

**THE STATES assembled on Tuesday,
24th September 2002 at 9.30 a.m. under
the Presidency of the Deputy Bailiff,
Michael Cameron St. John Birt, Esquire.**

**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 Pierre François Horsfall - out of the Island
John Baudains Germain, Connétable of St. Martin- out of the Island
Henry George Coutanche, Connétable of St. Lawrence- out of the Island
Jennifer-Anne Bridge, Deputy of St. Helier- out of the Island.

Prayers

Welcome - Deputy M. Collins, Chief Pleas of Sark

The Deputy Bailiff extended a welcome on behalf of all members of the States to Deputy Mary Collins, Chief Pleas of Sark, who was present in the private gallery.

Subordinate legislation tabled

The following enactments were laid before the States, namely -

Medicines (General Sale List) (Amendment No. 5) (Jersey) Order 2002. R & O 91/2002.

Medicines (Aristolochia, Mu Tong and Fangji) (Prohibition) (Jersey) Order 2002. R & O 92/2002.

Medicines (Sale and Supply) (Miscellaneous Provisions) (Amendment No. 4) (Jersey) Order 2002. R & O 93/2002.

Medicines (Prescription Only) (Amendment No. 4) Jersey) Order 2002. R & O 94/2002.

Banking Business (General Provisions) (Jersey) Order 2002. R & O 95/2002.

Social Security (Earnings Limit) (Jersey) Order 2002. R & O 96/2002.

Hospital Charges (Long-Stay Patients) (Amendment No. 5) (Jersey) Order 2002. R & O 97/2002.

Committee of Inquiry into Building Costs resignation of the President

THE STATES accepted the resignation of Senator Wendy Kinnard as President of the Committee of Inquiry into Building Costs.

Matters presented

The following matters were presented to the States -

United Nations International Covenant on Economic, Social and Cultural Rights (ICESCR): concluding observations of the Committee on Economic, Social and Cultural Rights - R.C.34/2002.

Presented by the Policy and Resources Committee.

International Conventions and Agreements: progress report for the period 1st April 2001 to 31st March 2002 - R.C.35/2002.

Presented by the Policy and Resources Committee.

States of Jersey Law 1966, as amended: delegation of functions - prison - remission of sentence - R.C.36/2002.

Presented by the Home Affairs Committee.

Draft Planning and Building (Amendment) (Jersey) Law 200- (P.56/2002): comments - P.56/2002 Com.

Presented by the Finance and Economics Committee.

Draft Planning and Building (Amendment) (Jersey) Law 200- (P.56/2002): comments - P.56/2002 Com. (2).

Presented by the Human Resources Committee.

Jersey Harbours: harbour dues (P.129/2002) - comments- P.129/2002 Com.

Presented by the Finance and Economics Committee.

Mains Drain Extension Scheme: Thistle Grove, St. Lawrence and St. John (P.141/2002) - report - P.141/2002 Rpt.

Presented by the Public Services Committee.

Mains Drain Extension Scheme: Thistle Grove, St. Lawrence and St. John (P.141/2002) - comments - P.141/2002 Com.

Presented by the Finance and Economics Committee.

Machinery of Government: freedom of representation (P.142/2002) - comments - P.142/2002 Com.

Presented by the Policy and Resources Committee.

The following matter was presented on 17th September 2002 -

Criminal Injuries Compensation Board: report and accounts for 2001 - R.C.33/2002.

Presented by the Home Affairs Committee.

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 18th September 2002 recording the following decisions of the Treasurer of the States under delegated powers, in pursuance of Standing Orders relating to certain transactions in land -

- (a) as recommended by the Health and Social Services Committee, the lease from Mr. Derek Horsfall and Mrs. Eileen Doris Horsfall, née Chapron, of the property known as Holley Tree House, La Grande Route de St. Jean, Trinity, for a further period of two years from 1st August 2002 at a revised annual rent of £19,200 (representing £369.23 a week), payable quarterly in advance, subject to a rental increase in line with the Jersey Retail Price Index as at 1st August. Each party would be responsible for its own legal costs arising from this transaction and no deposits were to be paid;
- (b) as recommended by the Public Services Committee, and in accordance with terms and conditions which had been agreed with the Bosdet Foundation, the owner of Field No. 50, La Ville des Quennevais

St. Brelade (known as Les Ormes Golf Links), which area had been identified as being the most suitable position for the Ville es Quennevais Foul Sewer Extension Pumping Station -

- (i) the purchase from the Bosdet Foundation of an area of land (measuring 1,364 square feet) required for the construction of a pumping station for a consideration of £1,364;
- (ii) the payment to the Bosdet Foundation of a sum of £3,636 for the use of additional land required for a working area in order to construct the pumping station;
- (iii) the sale to the Bosdet Foundation of the car park situated in Field No. 15, St. Brelade for consideration of £10,000;
- (iv) the sale to the Bosdet Foundation of the remaining agricultural area of Field No. 15, St. Brelade for a consideration of £10,000;

on the basis that each party will be responsible for its own legal costs arising from these transactions;

- (c) as recommended by the Public Services Committee, the entering into of a Deed of Arrangement with La Phare Holdings Limited in respect of Corbière Phare, St. Brelade, which bordered public land administered by the Harbours and Airport Committee, in order to ratify an uncertain boundary, on the following terms -

- (i) La Phare Holdings Limited would acquire from the public two parcels of land (Areas "A" and "B" - measuring 1,410 square feet and 1,058 square feet respectively), for a nominal consideration of £5 each, and in turn the public would acquire from La Phare Holdings Limited one parcel of land (Area "C" - measuring 543 square feet) for a nominal consideration of £10';
- (ii) a new boundary line was to be created between Corbière Phare and the public land, and the public's right of way over Corbière Phare was to be cancelled;
- (iii) new service clauses were to be implemented to cover all existing mains services, including drains, serving both properties. Access rights were to be provided, on the usual terms and conditions, for both parties, and there was to be a contractual obligation for each party to contribute its fair proportion of the costs of the maintenance, upkeep and repair, etc. of those parts of the mains services which were to serve both properties in common. Any parts of the mains services that were to serve one property independently would be the sole responsibility of the relevant party;
- (iv) La Phare Holdings Limited was to be granted access rights, on the normal terms and conditions, on to the necessary parts only of the adjoining public land in order to repair and maintain, etc. all enclosures separating its property from the public land. Those access rights were to be exercised with due consideration of the Site of Special Interest designation of the public land;
- (v) the existing enclosure clause referred to in a 1955 Deed was to be cancelled in its entirety;
- (vi) the existing pedestrian entrance in the southern boundary of the company's property would be permitted to remain. No pedestrian rights of way would be granted to the company over the public land, though the entrance would be used for exercising the company's access rights;
- (vii) the cost of the production of the boundary drawings by professional Hi-Tech Services Limited (£2,855) was to be shared equally between the public and Corbière Hotels Limited (the former owner of Corbière Phare). The Harbours and Airport Committee and the Public Services Committee would each be required to pay a quarter of the costs (£713.75 each);
- (viii) each party was to be responsible for the payment of its own legal expenses incurred in relation to the proposed transaction;

