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THE STATES assembled on Tuesday,
2nd March 1993 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Peter Crill, C.B.E.

All Members were present with the exception of -

Derek Ryder Maltwood, Deputy of St. Mary - out
of the Island.

Prayers

Subordinate legislation tabled

The following enactment was laid before the
States, namely -

Airport Dues (Tariff) (Jersey) Order
1993. R & O 8524.

Voting and employment rights of non-British E.C.
citizens (P.159/92): report. P.25/93

The Legislation Committee, by Act dated 15th
February 1993, presented to the States a report
on the voting and employment rights of non-
British E.C. citizens.

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

Manpower report for the period 1st January to
30th June 1992. R.C.7/93

The Establishment Committee, by Act dated 15th
February 1993, presented to the States a report
on manpower for the period 1st January to 30th

June 1992.

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

Public lotteries: report for 1992. R.C.8/93

The Gambling Control Committee, by Act dated 22nd February 1993, presented to the States a report on the Channel Islands Lotteries for the year 1992.

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

Administrative Decisions (Review) (Jersey) Law 1982: report of the panel of members regarding complaints received between 1st January and 31st December 1992. R.C.9/93

The Special Committee to consider the relationship between Committees and the States, by Act dated 1st February 1993, presented to the States a report of the Panel of Members regarding complaints received between 1st January and 31st December 1992.

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

The Jersey Electricity Company Limited: Annual report and accounts for 1992

The Finance and Economics Committee, by Act dated 8th February 1993, presented to the States the Jersey Electricity Company Limited's annual report and accounts for the period 30th September 1991 to 27th September 1992.

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 22nd February 1993 showing that, in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved -

- (a) as recommended by the Island Development Committee, the purchase

from Mr. James Walker Holland of the Workshops, Drury Lane, St. Helier, for the sum of £56,000, with the public contributing £1,000 to the cost of Mr. Holland's legal fees;

(b) as recommended by the Island Development Committee, the purchase from Mr. John Harold Shepherd of the leasehold interest on No. 76 Val Plaisant, St. Helier, required for road improvements, for the sum of £38,000 with each party being responsible for its own professional fees, the sum to cover all heads of claim;

(c) as recommended by the Harbours and Airport Committee, the renewal of the lease to the Jersey Sub-Aqua Club of a Club Room at La Folie, St. Helier (Letting No. LF4) for a period of three years with effect from 1st January 1993 at an annual rent of £872.57;

(d) as recommended by the Harbours and Airport Committee, the lease to Channel Island Tourist Services Limited of 433 square feet of accommodation in the Airport Arrivals Hall for a period of three years commencing 1st April 1993 for an annual rent of £4,546.50, plus annual rent reviews.

Matters lodged

The following subjects were lodged "au Greffe" -

1. Draft Ecclesiastical District of St. Luke with St. James (Jersey) Law 199 . P.27/93.
Presented by the
Legislation Committee.
2. Draft Motor Traffic (Third-Party Insurance) (Amendment No. 8) (Jersey) Law 199 . P.28/93.
Presented by the Defence
Committee.
3. Police Complaints Authority:
establishment. P.29/93.
Presented by the Defence
Committee.

4. Draft Pilotage (General Provisions) (Amendment No. 5) (Jersey) Regulations 199 . P.30/93.
Presented by the Harbours and Airport Committee.

The following subject was lodged ``au Greffe" on 23rd February 1993 -

Draft Dwelling Houses (Rent Control) (Standard Tenancy Agreement) (Jersey) Regulations 199 . P.26/93.
Senator R.J.
Shenton.

Arrangement of Public Business for the next Sitting on 16th March 1993

THE STATES confirmed that the following subjects lodged ``au Greffe" should be considered at the next Sitting on 16th March 1993 -

Draft Dwelling Houses (Rent Control) (Standard Tenancy Agreement) (Jersey) Regulations 199. P.26/93.
Lodged: 23rd February 1993.
Housing Committee.

Draft Ecclesiastical District of St. Luke with St. James (Jersey) Law 199. P.27/93.
Legislation Committee.

