



THE STATES assembled on Tuesday,
26th June, 1984 at 10.15 a.m. under
the Presidency of the Bailiff, Sir Frank
Ereaut.

All members were present with the exception of –

Senator Reginald Robert Jeune – out of the Island.

Leonard René Hamel, Connétable of St. Clement – ill.

Edgar John Becquet, Deputy of Trinity – out of the Island.

John Nicolle Le Fondré, Deputy of St. Lawrence – ill.

Mrs. Corrie Stein, Deputy of Grouville – out of the Island.

Prayers.

Subordinate legislation tabled.

The following enactment was laid before the States, namely –

Enzootic Bovine Leucosis Disease (Jersey) Order, 1984.
R. & O. 7290.

States of Jersey Fire Service Report 1983.

The Defence Committee by Act dated 14th June, 1984,
presented to the States a Report on the administration of the States
of Jersey Fire Service for the year 1983.

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

Telecommunications Board Report 1983.

The Telecommunications Board by Act dated 27th April,
1984, presented to the States its Report of the year ended 31st
December, 1983.

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

Probation Service Report 1983. R.C.18.

The Prison Board by Act dated 11th June, 1984, presented to the States the Report of the Probation Committee for 1983.

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

Industrial Relations Advisory Service Report for 1983. R.C.19.

The Industrial Relations Committee by Act dated 12th June, 1984, presented to the States the Report on the Industrial Relations Advisory Service 1983.

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

Resources Recovery Board Report for 1983. R.C.20.

The Resources Recovery Board by Act dated 24th May 1984, presented to the States its Report on the operation of the services of the Board for the year 1983.

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

Matters lodged.

The following subjects were lodged “au Greffe” –

1. **Repeal of Sunday trading legislation. P.86/84.**
Presented by the Connétable of St. Helier.
2. **Gas Company Relocation: loan and ancillary matters. P.87/84.**
Presented by the Finance and Economics Committee. The States decided to take this subject into consideration on 31st July, 1984.

3. **Golf Course: rezoning of land. P.88/84.**
Presented by the Island Development Committee.
The States decided to take this subject into consideration on 21st August, 1984.

4. **Draft Barclays Bank (Jersey) Law, 198 . P.89/84.**
Presented by Deputy Sir Martin Le Quesne of St. Saviour. The States decided to take this subject into consideration on 21st August, 1984.

Dummy Lane, St. Helier: acquisition. P.159/83.

THE STATES acceded to the request of the President of the Housing Committee that the Proposition regarding the purchase of Dummy Lane, St. Helier (lodged on 6th December, 1983) be deferred from the present Sitting to 31st July, 1984.

Constitution of Special Committee to consider invitation to make a regular annual contribution towards the costs of defence expenditure of the United Kingdom and of international representation by the United Kingdom on behalf of the Island. P.85/84.

THE STATES acceded to the request of Senator Ralph Vibert that the Proposition regarding the Constitution of a Special Committee to consider invitation to make a regular annual contribution towards the costs of defence expenditure of the United Kingdom and of international representation by the United Kingdom on behalf of the Island (lodged on 19th June, 1984) be considered on 31st July, 1984.

Committee of Inquiry: fuel oil prices. P.42/84.

THE STATES acceded to the request of Senator Jane Patricia Sandeman that the Proposition regarding the appointment of a Committee of Inquiry into the price of fuel oil in Jersey (lodged on 17th April, 1984) be considered on 31st July, 1984.

Social Security Reciprocal Agreements. Questions and answers.

Senator Richard Joseph Shenton asked Deputy Francis Hedley Morel of St. Saviour, President of the Social Security Committee, the following questions –

- “1. Would the President confirm that the Jersey/France Reciprocal Agreement favours the French authorities?
2. Is the President aware that French tourists can receive out-patient treatment at the General Hospital entirely free, but that similar treatment in France for the Jersey tourist would have to be paid for by the individual?
3. Is the Committee satisfied with these arrangements and are there any other European countries with reciprocal arrangements where the negotiations are detrimental to the Jersey travelling public?”

The President of the Social Security Committee replied as follows –

- “1. No! At the time when the current French Reciprocal Agreement was negotiated, the position was that a Frenchman who came to Jersey and was obliged to obtain hospital inpatient treatment could receive that treatment free of charge, whereas a Jersey resident who required similar treatment in France was required to pay for that treatment, often at considerable personal expense if he had not covered himself against such an eventuality through a private insurance scheme. Thus, a Jersey tourist in France who required hospital in-patient treatment was at a considerable disadvantage when compared to his French counterpart who was in Jersey and required similar treatment.

When the French Reciprocal Agreement was introduced it allowed the Jersey resident who was temporarily in France to receive hospital in-patient treatment on exactly the same basis as a French National who was insured under the French Social

Security System. There was, therefore, a considerable advantage gained for the Jersey resident as a consequence of the implementation of this Agreement.