- (d) as recommended by the Sport, Leisure and Recreation Committee, the entering into of a Deed of Arrangement with Mr. Alan O'Prey and Mrs. Elizabeth O'Prey, née McNamara, as owners of the property known as Springfield Cottage, Springfield Lane, St. Helier, to provide the required access rights to service two dwellings which were to be constructed on the site of the existing Springfield Cottage which was itself to be demolished. It was noted that terms and conditions had been agreed, as follows -
- (i) that a covenant be contained in the Deed in order to restrict the development of the Springfield Cottage site to the construction of two semi-detached dwellings of approximately 1,250 square feet per property, with two car parking spaces to be allocated per unit;
 - (ii) that the Deed would require the development to be undertaken strictly in accordance with the planning permission and building regulation approval;
 - (iii) that the Deed would allow vehicular and pedestrian access to the northern boundary of the site in order to serve the two units;
 - (iv) that in consideration of the rights granted, the beneficiaries would pay to the public a sum of £5,000 upon completion of the Deed and all reasonable legal and other professional fees incurred by the public in relation to the preparation of the necessary Deed of Arrangement;
 - (v) that the Deed would provide all necessary rights of access onto the "Springfield Stadium" premises in order to repair and maintain the relevant boundary enclosures (subject to the usual terms and conditions); and
 - (vi) that during the course of the proposed demolition/redevelopment works a full indemnity to the public would be provided with regard to any claims, costs, damages or injuries arising directly or indirectly from the works concerned. Such indemnity was required to be supported by a formal Public Liability Insurance Policy with a minimum level of cover of £2 million sterling, which was to be enforced from the commencement of the works, until such time as practical completion had been achieved.

Matters lodged

The following matters were lodged "au Greffe" -

Draft Misuse of Drugs (Amendment No. 3) (Jersey) Law 200- P.164/2002.
Presented by the Health and Social Services Committee.

Draft Community Provisions Dual-Use items (Export Control) (Amendment) (Jersey) Regulations 200- P.165/2002.
Presented by the Finance and Economics Committee.

Draft Health Insurance (Medical Benefit) (Amendment No. 56) (Jersey) Regulations 200- P.166/2002.
Presented Employment and Social Security Committee.

16 Clairvale Road, St. Helier Adult Mental Health Rehabilitation Unit - development agreement and lease - P.167/2002.
Presented by the Health and Social Services Committee.

Draft European Communities Legislation (Implementation) (Cattle Identification) (Jersey) Regulations 200- P.168/2002.
Presented by the Agriculture and Fisheries Committee.

Jersey Overseas Aid Committee: funding - P.169/2002.

Presented by the Overseas Aid Committee.

St. Helier Street Life Programme - P.170/2002.

Presented by the Planning and Environment Committee.

Machinery of Government: structure of the Executive - P.171/2002.

Presented by the Policy and Resources Committee.

Tax Information: exchange agreement with the United States of America - P.172/2002.

Presented by the Policy and Resources Committee.

Haut de la Garenne: Incorporation of Trust, appointment of original Trustees, and lease of property to the Trust (P.147/2002) - amendment - P.147/2002 Amd.

Presented by the Planning and Environment Committee.

The following matters were lodged on 17th September 2002 -

Elizabeth Harbour, St. Helier Commodore Shipping (Jersey) Limited - variation and assignment of lease - P.161/2002.

Presented by the Harbours and Airport Committee.

Draft Insurance Business (Amendment No. 4) (Jersey) Law 200- P.162/2002.

Presented by the Finance and Economics Committee.

New North Quay, St. Helier: erection of fencing - review - P.163/2002.

Presented by the Deputy G.C.L. Baudains of St. Clement.

Arrangement of public business for the present meeting

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

Royde House, 21 Midvale Road, St. Helier: lease of accommodation - P.137/2002.

Lodged: 20th August 2002.

Health and Social Services Committee.

Draft Nursing and Residential Homes (Amendment) (Jersey) Law 200- P.140/2002.

Lodged: 27th August 2002.

Health and Social Services Committee.

Draft Licensing (Licence Fees) (Jersey) Regulations 200- P.150/2002.

Lodged: 10th September 2002.

Tourism Committee.

THE STATES acceded to the request of the President of the Planning and Environment Committee and agreed that consideration of the proposition regarding Planning and Building Core Service: strategy for future resourcing (P.143/2002 lodged “au Greffe” on 27th August 2002) be deferred from the present meeting to a later date.

THE STATES acceded to the request of the President of the Home Affairs Committee that consideration of the Draft Police Procedures and Criminal Evidence (Jersey) Law 200- (P.89/2002 lodged “au Greffe” on 28th May 2002) be deferred from the present meeting to a later date.

St. Helier Street Life Programme - P.120/2002

THE STATES noted that in accordance with Standing Order 22(3), the President of the Planning and Environment Committee had instructed the Greffier of the States to withdraw the proposition regarding St. Helier Street Life Programme (P.120/2002 lodged “au Greffe” on 9th July 2002) the Committee having lodged a revised proposition “au Greffe” at the present meeting.

Arrangement of public business for the next meeting on 1st October 2002

THE STATES confirmed that the following matters lodged “au Greffe” would be considered at the next meeting on 1st October 2002 -

Machinery of Government: freedom of representation - P.142/2002

Lodged: 27th August 2002.

Senator S. Syvret.

Machinery of Government: freedom of representation (P.142/2002) - Comments - P.142/2002 Com.

Lodged: 24th September 2002.

Policy and Resources Committee.

Machinery of Government: freedom of representation (P.142/2002) - Comments - P.142/2002 Amd.

Lodged: 10th September 2002.

Policy and Resources Committee.

Draft Amendment (No. 11) of Standing Orders Relating to Certain Transactions in Land- P.133/2002.

Lodged: 13th August 2002.

Privileges and Procedures Committee.

Draft Public Holidays and Bank Holidays (Amendment No. 2) (Jersey) Law 200- P.136/2002.

Lodged: 20th August 2002.

Finance and Economics Committee.

Mains Drain Extension Scheme: Thistle Grove, St. Lawrence and St. John- P.141/2002.

Lodged: 27th August 2002.

