



**THE STATES assembled on Tuesday,
7th April, 1987 at 10.15 a.m. under
the Presidency of the Bailiff,
Peter Leslie Crill, Esquire, C.B.E.**

His Excellency The Lieutenant Governor,
Admiral Sir William Pillar, G.B.E., K.C.B.,
was present.

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 Anne Baal – out of the Island.

Senator Terence John Le Main – out of the Island.

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

Donald George Filleul, Deputy of St. Helier – out of the
Island.

John Nicolle Le Fondré, Deputy of St. Lawrence – out of
the Island.

Ronald Winter Blampied, Deputy of St. Helier – out of
the Island.

Mervyn Renouf Billot, Deputy of St. Saviour – ill.

Prayers

Visit of Minister of State at the Home Office, Earl of Caithness.

The President welcomed the Minister of State at the Home Office,
the Earl of Caithness, who occupied a seat on the floor of the House.

Lord Caithness replied.

Connétables of Trinity and St. Brelade, Mr. C.B. Ahier and Mr. L.G. Downer – retirement.

The Bailiff, on behalf of the States, thanked Mr. Charles Binet Ahier, Connétable of Trinity and Mr. Leonard Geoffrey Downer, Connétable of St. Brelade for their services to the Island over the years and conveyed to them the best wishes of the Assembly for a long and happy retirement.

Adjournment.

THE STATES adjourned and reassembled under the Presidency of the Deputy Bailiff, Vernon Amy Tomes, Esquire.

Subordinate Legislation tabled.

The following enactments were laid before the States, namely –

1. **Post Office (General Provisions) (Amendment No. 23) (Jersey) Order, 1987. R & O 7615.**
2. **Road and Sand Racing (Jersey) Order, 1987. R & O 7616.**
3. **Road Traffic (Saint Lawrence) (Amendment No. 4) (Jersey) Order, 1987. R & O 7617.**
4. **Road Traffic (Saint Martin) (Amendment No. 5) (Jersey) Order, 1987. R & O 7618.**
5. **Saint Martin's Fête (Jersey) Order, 1987. R & O 7619.**

Agricultural Statistics for 1986.

The Agriculture and Fisheries Committee by Act dated 16th March, 1987, presented to the States the Agricultural Statistics for 1986.

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

Matter noted – land transaction.

THE STATES noted an Act of the Finance and Economics Committee dated 30th March, 1987, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved as recommended by the Education Committee, a Deed of Agreement with Mr. Gordon Hanna and Mrs. Sarah Bernadette Hanna, née McGarry, owners of No. 6, Brookhall, Rue des Prés, St. Saviour, in respect of a narrow area of land on the exterior of Plat Douet Road School boundary in order to give them right of access over the land, with Mr. and Mrs. Hanna being responsible for the payment of all legal fees.

Matters noted – financial transactions.

THE STATES noted Acts of the Finance and Economics Committee dated 30th March, 1987, showing that in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules, 1967, as amended, the Education Committee had accepted –

- (a) the lowest of five tenders, namely that submitted by Regal Construction (Jersey) Limited in the revised sum of £71,150.13 for improvements to Plat Douet School;
- (b) the lowest of five tenders, namely that submitted by Regal Construction (Jersey) Limited in the sum of £48,729.68 for improvements to St. Peter's School.

Matters lodged.

The following subjects were lodged “au Greffe” –

1. **Microwave link with the United Kingdom. P.67/87.**
Presented by the Telecommunications Board. The States decided to take this subject into consideration on 28th April, 1987.

2. **Draft Attendance Allowances (Jersey) Regulations, 198 . P.68/87.**

Presented by the Social Security Committee. The States decided to take this subject into consideration on 5th May, 1987.

3. **Bus Passes for Senior Citizens. P.69/87.**

Presented by Senator Richard Joseph Shenton.

The following subject was lodged on 31st March, 1987 –

Vote of censure on Senator R.J. Shenton. P.66/87.

Presented by Senator Ralph Vibert.

The States decided to take this subject into consideration on 28th April, 1987.

Property Speculation and Monopolies. P.61/87.

THE STATES acceded to the request of the President of the Policy Advisory Committee that the Proposition relating to property speculation and monopolies (lodged on 24th March, 1987) be moved to the last item of Public Business on 28th April, 1987.