2. I am aware that emergency out-patient treatment is currently provided for **all** nationalities at the General Hospital entirely free of charge. This is a policy which I believe has been in existence for a considerable period of time and which covers both people who come from countries with whom Jersey has an agreement, as well as those who come from countries with whom Jersey does not have a Reciprocal Agreement.

In negotiating an Agreement with any foreign government, it is a fact that it is not always possible to gain all the benefits that one would want in any discussion that takes place. There comes a time when it is necessary to consider whether the advantages that have been gained are adequate and that a withdrawal from the negotiations would put in jeopardy sufficient gains that would flow from the implementation of such an Agreement.

In the case of the French Reciprocal Agreement it was found that the undertaking that was entered into by the French Authorities to cover emergency hospital in-patient treatment was a substantial gain and would be of benefit to many Jersey residents. Practical experience has confirmed this judgement, with a number of Jersey residents have been excused substantial hospital expenses which, prior to the implementation of the Agreement, they would have been called upon to meet themselves. While it is agreed that hospital out-patient treatment is not covered by the Agreement, it should be recognised that the expenses that are incurred as a result of such treatment are normally minimal and, indeed, fade into insignificance when compared to the costs that are normally associated with hospital in-patient treatment.

3. The Committee recognises and, indeed, is pleased to point out that the Reciprocal Agreement with France provided a significant advance in the cover provided for Jersey residents who were temporarily in that country and who required emergency hospital in-patient treatment. As has already been noted earlier, the Committee has evidence of a number of incidents where Jersey residents have been saved considerable personal expense as a result of the existence of this Agreement.

The Committee, whenever it considers implementing the provisions of any new Reciprocal Agreement with another country, naturally considers whether the benefits that are derived from that Agreement are adequate and provide significant gains for the residents of this Island. All the Agreements that we have currently entered into with other European countries have provided such advantages.

I would like to point out that it is the Committee's avowed policy to continue to seek an expansion in the numbers of Reciprocal Agreements that this Island has with other countries, particularly other European countries. In addition, the Committee is always anxious to seek to improve on the conditions attaching to our existing Agreements by extending the benefits that are guaranteed under the terms of those Agreements. The Committee will in the future attempt to continue to maintain its policies in connexion with the negotiation of Reciprocal Agreements with other countries."

Field 105, La Petite Route des Mielles, St. Brelade. Questions and answers.

Deputy Enid Clare Quenault of St. Brelade asked Deputy Norman Stuart Le Brocq of St. Helier, President of the Island Development Committee, the following questions –

- “1. When was the application for the proposed development of Field 105, La Petite Route des

Mielles, St. Brelade, for dwelling accommodation first advertised in the Evening Post?

2. When was planning permission for the development given?
3. When considering the application, did the Committee also consider the letters of objection and protest which had been sent in and the representations from the Parish of St. Brelade?
4. When the application was made, who was shown as the beneficial owner of the land on the planning application?

The President of the Island Development Committee replied as follows –

- “1. The application was first advertised in the Jersey Evening Post on 15th March 1984.
2. The application was granted approval in principle on 2nd May 1984, subject to a number of conditions including a reduction in the number of dwellings from 28 to 25.

That approval in principle (being the one of which I informed the States early in my reply on behalf of the Committee when debating Deputy Quenault’s recent Proposition – P.67/84) was granted by letter rather than on a planning permit form. The reason was that the latter involves the return of stamped plans, which would have been inappropriate in the case concerned due to the need first to incorporate the detailed amendments necessary to fulfil the conditions just mentioned.

However, there is no distinction between approval in principle by letter or on a form with regard to determining a planning decision. Both constitute a written declaration on the part of the Committee which, although not legally binding, nevertheless need to be relied upon by an applicant and subsequently be honoured by the Committee when dealing with later stages of an application.

3. The Committee took full account of letters of objection and protest which had been sent in and of the representations from the Parish of St. Brelade.

This is exemplified by Deputy Quenault, the Connétable of St. Brelade and Deputy Thorne having been received at the Planning Office on 21st April 1984 by me and the Chief Officer and considerable time having been spent on discussing all aspects of the application they wished to put forward. I conveyed those views to the Committee when it considered the application on 27th April, and where considered valid, they contributed to the amendments required of the applicant.

4. The application was submitted with the name of the owner shown as Canterside Limited, Mayfayre, Rue du Haut, Bel Royal, St. Lawrence.”

Supplementary and Additional Votes of Credit.

THE STATES considered an Act of the Finance and Economics Committee dated 13th June, 1984, presenting Acts of the undermentioned Committees and, acceding to the requests contained therein, granted to the said Committees Supplementary (S) and Additional (A) votes of credit out of the General Reserve as follows –

C denotes capital votes of credit.

