unclear at this stage how much will in fact be payable.
- (b) These are costs incurred in the matter of Advocate Sinel which in accordance with other court orders are not payable by the Bâtonnier and will presumably be met by Advocate Sinel personally.
- (c) The Bâtonnier considers that the amount which will be payable on taxation will be very considerably less than £100,000.

The question however is directed at the costs of the Bâtonnier himself. The position is that the Bâtonnier pays his own costs except those out of pocket expenses which he has incurred with the approval of the Deputy Judicial Greffier and for which he is reimbursed out of the Legal Aid Fund. These out of pocket expenses are -

- (i) Counsel's fees totalling £7,000
- (ii) External photocopying costs totalling £1,947.70.

Subsidies paid to growers - questions and answers (Tape No. 589)

The Deputy of St. John asked Senator Jean Amy Le Maistre, President of the Agriculture and Fisheries Committee, the following questions -

- “1. On 7th March 2000, in the President's reply to a question about the allocation of the additional £500,000 added to the Committee's budget, he stated that ‘Consultation with the industry has already begun and it is anticipated that agreement will soon be reached on the precise details of the payments’. Would the President advise members whether agreement has been reached and, if so, would he give members details?”
2. Would the President inform members -
 - (a) of the quantity of potatoes exported from the Island;
 - (b) of the volume of waste potatoes delivered to Crabbé;
 - (c) and the tonnage of surplus potatoes delivered to Bellozanne for crushing for cattle fodder?
to the end of June 2000?
3. Would the President advise members whether growers receive subsidies on potatoes delivered to Crabbé and Bellozanne for disposal?
4.
 - (a) As the potato season is coming to an end would the President inform members if further financial assistance to the industry is envisaged and if so, how it is to be targeted?
 - (b) Would the President agree to bring to the Assembly for approval a draft business plan for the industry, in order that members might ensure that public funds are being directed to the correct areas of the industry?

The President of the Agriculture and Fisheries Committee replied as follows -

- “1. The additional sum distributed was £496,561. This amount was in accordance with an agreement with the Jersey Farmers' Union which complied with the policy for distribution of enterprise support as detailed by the Policy Report accepted by the States in 1993. This Policy states that support would only be justified when returns fell below an agreed figure and on the basis that a potential market existed at the time when the individual crop was exported.

The details are as follows -

CROP	Amount distributed
Early potatoes	156,653
Courgettes	52,379
Calabrese	6,739
Cauliflower	24,310
Parsley	3,168
Tomatoes	12,963
Celery	5,000
Daffodils	52,511
Carnations	7,433
Pinks	5,711
Anemones	4,789
Chincherinchees	3,126
Sub-total (Outdoor)	£334,78
Tomatoes	104,396
Plum Tomatoes	11,475
Beef Tomatoes	9,861
Peppers	14,754
Gypsophila	6,655
Standard Carnations	3,517
Spray Carnations	7,402
Iris	3,719
Sub-total (Indoor)	£161,779
Total	£496,561

2. (a) 41,423 tonnes;
(b) for the period 1st April to 30th June 2,455 tonnes;
(c) 360 tonnes.
3. No.
4. (a) The Enterprise Support Fund for this year has now been distributed. Therefore there are no funds available to pay out any further support for the current year. The Committee believes that the industry review will need to be completed before any decision is made with regard to any future additional funding for the industry.
- (b) This matter is dependent on the completion of the industry review. The Committee intends to present a policy report to the States in due course, after full consultation with the Industry has taken place. This report will include details of a reviewed strategy on the payment of financial aid.”