Draft Attendance Allowances (Amendment No. 3) (Jersey) Law, 1986 (Commencement) Act, 198 . P.62/87.

THE STATES acceded to the request of the President of the Social Security Committee that the draft Attendance Allowances (Amendment No. 3) (Jersey) Law, 1986 (Commencement) Act, 198 (lodged on 24th March, 1987) be considered on 5th May, 1987.

Sickness and injury benefits. Questions and answers.

Deputy Michael Adam Wavell of St. Helier asked Deputy Francis Hedley Morel of St. Saviour, President of the Social Security Committee, the following questions –

- “1. Could the President give an indication of the feasibility and the cost of substantially increasing the level of sickness benefit to an amount, for example, up to £100 a week, bearing in mind that all contributions are linked to a percentage of salary earned and that benefits should relate to this, thereby removing from the employers the burden of supplementing sickness benefit to ensure that employees continue to receive a sum equivalent to the amount of their normal earnings and placing all employees on the same basis?
2. Will the President confirm that the only benefit arising from the payment of contributions by an employer in respect of a married woman who has opted to rely on her husband’s contributions is injury benefit?
3. If so, can the President indicate the average amount of benefit paid out under this heading and the percentage represented by the total of such payments in relation to the total contributions received from employees in respect of married women who have exercised the option in question 2?
4. Will the President explain the justification for the policy whereby married women can claim injury benefit but not sickness benefit if they are relying on the husband’s contribution?

The President of the Social Security Committee replied as follows –

- “1. All employees do not earn the same salary. Therefore, a flat rate benefit of say £100 per week would not ensure that employees continue to receive a sum equivalent to their normal earnings when they are sick. It is also quite wrong to generalise that all contributions are linked to a percentage of salary. There are two contribution limits outside of which contributions are effectively paid at a flat rate. Many people pay contributions at the upper income limit level.

The level of benefit is determined by an index set half-way between the rise in the cost of living index and the rise in the wages index established for June each year. Originally in 1974, the base figure was the Parish Welfare level or subsistence level. The benefit rate is now in excess of this figure. The level of contributions was set by the Government Actuary back in 1974 and represents the economic level of contributions that gives rise to all benefits. Therefore, sickness benefit cannot be taken in isolation as incapacity for work may result from not just sickness and importantly the level of old age pension is related to the standard rate of benefits. Clearly, therefore, actuarial estimates would be necessary to determine the effect of such a massive increase in benefits and in particular the necessary rise in contribution rates.

Exact costings are difficult, particularly as it is not clear if the suggested rate would apply to single and married employees. However, working under the existing Law, a married man would be able to claim a 66 per cent increase in benefit for his wife which would result in a weekly rate of £166 at the standard rate.

2. The answer is a simple 'No'. Some of the employer's contribution will be allocated to the Health Scheme and this goes toward the finance of the General Medical Practitioner and Pharmaceutical Scheme to which a woman electing not to pay would still be entitled. Furthermore, disablement benefit could be paid to a woman who had opted not to pay contributions. The payment of employers' contributions on behalf of a married woman will also allow a widowed father to claim widowed father's allowance, under the recently amended Law, where a wife dies as a result of an accident.

3. In the light of the above and given that 1 per cent of the employer's contribution is indeed allocated to the Health Fund, this question is impossible to answer. The matter is further complicated by the probability that a woman on injury or disablement benefit must have seen a general practitioner and more than likely been issued with a prescription as well as the necessary medical certificate. Therefore, there is also an associated health benefit cost.
4. Women opting not to pay contributions are relying on their husband's contributions for pension and widow's benefit purposes only. This reflects the Beveridge principle of dependency. The husband's contributions do not confer rights of entitlement to payments of short-term benefits (other than maternity grant). It is the payment of employers' contributions that give rise to entitlement to injury and disablement benefits. There are three reasons for this policy.

Firstly, in historical terms, accident benefits are closely related to the original Social Assurance Benefit and also to the United Kingdom Industrial Injury Benefit, which conferred the rights to married women to pay small rates of contribution to cover themselves for accidents. These rights were transferred into the Insular Insurance Law in 1950 and hence, into the new Social Security Law in 1974.