Deputy of St. John.

Mains Drain Extension Scheme: Thistle Grove, St. Lawrence and St. John (P.141/2002) - comments - P.141/2002 Com.

Presented: 24th September 2002.

Finance and Economics Committee.

Mains Drain Extension Scheme: Thistle Grove, St. Lawrence and St. John (P.141/2002) - report - P.141/2002 Rpt.

Presented: 24th September 2002.

Public Services Committee.

Draft Boats and Surf-Riding (Control) (Amendment No. 23) (Jersey) Regulations 200- P.144/2002.

Lodged: 3rd September 2002.

Harbours and Airport Committee.

Draft Pilotage (General Provisions) (Amendment No. 8) (Jersey) Regulations 200- P.145/2002.

Lodged: 3rd September 2002.

Harbours and Airport Committee.

Draft Harbours (Amendment No. 34) (Jersey) Regulations 200- P.146/2002.

Lodged: 3rd September 2002.

Harbours and Airport Committee.

Draft Health and Safety at Work (Construction) (Personal Protective Equipment) (Jersey) Regulations 200-

P.154/2002.

Lodged: 10th September 2002.

Employment and Social Security Committee.

Draft Motor Traffic (No. 9) (Jersey) Regulations 200- P.155/2002.

Lodged: 10th September 2002.

Home Affairs Committee.

New North Quay, St. Helier erection of fencing - review - P.163/2002.

Lodged: 17th September 2002.

Deputy G.C.L. Baudains of St. Clement.

Funding of Welfare - P.135/2002: withdrawn

THE STATES noted that, in pursuance of Standing Order 17(6), the proposition relating to the Funding of Welfare (P.135/2002 lodged “au Greffe” on 11th September 2001) had been withdrawn.

Draft Rehabilitation of Offenders (Jersey) Law 2001 (Appointed Day) Act 200- P.63/2002

THE STATES noted that, in accordance with Standing Order 22(3), the President of the Legislation Committee had instructed the Greffier of the States to withdraw the proposition regarding the Draft Rehabilitation of Offenders (Jersey) Law 2001 (Appointed Day) Act 200-, the Committee having lodged “au Greffe” revised propositions (P.156/2002 and P.157/2002) on 10th September 2002.

Income tax exemptions and personal allowances - questions and answers (Tape No. 774)

Deputy Geoffrey Peter Southern of St. Helier asked Senator Frank Harrison Walker, President of the Finance and Economics Committee the following questions -

- “1. Income tax exemptions and personal allowances have been ‘frozen’ (not adjusted for inflation) since 1999. The President has indicated the Committee’s intention to freeze allowances again in the 2003 budget. Would the President indicate -
 - (a) what net increase in tax revenue has been produced by this measure over the three year period 2000-2002?
 - (i) from marginal tax?
 - (ii) from standard rate tax?
 - (b) how many persons have been brought into taxation over that three year period?
 - (c) what return is forecast on this year’s tax revenue?
2. Will the President confirm that, apart from the year 1999, income tax exemptions and allowances have remained at the same level since 1990 and indicate -
 - (a) the total increase in revenue?
 - (i) through marginal tax?
 - (ii) from standard rate?

- (b) the total number of additional earners brought into tax over this 12 year period?
- 3. Does the President agree that the figures above confirm the regressive nature of freezing allowances and exemptions in disproportionately affecting the less well off?
- 4. Will the President reconsider his proposal to freeze allowances in the 2003 budget and raise the sum indicated in his answer to 1(c) through some more progressive mechanism?"

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

- "1. It is true to state that personal allowances have been frozen for the years of assessment 1999, 2000, 2001 and 2002. Personal allowances are granted to those who have the highest incomes and whose earnings are too high to benefit from tax exemption limits.

It is inaccurate to state, however, that tax exemptions have been frozen since 1999. In actual fact, tax exemptions have been frozen for the years of assessment 2000, 2001 and 2002 at 1999 levels, the 1999 tax exemptions having been increased compared to the 1998 tax exemption limits. Tax exemptions - commonly termed 'thresholds' - are granted to lower and middle income earners and are utilised to either keep taxpayers completely out of the tax net or, alternatively, to allow them the benefit of those high exemption limits, which, when combined with the marginal rate of tax, results in a lower tax bill than they would suffer if granted personal allowances and then charged at the standard 20 per cent rate of tax.

The Comptroller of Income Tax has done some statistical calculations and modelling on his department's computer system using his existing taxpayer data base and estimates, in broad terms, that the measures outlined above will produce for the years of collection 2000 to 2002 some £10 million in additional tax revenues, with some £2 million arising from the freezing of personal allowances and some £8 million arising from the freezing of tax exemptions.

The number of additional cases assessed to tax between the years of assessment 1999 and 2001 totalled 1,922. I ought to add that it is not possible to say how many people will be assessed to tax in the year of assessment 2002 because that assessing cycle will not start until January, 2003.

The return forecast for this year from the freezing of personal allowances and tax exemptions, by which I assume the Deputy means the year of collection 2002, is included in the total figure given above and is estimated to be, in broad terms, some £6 million.

- 2. I am unable to give the confirmation sought by the Deputy in relation to the levels of tax allowances and tax exemption limits since 1990.

Personal tax allowances for single and married people increased in 1991 from 1990 levels and were frozen from the 1992 year of assessment onwards at those 1991 levels. These are the tax allowances, as I mentioned in the answer to the last question, which are granted to the highest earners. Other tax allowances, however, such as child allowance, additional personal allowance, wife's earned income relief, retirement annuity relief and child care tax relief have all been increased - or been introduced - since 1990. If the Deputy wants details of the increases in these particular allowances and reliefs, the Comptroller of Income Tax will be pleased to meet with him and outline all of these changes.

Tax exemption limits, as I mentioned in the answer to the last question, are granted to lower and middle income earners and have been increased, since 1990, as follows -

1991 single - £9,100	married - £14,800
1992 single - £9,375	married - £15,250
1994 single - £9,600	married - £15,630

1995 single - £9,840	married - £16,020
1996 single - £10,040	married - £16,340
1997 single - £10,425	married - £16,750
1999 single - £10,750	married - £17,250.

Similar increases were made to the exemption limits granted to those aged 63 or more.

All these increases in tax exemption limits protected the lower and middle income earners from higher tax bills, in contrast to the single and married man's personal allowances given to the highest earners, which were frozen from 1992 onwards at 1991 levels. These tax exemption limits are also supplemented by the following tax allowances and reliefs, making it possible for a person to earn quite a considerable salary before becoming liable to tax -

- child allowance;
- child care tax relief;
- wife's earned income relief;
- additional personal allowance.