S	A
£	£

Harbours and Airport Committee

1716	Transport Advisory Council – Passenger survey at Airport		
		<u>5,000</u>	

Public Works Committee

2063	Maintenance of roads – cleaning – supplies and services		
		<u>3,000</u>	

		S	A
		£	£
Public Health Committee			
3431	St. Saviour's Hospital – staff	62,500	
3441A	Day Care Centre and Day Care Hospital – staff	<u>11,600</u>	
	Total request	<u>74,100</u>	
Tourism Committee			
4602	Premises	<u>3,100</u>	
Elizabeth House Committee			
5302	Premises	<u>3,000</u>	
Prison Board			
5501	Staff	<u>62,700</u>	
Fort Regent Development Committee			
5712	Premises	<u>36,000</u>	
Public Health Committee			
C0651	Le Geyt Centre – workshop	<u>41,000</u>	

The total requests granted for the June Supply Day amounted to £227,900.

The total deferred supply items amounted to £21,000.

Public Works Committee – removal of fuel tanks at South Hill. Deferred Supply. P.90/84.

THE STATES deferred consideration of the request of the Public Works Committee for an additional vote of credit in the sum of £20,000 for the removal of fuel tanks at South Hill (2015).

The Proposition relative thereto was lodged “au Greffe” by Senator Richard Joseph Shenton.

Gambling Control Committee – establishment. Deferred Supply. P.91/84.

THE STATES deferred consideration of the request of the Gambling Control Committee for a supplementary vote of credit in the sum of £1,000 for Establishment – visit of Home Office Official for Conference on Gambling Policy (5805).

The Proposition relative thereto was lodged “au Greffe” by Deputy Ronald Winter Blampied of St. Helier.

Le Geyt Centre: extension.

THE STATES, adopting a Proposition of the Public Health Committee –

- (a) approved Drawing No. 2585 – 15A and 2585 – 16A showing the extension to Le Geyt Centre to provide a severely handicapped unit and printing workshop;
- (b) authorised the Greffier of the States to sign the said Drawing.

Policing of Parks (Amendment No. 4) (Jersey) Regulations, 1984.

THE STATES, having rejected a Proposition of Senator John Le Marquand that the Preamble be referred back to the Public Works Committee, made Regulations in exercise of the powers conferred upon them by the Order in Council of the twenty-sixth day of December, 1851, Article 49 of the Road Traffic (Jersey) Law, 1956, as amended, and the Policing of Roads, Parks and Sea Beaches (Application of Fines) (Jersey) Law, 1957, as amended,

entitled the Policing of Parks (Amendment No. 4) (Jersey) Regulations, 1984.

Members present voted on the reference back as follows –

“Pour” (21)

Senators

Vibert, Le Marquand, Binnington, Sandeman,
Rothwell.

Connétables

St. Ouen, St. Mary, St. Lawrence.

Deputies

Mourant(H), St. Ouen, Morel(S), Quenault(B),
Perkins(C), Le Brocq(H), Le Quesne(S), St. Martin,
Vandervliet(L), St. Peter, Buesnel(H), Thorne(B),
Blampied(H).

“Contre” (23)

Senators

de Carteret, Horsfall, Baal.

Connétables

Grouville, St. Saviour, St. John, Trinity, St. Brelade,
St. Martin, St. Peter, St. Helier.

Deputies

Le Gallais(S), Roche(S), Filleul(H), Le Main(H),
Farley(H), Rumboll(H), St. Mary, Beadle(B),
Wavell(H), Billot(S), Norman(C), St. John.

Security Interests (Amendment) (Jersey) Law, 1984.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Security Interests (Amendment) (Jersey) Law, 1984.

Victoria Pier Spur Wall and La Collette Basin Slip and Fish Quay.

THE STATES, adopting a Proposition of the Harbours and Airport Committee, approved in principle the construction of a protective spur wall to the west of the Victoria Pier, Port of St. Helier and a combined slip and fish quay in La Collette Yacht Basin.

Public Works Committee: capital works for 1983.

THE STATES, adopting a Proposition of the Public Works Committee, approved in principle –

- (1) the building of new Magistrates' Courts at Hue Street, St. Helier, as shown on Plan No. 2749.5;
- (2) the building of offices for the Superintendent Registrar on a site on the north side of the junction of Hue Street and Dumaresq Street, St. Helier, as shown on Plan No. 2749.5;
- (3) improvements and maintenance work at the Government House premises, to be carried out in phases;
- (4) a programme for the provision of additional public toilets at sites to be selected, in accordance with priorities to be determined;
- (5) the construction of a sixth multi-storey car park.

Commercial Relations premises. Deferred Supply.

THE STATES, adopting a Proposition of the Finance and Economics Committee, acceded to its request for the following supplementary vote of credit to be voted out of the General Reserve –

Commercial Relations – premises (0432) – £2,600.

Policing of Beaches (Amendment No. 6) (Jersey) Regulations, 1984.

THE STATES, in exercise of the powers conferred upon them by the Order in Council of the twenty-sixth day of December, 1851, Article 49 of the Road Traffic (Jersey) Law, 1956, as amended, and the Policing of Roads, Parks and Sea Beaches (Application of Fines) (Jersey) Law, 1957, as amended, made Regulations entitled the Policing of Beaches (Amendment No. 6) (Jersey) Regulations, 1984.

THE STATES rose at 4.20 p.m.

R.S. GRAY,

Deputy Greffier of the States.