Draft Pilotage (General Provisions) (Amendment No. 5) (Jersey) Regulations 199 . P.30/93.
Harbours and
Airport Committee.

THE STATES agreed to maintain their decision of 2nd February 1993 to consider the proposition of the Policy and Resources Committee regarding the functions and rôle of the Bailiff (P.15/93 - lodged 2nd February 1993) at the next Sitting on 16th March 1993.

Members present voted as follows -

``Pour" (30)

Senators

Shenton, Jeune, Binnington, Horsfall, Baal,
Rothwell, Le Main, Stein, Chinn.

Connétables

St. Lawrence, St. Mary, St. Saviour.

Deputies

Le Gallais(S), Rumboll(H), Beadle(B),
Wavell(S), Norman(C), Buesnel(H), Le
Sueur(H), Coutanche(L), Jordan(B),
Bailhache(H), S. Baudains(H), Clarke-
Halifax(S), Le Fondré(L), St. Martin, Le
Geyt(S), Walker(H), Pullin(S), Trinity.

``Contre" (20)

Senators

Le Maistre, Carter, Quérée.

Connétables

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

Deputies

Blampied(H), St. John, St. Peter,
H. Baudains(C), Huelin(B), Rabet(H),
Grouville, Syvret(H), Crespel(H).

Arrangement of Public Business for the Sitting on 30th March 1993

THE STATES confirmed that the following subject
lodged ``au Greffe" should be considered on
30th March 1993 -

Draft Motor Traffic (Third-Party Insurance)
(Amendment No. 8) (Jersey) Law 199 .
P.28/93.
Defence Committee

Cleaning of beaches. Questions and answers. (Tape No. 173)

Senator Richard Joseph Shenton asked the
President of the Public Services Committee the
following questions -

- ``1. Will the President confirm that
the financial costings for beach
cleaning of £415,000 for 26 weeks
that I used at a recent public
meeting were given to me by the

Public Services Department?

2. Will the President also confirm that a breakdown of these costs which I requested at the time has still not been received by me?
3. Will the President act with some urgency to clean up our beaches and promenades for the benefit of residents and visitors alike?
4. Finally, will the President inform the House as to his Committee's policy for future beach cleaning and the estimated costs?"

The President of the Public Services Committee replied as follows -

1. I confirm that £415,000 was the annual estimate given for the total cost of beach cleaning.

My statement on 16th February 1993 made it clear that of the £415,000, £308,000 represented the total cost of the beach cleaning operation and £107,000 was the amount spent on adjoining coastal land.

2. The breakdown of the actual costs were as follows -

£

All labour costs including supervision
210,000

Department plant costs 44,000

Supplies and Services 22,000

Seaweed removal by contractor 32,000
308,000

Estimated cost of cleaning seaside
car parks
Maintenance of cliff paths and
headlands etc. 107,000
415,000

The extraction of these figures from the department's accounts took some time, as soon as they were

available the Chief Officer, Public Services telephoned them to Senator Shenton and offered to provide a written copy.

3. My understanding of Senator Shenton's particular complaint is the quantity of seaweed left on beaches by the tide during the winter months.

The beach cleaning service is in full operation between April and October. During the winter months, that department operates a limited litter collection service and removes seaweed when it collects in large quantities and becomes a nuisance to nearby properties.

The summer service, which is manned to a large extent by temporary employees, starts daily at 6.00 a.m. The aim is to collect litter from the beach, clean promenades and empty litter bins before most visitors are on the beach. It will be apparent that the timing of part of this operation is governed by the tides and it is for this reason that the staff are also deployed on the maintenance and cleaning of other coastal areas.

The department regularly cleans 21 miles of beach and promenade. The most popular beaches are cleaned daily and when necessary twice each day.

Whilst the public frequently telephone to point out areas in need of attention which is, of course, helpful to that department; during 1992 four letters of complaint from members of the public were received by Public Services.

The Committee does not accept that the Island's beaches are in "a disgraceful state". While the cleanliness of beaches themselves is of great concern to visitors of even greater importance is the cleanliness of sea water. Recent publicity has shown clearly the very high standards that are being achieved and should be taken into account in the context of the service provided to residents and the tourist industry.