Organisation for Economic Co-operation and Development - statement

Senator Pierre François Horsfall, President of the Policy and Resources Committee made a statement in the following terms -

“All members will be aware of the OECD’s Report issued on 26th June, entitled ‘Towards Global Tax Co-operation - Progress in Identifying and Eliminating Harmful Tax Practices’. They will all have received a copy of a letter that the President of the Finance and Economics Committee circulated to finance industry representatives on 28th June. This had attached to it two substantive letters from us to the OECD, one dated 5th November 1999 and the other 2nd June 2000, clearly setting out Jersey’s position and serious concerns about the nature of the process being undertaken by the OECD. I am anxious that these letters and the concern we have consistently expressed are firmly on the States record.

It is important to emphasise that the list is only a list and makes no judgements. It lists those 35 jurisdictions that in the OECD’s opinion meet the criteria it has laid down to define so-called ‘tax havens’. The list has been issued on the basis that it will lead to commitments over the next year by those on it that they will change certain practices and rules so that in a year’s time they will escape being on a further, definitive list of ‘unco-operative’ jurisdictions that could attract ‘defensive measures’ from OECD member countries.

I cannot disguise that we are extremely disappointed to be included on this list. We presented detailed arguments to the contrary but these got no hearing to speak of. We could quite easily have signed a piece of paper committing Jersey to certain future actions in order to stay off the list. But as a responsible jurisdiction, and determined to defend our economic interests, we were not prepared to enter into unclear and open-ended commitments. This would have been irresponsible and I am sure that this Assembly would never have countenanced it. It is a matter of some incredulity, which in our opinion does the OECD’s reputation no good at all, that certain other jurisdictions with lower regulatory standards and no direct taxes on income and profits have not been put on the list. This clearly calls into question the integrity of the whole process.

All along Jersey has made clear that we are committed to meeting international standards and confident that we do, and that we are more than willing to enter into dialogue with the OECD and the main member countries involved. But this must be open and transparent and on the basis of an international level playing field. We simply do not at this stage see similar pressure and action against the OECD Member States themselves. We meet international standards already; but the problem is that many of them are not applied evenly, or at all, across all financial centres. We cannot and will not jeopardise our competitive position and thus our economic interest by moving ahead of our reputable competitors. We shall pursue this principled approach carefully and thoroughly over coming months, as the debate about so-called ‘harmful’ tax practices intensifies.

Our previously declared position of being willing to talk and be co-operative remains unchanged. We have rightly maintained this position from the start. We shall continue to pursue it in coming months, and with it we shall continue to defend and seek to secure Jersey’s vital economic interests.

We have already had useful discussions with our partners in Guernsey and the Isle of Man about how to move forward on the OECD initiative, and we have each reaffirmed our determination to work in conjunction with one another. We have all gained much benefit by a common approach to these international issues and it is our collective intention, confirmed in discussion yesterday in the Isle of Man, to continue this approach.”

Development of a strategy for the potato industry statement

Senator Jean Amy Le Maistre, President of the Agriculture and Fisheries Committee, made a statement in the following terms -

“The Agriculture and Fisheries Committee and the Jersey Farmers’ Union are jointly initiating a consultation process with the key players in the potato industry in Jersey. This process will contribute to the development of a strategic plan which aims to secure the industry’s long term future.

The Agriculture and Fisheries Committee is well aware of the challenges facing the industry - not only the difficult conditions in the current potato season but also the major external factors impacting on the industry which need to be addressed. Important decisions need to be taken to deal with the present and

future challenges.

In developing the new strategy the Committee and the Jersey Farmers' Union believe that it is essential to obtain the views and opinions of the key players in the industry.

The consultation process will be initiated shortly by consulting formally with the key players through meetings, interviews and seeking written submissions. To ensure objectivity an outside facilitator will be engaged to lead the process which it is estimated will be completed in three to four months."

St. Helier Waterfront leisure complex lease: amendments to legal documentation.

THE STATES commenced consideration of a proposition of Senator Stuart Syvret regarding amendments to legal documentation of the St. Helier Waterfront leisure complex lease. On the proposition of Deputy Alan Simon Crowcroft of St. Helier the proposition was lodged "au Greffe".

