



**THE STATES assembled on Tuesday,  
14th October, 1986 at 10.15 a.m. under  
the Presidency of the Bailiff,  
Peter Leslie Crill, Esquire, C.B.E.**

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All members were present with the exception of –

Senator John Le Marquand – out of the Island.

Senator Richard Joseph Shenton – out of the Island.

Senator Jane Patricia Sandeman – ill.

Senator Peter Geoffrey Kevitt Manton – out of the Island.

Charles Alan Le Maistre, Connétable of Grouville – out of the Island.

John Le Gallais, Deputy of St. Saviour – out of the Island.

Sir Martin Le Quesne, Deputy of St. Saviour – out of the Island.

John Philip Farley, Deputy of St. Helier – out of the Island.

Bertram Manning Le Maistre, Deputy of St. Mary – out of the Island.

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Prayers

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**Subordinate legislation tabled.**

The following enactment was laid before the States, namely –

**Johne's Disease (Revocation) (Jersey) Order, 1986.  
R & O 7560.**

**Medical Officer of Health Report 1985.**

The Public Health Committee by Act dated 23rd July, 1986, presented to the States the Report of the Medical Officer of Health for the year 1985.

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

**Importation of hire cars. Report. R.C.20.**

The Policy Advisory Committee by Act dated 7th October, 1986, presented to the States a Report on the importation of hire cars.

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

**Matters lodged.**

The following subjects were lodged “au Greffe” –

1. **States’ Committees’ Contracts: finance. P.134/86.**  
Presented by Senator Jane Patricia Sandeman.
2. **Compulsory Purchase Law: amendments. P.135/86.**  
Presented by Senator Jane Patricia Sandeman.
3. **Royal Court Road: parking. P.136/86.**  
Presented by Senator Terence John Le Main.
4. **Admission of Advocates and Solicitors, and legal costs: Committee of Inquiry. P.137/86.**  
Presented by Senator Richard Joseph Shenton.
5. **Highlands College: transport engineering workshops – approval of Drawings. P.138/86.**  
Presented by the Education Committee. The States decided to take this subject into consideration on 28th October, 1986.

**Police Headquarters: improved security arrangements. P.133/86.**

THE STATES acceded to the request of the President of the Defence Committee that the Proposition relating to improved security arrangements at Police Headquarters (lodged on 7th October, 1986) be taken into consideration on 21st October, 1986.

**Agricultural Industry: continuation of bank interest subsidies. P.123/86.**

THE STATES acceded to the request of the President of the Agriculture and Fisheries Committee that the Proposition relating to the continuation of bank interest subsidies for the agricultural industry (lodged on 23rd September, 1986) be taken into consideration on 21st October, 1986.

**Public Lotteries: distribution of profits. P.124/86.**

THE STATES acceded to the request of the President of the Gambling Control Committee that the Proposition relating to the distribution of the profits of the Public Lotteries (lodged on 23rd September, 1986) be taken into consideration on 4th November, 1986.

**Immigration Policy in the light of 1986 Census figures. Statement.**

The President of the Policy Advisory Committee made a Statement in the following terms –

- “1. “The recently published Census for 1986 has been a cause of general concern in that the population has grown beyond 80,000 and the rate of increase – 4,162 since 1981 – is alarming.

The Policy Advisory Committee will be considering as a matter of priority what steps to recommend to remedy the situation, and a report will be presented to the States as soon as possible.

It must be clear to all, however, that there is no immediate or easy solution, and the purpose of this statement is to invite all Members of the States and all members of the public to apply their minds to the question. The Committee would welcome all suggestions.

To assist our thinking, it may be of value to record some of the proposals which have hitherto been put into effect or suggested, and the general background.

### **A problem of prosperity**

2. The Island can be said to be very lucky to have such a problem. People wish to come to Jersey because it is a successful and attractive Island. It is preferable, at least politically, to have a problem such as ours rather than the problem of unattractiveness and poverty. Our remedies therefor must not convert our problem of success into one of unemployment and inability to provide for public health, education and other social services. Proper provision needs to be made for the necessary process of business change and development upon which prosperity will depend in the future as it has done in the past. How can we ensure that the Island remains reasonably prosperous without destroying the environment and quality of Island life?

### **Regulation of Undertakings and Development, (Jersey) Law, 1973**

This Law has been the main instrument of the States in combating excessive immigration. Indeed it is the only legislation specifically designed for that purpose. It is far-reaching and unusual – there cannot be many places in the world with legislation designed to reduce business activity.

It has been applied in recent years so as to prevent individuals and firms non-resident in Jersey from

starting up in business. Our doctrine has been that more businesses mean more jobs and more jobs mean more people. And conversely. Why then has the population increased? The answer may be in part that little control has been exercised over the commencement of new undertakings by local residents and firms, or over the increase in the number of staff employed by established undertakings.

Query: Should such additional controls be exercised, and if so to what extent?

3. This Law also imposes on the Finance and Economics Committee the duty of regulating the amount and rate of building development. It is a power which had not until recently been exercised restrictively. If it is so exercised, the building trade will complain of shortage of business and jobs and the demand for the improvement and extension of the built environment from Island residents and businesses (for housing, health and educational facilities, offices etc.) will be less satisfied. However, more building results in more employment and more people. It is a difficult balancing exercise, as is the regulation of businesses, and I am sure that the Finance and Economics Committee would welcome suggestions, while it and it alone must remain ultimately responsible.

Query: How far should building development, even if approved by the Island Development Committee be prevented for the purposes of controlling immigration?

### **Housing controls**

4. Housing is another sphere in which the Island is far more heavily regulated than most countries. The Law is not designed to restrict immigration, but to ensure that what housing there is becomes available to those with a genuine claim on the Island. And, after 1990,

length of residence in the Island will in itself constitute no claim.