4. The Committee's policy for the future is to maintain and where possible improve on the present standards of beach cleaning.

It is not part of the Committee's policy to introduce a regular full-time beach cleaning service during the winter months.

In the statement I made to the States two weeks ago, I accepted that no service is beyond improvement.

For the 1993 season, it is intended that the following improvements will be introduced -

1. Staggered working hours of cleaning gangs to enable a second emptying of litter bins in the late afternoon.
2. The full summer service will be extended at the end of the season if this is warranted.
3. The options for modifying or acquiring better beach cleaning equipment investigated.
4. The Anti Litter Council which, under the chairmanship of Mrs. Cynthia Rumboll, has done such sterling work in the past two years on behalf of the Committee, will target on clean beaches in 1993. Part of this initiative will be to impress firstly on all those who use the beaches their responsibility towards keeping them clean and, second to seek the voluntary co-operation of those managing beach concessions and other seaside commercial facilities that they too should play an active part in keeping beaches free of litter.

Public Services has no intention of failing to adopt new procedures to improve the present service but that can only be done within the present manpower and financial constraints imposed on the Committee."

Unemployment in Jersey. Questions and answers.
(Tape No. 173)

Deputy Maurice Clement Buesnel of St. Helier
asked the President of the Policy and Resources
Committee the following questions -

- ``1. Would the President confirm that his Committee is investigating the position regarding the unemployment situation in Jersey?
2. Is it the intention of the Committee to instigate talks with employers, unions and industry representatives in order to develop a strategy for the employment of local persons?
3. Would the President consider the possibility of paying training allowances to employers engaging local staff without experience in their industries, and indeed, as some countries do, to subsidize some areas of employment?
4. Would the President agree that the payment of parish welfare rates to the unemployed minimizes the impact of joblessness on the Island economy and is rightly an Island responsibility that should be met from general revenues?
5. In view of the rising unemployment figures in the Island, is the Policy and Resources Committee now examining the necessity for Jersey to introduce a work permit system, so that the local labour force can be properly protected from those seeking economic refuge from less prosperous areas of the Continent of Europe?"

The President of the Policy and Resources
Committee replied as follows -

- ``1. My Committee has given and continues to give a considerable amount of time to addressing the unemployment situation in Jersey. I would emphasise however that this is not a matter of concern to my Committee alone. The Social

Security, Education and Public Services Committees in particular have key roles to play in responding to the unemployment situation, as have the parishes, but I believe that all Committees of the States have a contribution to make in one form or another.

At its meeting on the 26th January 1993 my Committee considered both the action taken to date and what more could be done in the light of what was expected to be a continuing relatively high level of unemployment in common with Western Europe generally. The action taken to date includes -

1. a temporary employment scheme;
2. a youth training initiative;
3. generally encouraging employers to favour local resident labour;
4. bringing forward capital expenditure;
5. giving preference to local suppliers of goods and services;
6. improving the Island's competitiveness by limiting increases in public sector prices;
7. reducing controls to encourage private investment and job creation;
8. maintaining a large States capital programme;
9. general support for training;
10. general support for the Island's industries to encourage the creation of new employment opportunities.

Looking to the future my Committee at its meeting on 9th February 1993, and following a visit to the Job Centre where a meeting was held with the President of the Social Security Committee, the Acting Controller of Social Security and the Manager of the Job Centre, agreed that the key requirements were -

1. to provide a comprehensive counselling/advice service for the unemployed;
2. to provide further opportunities for the training

- or re-training of the unemployed as required;
3. to undertake a programme of temporary job creation;
 4. to encourage long-term employment opportunities by creating a more favourable business climate.

It has been agreed with the Social Security Committee -

that counselling should be provided on a confidential basis at Philip Le Feuvre House in conjunction with the Job Centre;

that there is a need for the Job Centre to be more pro-active in promoting, through the media, the skills and experience of the persons on the unemployment register;

that there is a need to engage in a degree of pre-selection for those sent for jobs to avoid discouraging employers from using the Job Centre.

The Social Security Committee also has agreed to come forward at an early date with proposals for a job creation programme for the winter of 1993/94.