Incorporation of Jersey Post and Jersey Telecoms: revised approach - P.90/2000, P.101/2000

THE STATES commenced consideration of a proposition of the Policy and Resources Committee regarding a revised approach to the incorporation of Jersey Post and Jersey Telecoms and adopted an amendment of the Deputy of Trinity that at the end of paragraph (a) there should be inserted the following words - "except that the proposal that there should be no requirement upon the new companies that new employees recruited after incorporation should be members of the Public Employees Contributory Retirement Scheme would not be implemented unless the States had decided, after debate, to do so."

THE STATES adopted the proposition, as amended, and

- (a) referred to their Acts dated 22nd October 1996 and to endorse the revised approach to matters surrounding the incorporation of Jersey Post and Jersey Telecoms set out in the report dated 1st June 2000 of the Policy and Resources Committee, and in particular to endorse the approach of protecting and promoting customers' interests through the creation of an independent regulator with specific legal duties to that end, except that the proposal that there should be no requirement upon the new companies that new employees recruited after incorporation should be members of the Public Employees Contributory Retirement Scheme would not be implemented unless the States had decided, after debate, to do so;
- (b) agreed to include in the States Legislation Programme for 2000 the preparation of a Law to create the independent regulator as a body corporate, and Laws to provide necessary amendments of the Post Office (Jersey) Law 1969 and the Telecommunications (Jersey) Law 1972 including those required to implement the changes set out in the Committee's report;
- (c) charged the Industries Committee, working closely with the Policy and Resources and Finance and Economics Committees, and in consultation as appropriate with the Committee for Postal Administration and the Telecommunications Board, to bring forward the three draft Laws for approval by the States as soon as practicable.

Change in Presidency

The Deputy Bailiff retired from the Chamber during consideration of the amendment to the proposition of the Policy and Resources Committee on the Incorporation of Jersey Post and Jersey Telecoms: a revised approach and the Greffier of the States, Geoffrey Henry Charles Coppock Esquire took over the Presidency for the remainder of the meeting.

Draft Merchant Shipping (Deck Officers) (Jersey) Regulations 200 - P.91/2000

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 Merchant Shipping (Deck Officers) (Jersey)

Regulations 200 .

Draft Merchant Shipping (Marine Engineer Officers and Marine Engineer (Operators) (Jersey) Regulations 200 - P.92/2000

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 Merchant Shipping (Marine Engineer Officers and Marine Engineer (Operators) (Jersey) Regulations 200 .

St. Helier Waterfront leisure complex: revised terms of lease - P.93/2000

THE STATES commenced consideration of a proposition of the Finance and Economics Committee regarding revised terms of lease of the St. Helier Waterfront leisure complex and rejected a proposition of Senator Stuart Syvret that the States move to the consideration of the next item on the Order Paper.

Members present voted as follows -

“Pour” (19)

Senators

Le Maistre, Stein, Bailhache, Syvret, Kinnard, Le Claire.

Connétables

St. Martin, Trinity.

Deputies

S. Baudains(H), Duhamel(S), Breckon(S), Grouville, Huet(H), St. Martin, Crowcroft(H), St. Ouer
G. Baudains(C), Scott Warren(S), Martin(H).

“Contre” (26)

Senators

Norman, Walker, Le Sueur.

Connétables

St. Mary, St. Peter, St. Helier, St. Ouen, St. John, St. Saviour, St. Clement, St. Brelade.

Deputies

St. Mary, Trinity, Routier(H), Layzell(B), St. John, Le Main(H), Vibert(B), St. Peter, Dorey(H), Tro
(B), Voisin(L), Farnham(S), Le Hérissier(S), Ozouf(H), Fox(H).