For example, a married couple who are both working and have two children (one at university) paying mortgage interest of £5,000 do not become liable to pay income tax in 2001 until their income exceeds £34,250.

The total increase in tax revenues for all employed, self employed and investment holders paying tax at the marginal rate of tax in the period 1990 to 2001 was £29 million. The total increase in tax revenues for all employed, self employed and investment holders paying tax at the standard rate of tax in the period 1990 to 2001 was £68 million.

The number of additional cases assessed to tax between the years of assessment 1990 and 2001 totalled 4,145. The number of additional earners assessed between the years 1990 and 2001 amount to 3,443.

3. No. I do not agree with that assertion.

The fact is that tax exemptions, which are granted to the lower and middle income earners, have risen a great deal more than tax allowances in the decade 1990 to 2000 as the answer to a previous question illustrates. This was also from a starting point which was very much higher than the single and married person's personal tax allowances. Because of these high tax exemption limits, 50 per cent of all personal tax is paid by 10 per cent of taxpayers and five out of 10 people pay tax at an effective rate of four per cent or less.

I should also like to point out that the average effective rate of tax on employees in 1985 was 10.2 per cent. The average effective rate of tax on employees in 2001 was 9.9 per cent. So today's employees are paying at an effective rate of tax that is less than employees were paying 17 years ago.

Jersey also has very generous tax exemption limits. For example, if we replaced our current tax exemption limits with Guernsey tax allowances, and kept our standard rate taxpayers at their current Jersey level of personal tax allowances, it is estimated that we could claw back additional tax revenues of some £20 million.

4. No. In accordance with long established practice, personal tax allowances will continue to be frozen for

2003 so that those who earn the most continue to pay progressively more tax.

I note that the Deputy has not asked about tax exemption limits in this question - which are granted to low and middle income earners. I can confirm that tax exemptions will also be frozen for 2003 for the reasons outlined in the answer to the previous question."

Leachate pollution at Beauport - question and answer (Tape No. 774)

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

"In 1992 many tons of potatoes were buried at Beauport which caused leachate pollution. Would the President -

- (a) confirm that leachate is still being removed from that site and give details of the volume removed since dumping began until and including August this year?
- (b) give the volume broken down on an annual basis?
- (c) estimate how much longer leachate will have to be collected?
- (d) give the total cost to the taxpayer to date of collecting and transporting leachate?"

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

- "(a) I confirm that leachate is still being removed from the Beauport site. With regard the volume of leachate removed since 1992, this is estimated by my Department and the Public Services Department to be 11,168,074 gallons.
- (b) For the period July 1992 until June 1997, the Public Services Department has estimated that the total volume removed was 5,560,000 gallons, an average of 1,112,000 gallons per year.

No records are available for the period July 1997 to June 1998. For that period it has been assumed that the volume was 1,112,000 gallons, based on the estimated volumes for the earlier years.

Since July 1998 records kept by the Department of Agriculture and Fisheries show -

For the period July - December 1998, 350,007 gallons.

In 1999 710,015 gallons.

In 2000 934,020 gallons.

In 2001 1,086,023 gallons.

In 2002, including August, 416,009 gallons.

- (c) The answer to this question remains the same as I gave to the Deputy on 18th January 2002 in the Assembly.

At that time officers of the Public Services Department were consulted and it was concluded that the composition of the leachate would not have reached a safe level, so allowing it to be released into the stream at Beauport, for at least a further five years. There is no subsequent information to alter this conclusion. The composition of the leachate is monitored regularly.

- (d) To obtain this information it has been necessary to go back to records for earlier years to identify invoices in connection with the work. On that basis the Department has made the following estimates for the period since January 1999.

1999	£18,045
2000	£25,129
2001	£23,985
2002	£7,439 (including some August invoices).

To obtain this information prior to 1999 would require a disproportionate input of staff time. The Department's view is that costs for the earlier years would have been similar, depending on rainfall and contractors charges. Assuming an average cost for earlier years of £18,000, the total cost for the ten years to date would be approximately £192,000."

St. Helier StreetLife Programme and the practice of photographing properties - questions and answers
(Tape No. 774)

Deputy Gerard Clifford Lemmens Baudains of St. Clement, asked Senator Nigel Lewis Quérée, President of the Planning and Environment Committee, the following questions -

- "1. Will the President explain why the St. Helier Street Life Programme (P.120/2002), stated in July to be of the utmost urgency, has still not been set down for debate, and will he advise when he intends to ask the Assembly to consider the matter?
2. With regard to photographs recently alleged to have been taken of private property by Planning Officers, would the President advise members -
 - (a) whether records are kept of properties photographed indicating when photographs were taken and by whom?
 - (b) how many private properties his officers have photographed in the last three years other than in connexion with a planning application or a complaint?
 - (c) whether all occupiers/owners were notified prior to those photographs being taken and, if not, how many owner/occupiers were not notified in advance?
 - (d) during the last three years, for what purposes photographs have been taken and would the President supply numbers for each category?
 - (e) whether the photographs concerned were taken with digital cameras and whether the images so captured were downloaded onto computers."

The President of the Planning and Environment Committee replied as follows -

- "1. The requirement to expedite the implementation of the St. Helier Street Life Programme remains as pedestrians still suffer the problems of inadequate pavement widths and poor crossing facilities, resulting in continued pedestrian injury accidents, and businesses endure other problems as a result of a lack of delivery bays in the centre of St. Helier.

The Deputy will be aware that the volume of States business at the end of the last session effectively prevented debate on this matter.

It was proposed that this proposition be brought back for debate by the States today, however, in light of decisions taken during the Island Plan debate and other issues, it has been necessary to amend the report and proposition. Accordingly, the current proposition (P.120/2002) has been withdrawn and a revised

proposition lodged today for debate as soon as the States will allow.

- 2.(a) The recent allegations are the subject of the Statement which I will shortly be making to members.

In response to (a), most major Planning applications require photographs to be taken. Usually these would be taken by Planning Officers as a routine part of their work, occasionally photographs these are submitted by the applicant with the application. All details will be recorded in application files.

Enforcement of Planning and Building Bye-Laws includes the taking of photographs as evidence by Enforcement Officers as part of their case records and files of evidence required by the Police and Royal court processes.

The procedures used by the Historic Building team in their survey work will be explained in the Committee my statement later in the sitting.

There is no separate record of photographs or photographers.

- (b) There are approximately 4,000 properties on the Historic building register which, during recent years, have been reviewed comprehensively under the supervision of the Jersey Building Heritage Sub-Committee to ensure the register is reliable, accurate and up to date. As I have said in my answer to (a) my statement will set out the protocols which deal with photographs taken for this purpose.
- (c) The Deputy's question relates to matters which will be dealt with in my statement.
- (d) It is not possible to be precise but some estimates can be given.