Secondly, if the employer's contribution were removed for married women who had opted not to pay into the Scheme, then a section of the working community would exist who would be uncovered for benefits arising through accidents.

Thirdly, an accident at work might be attributable to an employer, whereas sickness generally would not."

Review of recommendations of Committee of Inquiry into the supply and pricing of oil. Statement.

The Vice-President of the Finance and Economics Committee made a statement in the following terms –

“The Finance and Economics Committee has been charged by the States to review the recommendations of the Committee of Inquiry into the supply and pricing of oil, and I should like to inform the House of the progress being made in this respect.

One of the recommendations of the Committee of Inquiry was that the pricing of oil products should be the subject of regular reporting in the press, with comparisons drawn with selected United Kingdom locations. The first such price comparison was published last month; the comparison for April is being published today and is on Members’ desks.

The Committee, through a sub-committee chaired by myself, has also been investigating further the establishment of a fourth oil supply company, as recommended by the Committee of Inquiry. The sub-committee has met with representatives of Total Oil, and with Mr. Miller and Mr. Bell, and has sought further written clarification of certain points arising from those meetings such as the practicability of the blending of different grades of oil to provide a 200 second grade as proposed by Mr. Miller and Mr. Bell.

Obtaining the information required for a full report to be presented to the States has taken a little longer than the Committee had hoped. However, all the information requested is expected to be to hand shortly and the Committee will then report to the States on the matter of a fourth oil company with the least possible delay.”

Le Picachon, Le Bourg, St. Clement.

THE STATES, adopting a Proposition of the Finance and Economics Committee –

- (a) approved the leasing of the unfurnished house and garage known as Le Picachon, Le Bourg, St. Clement from Mr. Graeme Helier Bree and Mrs. Patricia Frances Bree, née Baudains, for a period of 5 years from 1st March, 1987 at an annual rent of £6,250, with rent reviews at the end of the second and fourth years in accordance with the rise in the Jersey Cost of Living Index, required for occupation by an expatriate Probation Officer appointed on a contract for a period of 5 years;
- (b) authorised the Greffier of the States to sign the necessary agreement;
- (c) authorised the Treasurer of the States to pay the rent as it becomes due.

8 Wesley Street, St. Helier: housing depôt.

THE STATES, adopting a Proposition of the Housing Committee –

- (a) approved the leasing from Mrs. Clare Alstadt, née Mayer, of No. 8, Wesley Street, St. Helier, measuring approximately 4,500 square feet in area, for a further period of one year from 25th December, 1987, at an annual rent of £13,014.93 to be increased in line with the Cost of Living Index to be calculated as at December 1987, the lessor to be responsible for external and internal repairs and the payment of foncier rates and basic insurance;
- (b) authorised the Greffier of the States to sign the necessary agreement with Mrs. Alstadt;
- (c) authorised the Treasurer of the States to pay the rent as it becomes due.

Rent Control Tribunal: appointment.

THE STATES, adopting a Proposition of the Housing Committee appointed in pursuance of paragraph (1) of Article 3 of the

Dwelling-Houses (Rent Control) (Jersey) Law, 1946, as amended, the following persons to act as Chairman and Members of the Rent Control Tribunal until 11th April, 1988, namely –

Philip Arthur Weston, Chairman

Edward Malcolm Pearmain Machon

George Norman Simon

and in pursuance of paragraph (2) of the said Article 3, appointed the following persons to act for the same period in place of Members of the Tribunal unable to act by reasons of absence or incapacity, namely –

Derek Le Seelleur

Mrs. Evelyn Mabel Pullin.

La Pulente, St. Brelade: public toilets.

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

- (a) approved Drawing No. 2665/6A showing the construction of public toilets at La Pulente;
- (b) authorised the Greffier of the States to sign the said Drawing on behalf of the States.

La Collette: additional fire protection. P.59/87.

THE STATES, adopting a Proposition of the Defence Committee, approved in principle the provision of a new sea water pumping station and mains to provide increased fire protection to the La Collette area as shown on Drawing No. 415/2.

**Health Insurance (Amendment No. 7) (Jersey) Law, 1987.
P.64/87.**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted the Health Insurance (Amendment No. 7) (Jersey) Law, 1987.

THE STATES rose at 11.25 a.m.

E.J.M. POTTER,

Greffier of the States.