THE STATES adopted paragraphs (a) and (b) of the proposition and referred to their Act dated 27th July 1999 in which they approved the lease by the public to CTP Ltd. of approximately eight vergées of land west of the Albert Pier, St. Helier, for a period of 150 years, at a nominal rent and in return for a capital premium of £620,000, and also approved the payment of a grant of £10.9 million to CTP Ltd. for the construction and management of a leisure complex; and

- (a) agreed that the lease should be granted to CTP (Jersey) Ltd. in place of CTP Ltd.;
- (b) authorised the Finance and Economics Committee to make available to CTP (Jersey) Ltd. an appropriate increase, as negotiated by the Waterfront Enterprise Board Ltd. and approved by the Committee, to the agreed maximum grant of £10.9 million to be paid to CTP (Jersey) Ltd. from the Tourism Investment Fund to meet the inflation costs incurred in this project since 27th July 1999;

Members present voted as follows -

“Pour” (33)

Senators

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

Connétables

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

Deputies

St. Mary, S. Baudains(H), Trinity, Layzell(B), Grouville, Huet(H), St. Martin, St. John, Le Main(H), St. Peter, G. Baudains(C), Dorey(H), Troy(B), Voisin(L), Farnham(S), Ozouf(H), Fox(H).

“Contre” (11)

Senators

Le Maistre, Syvret, Kinnard, Le Claire.

Deputies

Duhamel(S), Breckon(S), Crowcroft(H), St. Ouen, Scott Warren(S), Le Hérissier(S), Martin(H).

THE STATES commenced consideration of paragraph (c) of the proposition and rejected a proposition of Senator Stuart Syvret that consideration be deferred to a future meeting.

Members present voted as follows -

“Pour” (19)

Senators

Le Maistre, Stein, Syvret, Kinnard, Le Sueur.

Connétables

St. Martin, St. Ouen.

Deputies

Duhamel(S), Layzell(B), Breckon(S), Huet(H), St. Martin, St. John, Crowcroft(H), St. Ouen, G. Baudains(C), Scott Warren(S), Le Hérissier(S), Martin(H).

“Contre” (23)

Senators

Horsfall, Bailhache, Norman, Walker.

Connétables

St. Mary, St. Peter, St. Helier, St. John, Trinity, St. Saviour, St. Clement, St. Brelade.

Deputies

S. Baudains(H), Trinity, Grouville, Le Main(H), St. Peter, Dorey(H), Troy(B), Voisin(L), Farnham(S), Ozouf(H), Fox(H).

THE STATES adopted paragraph (c) of the proposition and -

- (c) authorised the Attorney General and the Greffier of the States to pass the necessary contracts on behalf of the public.

Members present voted as follows -

“Pour” (24)

Senators

Horsfall, Bailhache, Norman, Walker.

Connétables

St. Mary, St. Peter, St. Helier, St. John, Trinity, St. Saviour, St. Clement, St. Brelade.

Deputies

S. Baudains(H), Trinity, Grouville, Le Main(H), Crowcroft(H), St. Peter, Dorey(H), Troy(B), Voisi (L), Farnham(S), Ozouf(H), Fox(H).

“Contre” (17)

Senators

Le Maistre, Stein, Syvret, Kinnard, Le Sueur.

Connétables

St. Martin, St. Ouen.

Deputies

Duhamel(S), Layzell(B), Breckon(S), Huet(H), St. John, St. Ouen, G. Baudains(C), Scott Warren(S), Le Hérissier(S), Martin(H).

Senator Christopher Gerard Pellow Lakeman declared an interest and withdrew from the Chamber prior to consideration of this matter.

St. Helier Waterfront leisure complex lease: amendments to legal documentation.

THE STATES agreed to take into consideration at its next meeting on 18th July 2000 a proposition of Senator Stuart Syvret proposing amendments to legal documentation of the St. Helier Waterfront leisure complex lease, lodged “au Greffe” at the present Meeting.

Adjournment

THE STATES then adjourned, having agreed that the outstanding items of public business should stand over until Tuesday, 11th July 2000.

THE STATES rose at 6.38 p.m.

C.M. NEWCOMBE

Deputy Greffier of the States