Approximately 1,500 - 2,000 Planning applications per year require photographs. Building surveyors may photograph any of their many checks of 700 building sites for Building Bye-law purposes if, exceptionally, they consider a record is needed. The department also deals each year with about 600-700 enforcement cases in response to complaints from States members and members of the public. It is self-evident that all these require photographs. Policy planning work also uses photographs. The department also has aerial photographs of the whole Island which has a low resolution superficial image of all properties - this is held as an overlay to the computerised Island map.

- (e) Photographs may either be low tech 'film' or digital images, the latter of which are held on the departmental computer network, subject to the States data protocols."

Preparation of legislation relating to the confiscation of alcohol - question and answer (Tape No. 774)

The Deputy of St. Martin asked Deputy Alastair John Layzell of St. Brelade, President of the Home Affairs Committee, the following question -

"On 21st May this year the States, in adopting the proposition regarding Confiscation of alcohol: introduction of Legislation (P.46/2002) approved in principle the introduction of legislation to permit police officers to confiscate alcohol in certain circumstances and charged the Committee to prepare and present to the Assembly the necessary draft legislation to give effect to the proposals.

Will the President inform the Assembly of the steps the Committee has taken to comply with the States decision and in particular -

- (a) how many times the matter has been discussed at Committee meetings?
- (b) when will briefing instructions be submitted to the Law Draftsman?
- (c) when does the Committee intend to present the draft legislation to the States for approval?"

The President of the Home Affairs Committee replied as follows -

“(a) (b) (c)

The Committee discussed the issue only once, before issuing instructions to the Law Draftsman to prepare the appropriate amendments to the Policing of Roads, Parks and Beaches Regulations. When these amendments are drafted the Committee will waste no time in bringing them to the States.”

Driver theory tests - questions and answers (Tape No. 774)

The Deputy of St. John asked Deputy Alastair John Layzell of St. Brelade, President of the Home Affairs Committee, the following questions -

- “1. Would the President explain why it was necessary for the Department of Driver and Vehicle Standards to place a series of advertisements on theory testing for learner drivers, measuring 11” x 7”, and containing no more than 60 words, in the Jersey Evening Post and give the cost of these advertisements?
2. As electronic driver theory tests have been installed at an approximate cost of £30,000 and with an average of 3,500 tests per annum, will the President advise whether or not the equipment has far greater capacity than required and would a different package have been more cost effective?”

The President of the Home Affairs Committee replied as follows -

- “1. The one-off advertisement was placed because, despite the issuing of a press release explaining the new arrangements for the new IT-based theory test to be taken at the Department of Driver and Vehicle Standards, candidates continued to attend Highlands College. The advertisement cost £563.12.
2. The equipment was custom-built and does not have over capacity. Alternatives which were investigated would have been much more expensive. By introducing this service the Home Affairs Committee continues to bear down on costs, saving £48,500 per year which was paid to Highlands College to administer the test and a Grade 5 post.”

Ormer fishing - question and answer (Tape No. 774)

Deputy Gerard Clifford Lemmens Baudains of St. Clement, asked Senator Jean Amy Le Maistre, President of the Agriculture and Fisheries Committee, the following question -

“During the recent debate on ormers, the Committee rapporteur stated that the population of these shellfish was greater around the Island’s coast than compared with our offshore reefs. It is not unusual for the number of French people fishing for ormers at Les Minquiers to outnumber locals on large spring tides and often recently turned stones are visible at a depth that only divers could reach.

Given the above and the fact that divers could work this area just as easily, if not more so, at neap tides, will the President -

- (a) give details of the number of occasions and the dates on which the Department has monitored the Minquiers reef this year for ormer fishing?
- (b) state the number of occasions his officers have likewise monitored Jersey’s coast?
- (c) state whether the Committee intends increasing monitoring of Les Ecréhous and Minquiers’ reefs, given its awareness that the reefs are under performing compared with Jersey’s coast?
- (d) state the number of hours, on average, our fishery protection vessel spends at sea each week.”

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

“(a) Fishery Officers patrolled the area at Les Minquiers on 19 occasions, the dates are as follows -

7th Jan.	8th Feb.	8th Mar.
22nd Apr.	23rd Apr.	25th Apr.
27th Apr. (W'end)	3rd May	7th May
20th May	30th May	14th June
18th June	25th June	15th July
19th July	1st Aug.	8th Sep. (W'end)
16th Sep.		

- (b) There have been 28 similar patrols around Jersey's coast so far this year.
- (c) The Committee has a commitment to control and monitor the commercial fishery, worth some £8m per annum to Jersey, in the full extent of Jersey Territorial Waters. The French fishing effort in Jersey waters is likely to land a similar value of catch and likewise has to be controlled and monitored. The Committee will continue to balance the control of the commercial industry with the interests of the leisure fishery, within the overall budget. The Committee is confident that the current level of monitoring and enforcement activity is adequate, but this issue will be kept under review with a view to increasing the level if this becomes necessary.
- (d) In an answer to a similar question I stated, on 17th April 2002, that since its launch the main Fisheries Protection Vessel has been used an average 9.374 hours per week. Since April this average has not changed significantly.”

Designation of the Odeon Cinema, Bath Street as a Site of Special Interest - questions and answers (Tape No. 774)

Deputy Geoffrey Peter Southern of St. Helier asked Senator Nigel Lewis Quérée, President of the Planning and Environment Committee, the following questions -

“1. To what extent does the President accept the findings of the report of the Halpern Partnership (August 2002) into the proposal to designate the Odeon building as a Site of Special Interest (SSI) and in particular -

(a) the conclusions set out on page 50 of that report that -

‘the cinema building does not have any special architectural features’;

‘the interior has been completely altered’;

‘the Odeon Cinema..... is of no historical interest’; and

‘the Odeon Cinema does not have special cultural interest attached to it’-’;

(b) ‘there is no realistic alternative use when the cinema closes’.

‘The Odeon Cinema’s designation would blight the site and its surrounding area’.

2. Would the President advise members -

(a) whether the Committee has given due consideration to securing the ongoing upkeep and maintenance

of the building, and if so, will these costs fall to the taxpayer?

- (b) whether the Committee accepts that the closure of the Odeon opens up the opportunity to co-ordinate appropriate development in keeping with the Town Park project?
- (c) whether the Committee will now reconsider the proposal for SSI designation?"