2. Last November my Committee held a meeting at the Pomme D'Or Hotel to which 150 employers and employee representatives, and other interested persons, were invited. There was a good exchange of views and at the conclusion of the meeting I invited those attending to let my Committee have their further thoughts. A number of helpful letters have been received. It is my Committee's intention to follow up this action and engage in further discussions on specific proposals once a fuller picture is obtained of the employment and training needs of the unemployed through the counselling/advice service to which I have previously referred.
3. My Committee set up the Jersey Training Agency just over a year ago and this body is engaged in the development of a comprehensive training programme

supported by training grants. As the training needs of the unemployed are better identified so I would expect this to be reflected in the training programme. I am sure the right approach is to assist in the training and re-training of those concerned to enhance their prospects of obtaining the jobs that are available in the Island rather than simply offer a subsidy to employers to engage local staff.

4. The payment of parish welfare does indeed minimize the impact of joblessness and the payments made by the parishes compare favourably with the level of support available to the unemployed in the United Kingdom. The parish welfare system is also better able to respond to the particular circumstances of individuals. I see every advantage in retaining the present system albeit that some arrangement may be called for to share better the burden between the individual parishes.
5. The Policy and Resources Committee has examined a number of ways of protecting the interests of the local labour force. For example, the Committee has given its full support to the Finance and Economics Committee's proposal, adopted by the States, that the Regulation of Undertakings and Development Law be amended in its application so that a licence to take on additional staff is not required if a person has residential qualifications or has been in the Island for more than five years.

I have also mentioned earlier the many ways that the Committee has supported action to assist the unemployed to gain employment. My Committee believes that the best way to provide employment for local residents is through a favourable business environment, and through training and re-training to further enhance their ability to take up the employment that is on offer.

The Deputy will be aware that the view is held that while introducing a work permit may have appeal, in that it may

appear to offer the prospect of a quick response to the local unemployment situation, it is likely to be at the expense of long-term employment opportunities. The introduction of another element of control could discourage existing businesses from expanding, could persuade businesses to re-locate, or could discourage new business enterprise, the effect of which would be to reduce job opportunities in the long run. What is clearly needed in the present circumstances is the encouragement of business enterprise. The employment of local residents is more likely to be achieved if the economy is buoyant and businesses see a positive future.

My Committee however has asked the Finance and Economics Committee to consider whether the Regulation of Undertakings and Development Law could be used to give further protection to the local labour force. The possibilities in this respect are to be evaluated at the next meeting of my Committee following which discussions will be held with the President of the Defence Committee on what, if any, further action his Committee needs to take in respect of the Protection of Employment Opportunities legislation."

Fraud and investor protection. Questions and answers. (Tape No. 173)

Deputy Stuart Syvret of St. Helier asked the Attorney General the following questions -

1. In the light of the recent publicity concerning the fraud laws of Jersey, can the Attorney General confirm that all fraudulent activities are prosecuted regardless of the amount involved?
2. In the light of evidence received relating to the fact that officers of the Financial Services Department have no statutory powers or authority to investigate complaints in the financial sector, what protection in law do

investors have, if any?

3. As it has now been confirmed that regulatory bodies such as LAUTRO have no jurisdiction in the Channel Islands, what immediate measures can be taken to protect the investor?"

The Attorney General replied as follows -

- ``1. I can confirm that subject to sufficiency of evidence and all the usual considerations affecting the exercise of the discretion to prosecute, fraudulent activities are prosecuted regardless of the amount involved.

The Deputy's question is however prompted by the terms of the Investigation of Fraud (Jersey) Law 1991 which does distinguish between frauds of different kinds. It is only in the case of serious or complex frauds that the Attorney General is empowered to exercise certain wide ranging powers of investigation."

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

- ``2. The Financial Services Department does from time to time investigate complaints received by members of the public regarding services provided by finance sector firms in areas like banking, collective investment funds and trusts. Because disputes between client and firm are civil and not criminal matters, however, the client's ultimate recourse is to the courts in the usual way. The department has, however, often been successful in its efforts to act as conciliator between the parties.