The Housing Law, though not designed to restrict immigration, does however have a powerful effect in that direction, in that many persons will not come to or remain in the Island if they cannot themselves become tenants or owners of a dwelling. They are not prepared, as many others are, to live in lodgings, or with friends. There is no doubt but that the housing restrictions must and will continue.

## Housing

5. There are two classes which need discussion whenever the question of immigration is raised – essential employees and wealthy immigrants.

About 125 additional persons a year take up residence in the Island as the result of essential employee consents; this figure includes families. The grant of a consent by the Housing Committee is based on an assessment of the best interests of the Island and takes account of the value of the employer's business activities, the essential nature of the job, and the opportunities that exist for the post to be filled by a local resident.

Query: While it is difficult to envisage a completely shut door in this direction, comments would be welcomed.

6. With regard to wealthy immigrants, the Housing Committee has followed the advice of the States in granting consents to not more than fifteen or so net additional immigrants each year. Consent to purchase will not be given unless the Committee is satisfied that the property is not required by a local resident.

Query: Should this class of exemption be reduced or discontinued?

**Additional possible residential controls**

7. Most newcomers to Jersey do not become either owners or tenants of a dwelling, and so are not affected by the housing controls. They live in lodgings or with friends. It is therefore necessary to consider possible controls in that field. In doing so, however, it must be borne in mind that there are many activities, in particular tourism and associated businesses, which depend on a mobile pool of labour whose principal form of residence is a lodging of one form or another. In considering any tighter controls over 'lodgers' it should be noted that although they do not qualify as essential employees under the Housing Regulations, they are often filling jobs for which there are no local residents available and which are important for the running of the Island.

**Reduction in lodging exemption**

At the present time any person taking more than five lodgers must have their premises registered either under the Tourism Law or under the Lodging Premises Law.

It has been suggested that the figure of five should be reduced to two.

Query: Comments are invited on this suggestion.

**Residence permit**

8. One control which will need examination is that adopted in Guernsey, whereby all non-exempted persons staying for longer than a certain period require a residence permit. The task of administration and more particularly of enforcement appears on the face of things fearsome, but the option deserves examination, and indeed is in the course of study by the Housing Committee.

**Work permits**

9. The States have recently enacted legislation, now awaiting sanction by the Privy Council, under which it would be possible to declare a field or fields of employment in which any non-exempt person would require a permit before being employed. Classes of persons exempted from the control include those with ten years residence in the Island. This new control is intended to ensure that if the situation were to arise that there was unemployment in any particular field, such as the building trade, local persons would have preference. The Law is not designed to reduce immigration though, like the Housing Law, it would be likely, in conditions of under-employment, to have that effect. In conditions of full employment, as at present obtain, it is more difficult to see how the new law could usefully be applied for immigration purposes. Our present problem is that in some fields there are more jobs than people to fill them. Reducing the number of persons available for employment will not mean the jobs no longer exist. To find recruits employers would need to bid more for the resident work-force in competition with other employers.

Query: Comments are invited on this aspect of the work permits legislation.

**The public sector**

10. Most of the above relates to the private sector but we ourselves in the States are responsible for some of the increased immigration. There has recently been a great increase in the number of persons employed by the States – in the medical and nursing field, the Police, and civil servants. Every added or improved service tends to mean more people in the Island, whether or not the new staff are locally recruited.

Query: How far should the public service be restricted by the need to contain immigration?



**General**

11. There may well be possibilities other than those mentioned above and, as stated, the Committee would welcome all suggestions and any comments on the above.”.

**Park and Ride Scheme at Goose Green, Beaumont, St. Peter. P.113/86.**

THE STATES rejected a Proposition of Deputy Norman Stuart Le Brocq of St. Helier that the Public Works Committee be instructed to institute in early 1987 a “park and ride” scheme based on the use of parking at Goose Green, Beaumont, and a shuttle service of buses into St. Helier; the scheme to include a nominal combined charge for parking and riding, and to be monitored for its effectiveness in traffic management rather than cost.

Members present voted as follows –

**“Pour” (11)**

**Connétables**

St. Clement, St. Lawrence, St. Ouen.

**Deputies**

Quénault(B), Le Brocq(H), Grouville, Thorne(B), Wavell(H), Billot(S), Norman(C), Carter(H).

**“Contre” (31)**

**Senators**

Vibert, Jeune, Binnington, Horsfall, Baal, Rothwell, Le Main.

**Connétables**

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

**Deputies**

Mourant(H), St. Ouen, Morel(S), Le Maistre(H), Roche(S), Trinity, Filleul(H), Vandervliet(L), Le Fondré(L), Rumboll(H), Beadle(B), Blampied(H), St. John, St. Peter, Mahoney(H), St. Martin.

**General Hospital Redevelopment: Phase III. P.129/86.**

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

- (a) approved the appointment of Higgs and Hill Building Limited as Management Contractors for Phase III of the General Hospital Redevelopment Scheme subject to the allocation of funds at the appropriate stage;
- (b) authorised the Greffier of the States, also at the appropriate stage, to sign a Professional Services Contract with Higgs and Hill Building Limited extending the existing agreement for Phase II and Phase III of the General Hospital Redevelopment Scheme;
- (c) requested the Finance and Economics Committee to amend Rule 5 of the Public Finances (General) (Jersey) Rules, 1967, as amended, to permit the appointment of a Management Contractor for Phase III of the General Hospital Redevelopment Scheme.

THE STATES rose at 12.56 p.m.

**E.J.M. POTTER,**

*Greffier of the States.*