The President of the Planning and Environment Committee replied as follows -

- “1. “The Odeon Cinema has been included in the Committee’s Register of Historic Buildings since it was first published in 1992. The cinema, which was built in 1953, is the first significant post-war cinema to be built in the British Isles. The registration of the building, in the proposed SSI grade, was confirmed in June 2000 as part of a review of the Island’s twentieth century buildings. The Review had the benefit of assistance from officers at English Heritage who specialise in the assessment of recent architecture.

The Odeon organisation was advised of the registration of the building in March 2001 and has been in dialogue with the Committee and its officers since that time. A request to remove the building from the Register was made to the Committee in October 2001 by representatives of the Odeon. This was rejected.

A subsequent appeal by the Odeon Limited to the Royal Court was later withdrawn.

On 21st June 2002, on the instructions of the Committee, Notice was served on the Odeon Limited under the provisions of Article 9 of the Island Planning (Jersey) Law 1964 as amended, stating its intention to designate the Odeon as an SSI by reason of its architectural, historical and cultural interest. At the request of the Odeon’s legal advisers, the statutory minimum 28 day period for the submission of representations to the Committee was extended to 11 weeks to enable them to formulate a comprehensive response. Those representations, which were received on 9th September, run to 48 pages of legal argument, supported by 16 appendices. Officers are now assessing these submissions and will bring a report to the Committee when that assessment is complete. The statutory process that has been put in motion can only properly be brought to a conclusion when the Committee has considered the Odeon’s representations and the officers’ commentary on them. The question of designation, and the issues raised by the Deputy, will naturally be considered afresh as part of this process.

In these circumstances it would be premature to respond in detail to the Deputy’s question, which is based wholly on the Odeon’s representations.

- 2.(a) a designation would not alter the financial responsibility for the building’s maintenance and upkeep which remains with those who have a legal interest in the property;
- (b) would need to be subject of a policy decision;
- (c) consideration of this matter is still in progress.

I should also advise the Deputy that the designation of any building as an SSI does not prevent its change of use, alteration or extension, provided such change is sympathetic to the building’s special interest.”

Commonwealth Parliamentary Association Conference in Namibia - statement

The Deputy of Grouville made a personal statement in the following terms -

“I should like to make a statement about the recent Commonwealth Parliamentary Association conference in Namibia. Deputy Le Main, Deputy Scott Warren and I were honoured to have been chosen by our colleagues to represent the Island at this important international gathering, which meets regularly in different parts of the Commonwealth and provides an opportunity for us not only to show Jersey’s face to a truly international

audience but also to learn from Parliamentarians from all over the globe about how they are confronting the common problems and challenges of government that all countries face. In such uncertain times as these in which we live today never was such contact more important. We live in a global village and have a great deal to learn from all its other inhabitants. Moreover, and this is especially important, Jersey's economic success depends more than ever upon its facing the outside world, and the global economy, with grip, resilience and knowledge.

The proceedings began with a Small Countries conference, followed by the Plenary conference at which nations and territories from all regions of the Commonwealth were represented. The two conferences covered a wide range of themes and topics, including 'Parliamentary Systems in Small States: What Works?', 'Policies to Prevent the Spread of HIV/AIDS' and 'Defending Democratic Principles to Preserve Social Stability'. The Jersey delegation naturally participated actively in all the meetings, including my being asked to chair the final Plenary Session at the Small Countries conference. In addition, of course, there were many opportunities, despite a busy schedule, to renew acquaintances among fellow Commonwealth Parliamentarians and exchange views and ideas. Such networking is often one of the most valuable parts of such events.

Namibia, our host country, is a least developed country (to use official United Nations terminology) doing its utmost to achieve economic growth for all its people within a sustainable and democratic framework. We were encouraged that Hon. Katuuire Kaura, MP, leader of the official Namibian Opposition, was invited to address the Opening Ceremony before the Plenary Conference was officially opened by the Prime Minister of Namibia. Quite unlike Jersey, Namibia is large, arid and relatively unpopulated. It is, of course, also a new country, born but twelve years ago from the struggle against apartheid in the old South Africa. As such, it is right in the maelstrom of the massive political, economic and social change now taking place in the southern part of the African continent. It was valuable and fascinating to spend time with Namibian and Southern African colleagues to learn about their perspective on the great issues facing their countries and their neighbours in the Region. The Assembly will appreciate that no-one from Zimbabwe was present as that country is currently suspended from the Councils of the Commonwealth.

From all quarters the same refrain was heard: that the dominant issue in the Region's sustainable development was the land question. I am aware that there has been some criticism here in Jersey about our participation in the conference given the current high profile of this matter in the Region. My two colleagues and I would like to place on record that we believe that such criticism is entirely misplaced. It was not for us to go to Namibia to pass judgement, one way or other, on its, or its neighbours', domestic policies. That would have been arrogant in the extreme. It was for us to seek to contribute to the wider debate there about building strong democratic institutions and about all aspects of sustainable development, and especially the need to balance the environmental concerns so often voiced by us in the West with the need for economic action to begin to lift whole peoples out of poverty. And, with this in mind, it was for us to gain perspective accordingly - which is what we, and all our other Commonwealth colleagues did. That is not, by any stretch of the imagination, to condone the violence or any actions outside the law arising from the land question, that have been witnessed in Zimbabwe or elsewhere, in recent times. Senator Horsfall was absolutely right earlier this month to express concern on that score. But we learnt that the land question in Southern Africa is a deep-rooted and complex issue which will take time and statesmanship to solve.

Because of that we do need to be careful in passing judgement from a distance. That is what we often say to Jersey's critics overseas, whom we confidently believe to be often less than fully informed. In essence, the other side to the argument about land is put eloquently by Nelson Mandela in his wonderful book 'Long Walk to Freedom' where he emphasises that for the people among whom he grew up land had always been viewed as the possession of everyone, God-given like the air and the water, but which had in modern times been taken away by force. Namibia is now facing echoes of the Zimbabwean situation and I hope and believe that the very act of holding the CPA conference there will have helped it to address the question of land ownership in a measured way according to law. In this lies the real value of our participation in such events and I earnestly hope that no-one in Jersey is not broad-minded enough to see that.

I am proud to have had the opportunity to represent Jersey abroad in an organisation such as the CPA that has such power to exercise influence over its members for the good. We were reassured to hear, for example, that

the issue of British citizenship for the people of the island of St. Helena has finally been resolved. I am sure that the pressure placed on the United Kingdom authorities from successive CPA conferences has played a significant part in bringing about a satisfactory outcome for the people of that far-flung British territory. We were able too to express our continuing solidarity with the people of Gibraltar as they prepare for their forthcoming referendum on their territory's constitutional position.