Depositors and investors do have protection under various statutes like the Banking Business (Jersey) Law 1991, the Collective Investment Funds (Jersey) Law 1988 and the Companies (Jersey) Law 1991. If a complaint were

to give rise to a suggestion of fraud or other criminal activity then the matter would be referred to the CID or other action taken under powers in those statutes to obtain information or to undertake, or have undertaken, appropriate investigations.

Examples of statutes under which information may be obtained by the Committee in the discharge of its regulatory and supervisory functions are as follows -

Under the Banking Business (Jersey) Law 1991 protection to depositors is provided in a number of ways -

- (i) Banks registered in Jersey under the law are all associated with banks of international stature in their home country which are subject in those countries to banking supervision on a consolidated basis;
- (ii) All registered banks are closely supervised with detailed information provided to the Financial Services Department on a quarterly basis;
- (iii) All banks have to re-apply for their registration on an annual basis and the Finance and Economics Committee has power to impose conditions on a registration or to revoke a registration;
- (iv) The Committee has power to carry out special investigations on any bank registered under the law;
- (v) All new controllers, directors and managers have to be approved to ensure that they are "fit and proper" to carry out their duties.

Also, under the Collective Investment Funds (Jersey) Law 1988 protection to investors in such funds is provided at various levels -

- (1) The department exercises control over the promoters' fitness and properness and applies the same tests to the actual scheme itself. It also determines whether or not the scheme is commensurate with the type of investor envisaged;
- (2) Once a scheme has been approved it is backed up with compliance visits from officers of the Financial Services Department;
- (3) Any changes to a scheme are also closely examined to ensure that the interests of investors are not harmed;
- (4) If there is any concern regarding the integrity of the scheme, then the law gives the Committee the power to carry out inspections.
- (5) As a last resort the law enables the Committee to take over or shut down any scheme.

New legislation is of course in the process of being developed in the areas of trust business, company administration business, investment business and insurance services business and it is intended that this be put forward for debate in the States later this year.

In the meantime a measure of control continues to exist through the operation of the Regulation of Undertakings and Development Law. In granting or refusing licences to persons wishing to commence new undertakings the Finance and Economics Committee is empowered to have regard to the need to protect the commercial and financial integrity of the Island

and uses this power to scrutinise proposals for the establishment of new financial services businesses.

3. United Kingdom self-regulatory organisations in the investment business arena do have powers over their Jersey based members but only to the extent that such members are undertaking United Kingdom investment business. It has been recognised for some time that a local registration and supervision system should be put in place for all investment businesses operating in or from within Jersey and also for certain other classes of financial business. It is hoped that such a supervisory system will be developed on similar but simpler lines to that in the United Kingdom and that draft legislation will be laid before the States later this year.

I also wish to comment in general that the policy of selectivity adopted by successive Finance and Economics Committees over the years with regard to the financial institutions which have been permitted to establish here has played a significant part in ensuring that the Island provides a secure environment for those requiring financial services of all kinds. In addition Jersey has of recent times updated its commercial legislation and its supervisory and regulatory laws and arrangements so as to retain its international standing as a stable, professionally sound and well respected international finance centre."

Housing restrictions. Question and answer. (Tape No. 173)

Deputy Stuart Syvret of St. Helier asked the President of the Housing Committee the following question -

"As Jersey deems it an advantage to encourage wealthy immigrants to move to the Island, can the Housing Committee confirm that prospective 1(1)(k)s are fully informed of the housing restrictions on this category?"

The President of the Housing Committee replied as follows -

``I am able to inform the Deputy that the answer to his question is yes."

Chief Officer, States of Jersey Police Force.
Statement

The President of the Defence Committee made a Statement in the following terms -

``As Members will be aware discussions have been taking place in recent weeks on the appointment of a successor to the present Chief Officer of the States of Jersey Police Force, Mr. David Parkinson, Q.P.M., F.B.I.M. Those discussions are reaching a conclusion but there are legal and technical problems which have not yet been resolved. I can, however, tell Members that my Committee will be bringing forward a proposition regarding the appointment of a new Chief Officer in a fortnight's time, and will be seeking on that date an in camera debate."

Beauport Bay, St. Brelade. Statement

The President of the Public Services Committee made a statement in the following terms -

``I am aware of concern at the Public Services Committee's unwillingness to indicate the cost of remedial action to provide a more permanent solution to the problems at Beauport arising from the dumping of potatoes.