At all costs Jersey must continue to seek to play its part in the Commonwealth Parliamentary Association and make a small, but not insignificant, contribution, from its position of wealth and established freedoms and democracy towards all our Commonwealth friends and partners being able to achieve the same goals. I think it is also important to point out that the direct cost to the Jersey taxpayer of our attendance at this conference amounted to less than £1,200 as the Namibian branch met all costs in Namibia and the CPA Secretariat in London refunded in full the cost of our air travel as a condition of Jersey's annual subscription to the Association. I regard that as very good value for money.

As you will appreciate, I took the liberty of agreeing this statement with Deputy Le Main and Deputy Scott Warren and the three of us speak with one voice on this matter."

Photographing of properties - statement

The President of the Planning and Environment Committee made a statement in the following terms -

"The Planning and Environment Committee has, following the questions asked by the Connétable of Trinity and subsequent press comment, considered the procedures adopted by the Department's Historic Buildings team when surveyors are visiting land and buildings to examine and confirm whether or not the sites meet current criteria for inclusion in the Committee's historic buildings register. This systematic review has been ongoing over the past few years and over that time the department has received very few comments as a result of the visits by surveyors; none have been received directly from the Parish of Trinity.

A photograph is a useful record of an historic building and may be held on file, but may not be essential to the register or the current review. The surveyors have been carefully briefed and are required to adhere to the following protocol -

they must always carry ID and offer to show it when speaking to owners/occupiers;

they must always seek to announce their presence e.g. by knocking on doors, ringing bells etc.;

they must ask before taking photographs of the property from private land; if the owners/occupiers are not available or decline to give permission, then no photographs are to be taken;

if the surveyor is invited inside the property and the owner/occupier is happy for photographs of the interior to be taken, then they can do so provided it is relevant under current law. Photographs may be taken of any property from a public thoroughfare.

I have recently met with the Connétable of Trinity to discuss the issue raised by him in the States and have discussed the cases with the Committee. The Committee's Chief Officer has also been able to report on his initial enquiries from the brief particulars given by the Connétable.

I can advise the States that it is absolutely clear, with regard to the current survey in the cases mentioned by the Connétable, that whilst visits were made to properties in Trinity, no photographs were taken from private land without the permission of the owner; in accordance with the protocol. The Connétable had received several reports that owners had been asked if photographs could be taken and permission was refused.

The preliminary investigation has shown that the surveyors acted in accordance with their instructions and, when permission was refused, no photographs were taken. The Connétable has confirmed that this is indeed the case.

Subsequent to the recent publicity, the Connétable has been contacted by two people who have referred to visits to premises which it is alleged took place many years ago which clearly have nothing to do with the current survey in Trinity. Efforts will be made to make further enquiries since the department's practice is to ensure that ALL complaints are properly investigated even though the elapse of time and changes in personnel will make this difficult.

While the matters raised in the States were in the public interest, they have since become grossly exaggerated by commentators and have given rise to an unnecessary level of concern by the public out of all proportion to the facts. This has caused considerable anxiety to the surveyors involved who the Committee believe are making their best efforts to carry out survey work on behalf of the Committee in fulfilment of local and international policy obligations.

The Committee wishes to record its complete confidence in the department's handling of these matters and advise the States that the department has a clear and unambiguous procedure for the historic buildings review which respects property owners and ensures that all complaints are properly investigated.

The use of photographs for other aspects of the Committee's statutory responsibilities does raise different considerations, for example for applications and enforcement where the department has alternative and appropriate procedures in place."

Tax Information exchange agreement with the United States of America - statement

Senator Frank Harrison Walker, Vice-President of the Policy and Resources Committee, made a statement in the following terms -

"In Senator Horsfall's absence out of the Island on States' business I should like to make a short statement about this proposed agreement with the Government of the United States of America.

The Policy and Resources Committee Report and Proposition on this has been lodged 'au Greffe' today and I have already raised the issue of the important need for the Agreement to be debated and endorsed by the States on 8th October, so that it can be signed in Washington by Senator Horsfall soon afterward.

Sir, this is an extremely important agreement for the Island. It flows directly from the commitments we made to the OECD earlier this year. It touches upon matters where it is essential that Jersey strives for the highest possible international reputation. Most important of all, it marks the first time that the Island itself has entered into such an international agreement on its own account, rather than under the aegis of the United Kingdom Government. This represents a crucial development along the path to establishing Jersey's international personality in its own right, an objective of the Policy and Resources Committee that, as members will know, we have actively sought to articulate and develop in the last number of years.

There will be an opportunity for full debate in two weeks time and for now I would like to make just one further point.

Officials have negotiated the Agreement alongside colleagues from Guernsey. Members will have seen from the newspaper last Friday that Guernsey has now signed their agreement with the USA. There was some comment to the effect that Jersey was therefore 'lagging behind'. This is emphatically not so. The Committee took the view that on this first occasion it was wholly necessary that the States endorsed the Agreement, because of its importance, and that this was not just left to the Committee. Obviously we could not put the text to the States until it had been finalised on both our side and the US side. The final touches were put to it, in fact, only a week ago. So, although we shall be signing our Agreement a little after Guernsey, this is simply because it is important that we fully engage the States. It is important that this is fully understood by all concerned.

I look forward to the States being able to debate the matter in full in two weeks time."

Draft Planning and Building (Amendment) (Jersey) Law 200- P.56/2002; Comments - P.56/2002 Com., and Com.(2)

THE STATES commenced consideration of the draft Planning and Building (Amendment) (Jersey) Law 200- and after discussion, adopted a proposition of Deputy Michael Edward Vibert of St. Brelade that the matter be referred back to the Planning and Environment Committee.

Members present voted as follows -

“Pour” (30)

Senators

Le Maistre, Stein, Bailhache, Syvret, Norman, Walker.

Connétables

Grouville, St. Ouen, St. Brelade, St. Mary, St. John, St. Peter, St. Clement.

Deputies

St. Mary, Trinity, Duhamel(S), Routier(H), Grouville, Huet(H), Vibert(B), St. Peter, St. Oue
G. Baudains(C), Dorey(H), Troy(B), Voisin(L), Le Hérisser(S), Ozouf(H), Martin(H), Southern(H).

“Contre” (16)

Senators

Quérée, Kinnard, Le Sueur, Le Claire, Lakeman.

Connétables

St. Saviour, St. Helier.

Deputies

H. Baudains(C), Layzell(B), Breckon, St. Martin, St. John, Le Main(H), Scott Warren(S), Farnham(Fox(H)).

Draft Crime (Going Equipped) (Jersey) Law 200- P.96/2002

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Draft Crime (Going Equipped) (Jersey) Law 2002.

European Convention for the Protection of Human Rights and Fundamental Freedoms: Individual Right to Petition - P.110/2002

THE STATES, adopting a proposition of the Policy and Resources Committee, requested the Bailiff to inform the Lord Chancellor that it was their wish that a declaration be made extending to the Bailiwick, for an indefinite period, with effect from 14th January 2001, the right of individual petition to the European Court of Human Rights, under Article 56(4) of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Draft Civil Evidence (Jersey) Law 200- P.111/2002.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Draft Civil Evidence (Jersey) Law 2002.

Meetings of the States in 2003: suspension of Standing Order 4(1)- P.124/2002

THE STATES, adopting a proposition of the Privileges and Procedures Committee, suspended Standing Order No. 4(1) to enable the States to meet on the days fixed for the holding of meetings in ordinary session in 2003.

Draft Law Reform (Miscellaneous Provisions) (Jersey) Law 200- P.130/2002

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Draft Law Reform (Miscellaneous Provisions) (Jersey) Law 2002.

Financial assistance for the cost of ophthalmic and dental care for persons aged over 65: extension of scheme - P.131/2002

Amendment, Comments - P.131/2002 Com.

THE STATES commenced consideration of a proposition of the Employment and Social Security Committee regarding the Financial assistance for the cost of ophthalmic and dental care for persons aged over 65: extension of scheme, and adopted an amendment of the Connétable of Grouville that before paragraph (a) of the proposition there be inserted a new paragraph (a) -

“(a) to approve the extension of the scheme for the remainder of the trial period to include those persons over the age of 65 years in receipt of HIE and who meet the criteria for eligibility set out in their Act dated 24th April 2001;”

and that the existing paragraphs be re-numbered accordingly.

THE STATES, adopting a proposition of the Employment and Social Security Committee, as amended, referred to their Acts dated 24th April 2001 and 1st August 2001, in which they approved the establishment of a scheme to subsidise the cost of ophthalmic and dental care to certain persons over the age of 65 years for a trial period of two years through an appropriate organisation and, from 1st July 2002 -

- (a) approved the extension of the scheme for the remainder of the trial period to include those persons over the age of 65 years in receipt of HIE and who meet the criteria for eligibility set out in their Act dated 24th April 2001;
- (b) approved the extension of the range of services available under the Scheme for the remainder of the trial period to include chiropody, as set out in section 4.2 of the report of the Employment and Social Security Committee dated 2nd May 2002;
- (c) approved an increase in the value of benefit available under the Scheme, for the remaining period of the trial, as set out in section 4.3 of the said report; and
- (d) agreed that the Committee be permitted to vary the criteria for eligibility within the period of the trial Scheme period, whilst remaining within the agreed budget, as set out in section 4.4. of the said report.

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

Royde House, 21 Midvale Road, St. Helier lease of accommodation - P.137/2002

THE STATES, adopting a proposition of the Health and Social Services Committee -

- (a) approved the leasing by the public from Arrandon Holdings Limited of approximately 4,195 square feet of accommodation at Royde House, 21 Midvale Road, St. Helier, for the purpose of accommodating the Child and Family Services, for a period of five years commencing on 1st September 2002, with the option to renew the lease for a further three years, at an initial annual rental of £77,340.05, with the rental to be reviewed annually in line with the Jersey Retail Price Index, and with each party being responsible for its own legal fees in relation to this transaction;
- (b) authorised the Greffier of the States to sign the lease on behalf of the public; and
- (c) authorised the Treasurer of the States to pay the rent as it became due.

Draft Nursing and Residential Homes (Amendment) (Jersey) Law 200- P.140/2002

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Draft Nursing and Residential Homes (Amendment) (Jersey) Law 2002.

The Connétable of Grouville, having declared an interest in the matter, withdrew from the Chamber prior to the consideration of this item.

Draft Licensing (Licence Fees) (Jersey) Regulations 200- P.150/2002

THE STATES, in pursuance of Article 11 of the Licensing (Jersey) Law 1974, as amended, made Regulations entitled the Licensing (Licence Fees) (Jersey) Regulations 2002.

Machinery of Government: freedom of representation - P.173/2002

The following matter was lodged “au Greffe” -

Machinery of Government: freedom of representation (P.173/2002).

Presented by Senator S. Syvret.

THE STATES granted leave to Senator Stuart Syvret to withdraw the proposition concerning Machinery of Government: freedom of representation (P.142/2002 lodged “au Greffe” on 27th August 2002 and set down for consideration on 1st October 2002).

Revised arrangement of public business for the next meeting on 1st October 2002

THE STATES confirmed that the following matters lodged “au Greffe” would be considered at the next meeting on 1st October 2002 -

Draft Amendment (No. 11) of Standing Orders Relating to Certain Transactions in Land- P.133/2002.

Lodged: 13th August 2002.

Privileges and Procedures Committee.

Draft Public Holidays and Bank Holidays (Amendment No. 2) (Jersey) Law 200- P.136/2002.

Lodged: 20th August 2002.

Finance and Economics Committee.

Mains Drain Extension Scheme: Thistle Grove, St. Lawrence and St. John- P.141/2002.

Lodged: 27th August 2002.

Deputy of St. John.

Mains Drain Extension Scheme: Thistle Grove, St. Lawrence and St. John (P.141/2002) - comments - P.141/2002 Com.

Presented: 24th September 2002.

Finance and Economics Committee.

Mains Drain Extension Scheme: Thistle Grove, St. Lawrence and St. John (P.141/2002) - report - P.141/2002 Rpt.

Presented: 24th September 2002.

Public Services Committee.

Draft Boats and Surf-Riding (Control) (Amendment No. 23) (Jersey) Regulations 200- P.144/2002.

Lodged: 3rd September 2002.

Harbours and Airport Committee.

Draft Pilotage (General Provisions) (Amendment No. 8) (Jersey) Regulations 200- P.145/2002.

Lodged: 3rd September 2002.

Harbours and Airport Committee.

Draft Harbours (Amendment No. 34) (Jersey) Regulations 200- P.146/2002.

Lodged: 3rd September 2002.

Harbours and Airport Committee.

Draft Health and Safety at Work (Construction) (Personal Protective Equipment) (Jersey) Regulations 200- P.154/2002.

Lodged: 10th September 2002.

Employment and Social Security Committee.

Draft Motor Traffic (No. 9) (Jersey) Regulations 200- P.155/2002.

Lodged: 10th September 2002.

Home Affairs Committee.

New North Quay, St. Helier: erection of fencing - review - P.163/2002.

Lodged: 17th September 2002.

Deputy G.C.L. Baudains of St. Clement.

THE STATES rose at 3.49 p.m.

C.M. NEWCOMBE

Greffier of the States.