The department's engineers are in total support of the recommendations made by the Water Research Centre as the most probable means of resolving the problems. The intention is to collect the leachate in a catchpit let into the cliff face before it flows down the existing water course and pump it to underground storage tanks for eventual disposal at Bellozanne.

The Committee's principal concern now is to see the work undertaken with the least possible delay. To this end, the Committee

was faced with two options.

Firstly, of going down the conventional route of further site investigation, preparing a detailed design and specification, preparing tender documents and ultimately accepting a tender. A procedure which would enable the work, which would probably take three months, to start at the end of May or in June.

The alternative would be for the department to negotiate rates for the various aspects of the work with a local contractor with experience of this category of work and who was capable of starting work at short notice. By adopting this procedure, it is probable that the work could be finished by the end of June.

While it is not within the authority of the Public Services Committee to proceed in this way, it clearly has the great merit of removing the nuisance from Beauport before the height of the summer season rather than the bay being disrupted by the construction at that sensitive time.

Last week, I wrote to the President of the Finance and Economics Committee for authority to adopt this method of getting the work under way and, until a decision is reached, revealing the possible cost of the work would be damaging to public interest.

I undertake at the appropriate time to disclose how much the work has cost."

French nuclear installations. Statement

The President of the Defence Committee made a statement in the following terms -

``Members will be aware of the arrangements that we have with the French authorities whereby the States of Jersey are kept informed of developments at the nuclear plants on the Cotentin peninsula. In accordance with these arrangements, my Committee recently received a statement, dated 12th February 1993, from the Flamanville Nuclear Electrical Production Centre, the English language version of which is as follows -

`Subject: Works on the Flamanville

site

EDF is carrying out preparatory works on the Flamanville site in anticipation of consent being granted to the construction of Phases 3 and 4. It is confirmed that a new stage of construction will commence on 15th February 1993 with excavation and ground works on the site to create a suitable platform on which the new installation will be constructed.

It is estimated that approximately 18 months will be needed to build the platform and this will allow the construction of the new phase to proceed in due course.

The eventual starting date for the construction of the new phase has not yet been the subject of any decision, and in any case it would only happen after a public inquiry, which at the present time has not been programmed.'

When the Flamanville Station was built in the early 1980s, it was intended to be a four reactor station. However, because of developments in the French economy at the time, the construction of the third and fourth reactors did not take place and there were doubts whether they would ever be built. In view of the steps now being taken, my Committee is seeking, as a matter of urgency, further information about the latest developments and the timing of the various stages of the project. We will seek to establish, through official channels and otherwise, the appropriate means whereby any representations that the States may wish to make concerning the development may be made known to the French authorities. My Committee will also contact our colleagues in Guernsey with a view to establishing a common approach to the issues.

In considering these initiatives my Committee is, of course, mindful of the benefits enjoyed by Islanders through the J.E.C.'s electricity link with France.

My Committee has also received, through official channels, a copy of a 'note verbale' dated 27th January 1993, from the

Foreign and Commonwealth Office to the French Embassy in London, regarding the nuclear reprocessing plant at La Hague. Members will recall that, on 26th November 1992, the States adopted a proposition in the following terms -

“THE STATES objected to any further intensification of the nuclear reprocessing plant at Cap de la Hague; and requested H.M. Government to forward the States' objection to the government of France.”

The Foreign and Commonwealth Office, note, uses the words of the States' Act, but my Committee considers that the overall tenor of the note is disappointing and it does not reflect the extent of the concern expressed by the States on this matter. The policies of H.M. Government and the French Government towards nuclear reprocessing activities are similar and reflect the presence in both countries of nuclear reprocessing plants. In the circumstances, it appears to have been unrealistic of the States to expect H.M. Government to share the States' concern. However, as H.M. Government is responsible for the Island's international relations, my Committee is making further representations to the Bailiff with a view to determining more effective means of making known the degree of the States' concern about the nuclear reprocessing plant at La Hague.

I will keep the States informed of progress in both these matters.”

Rent Control Tribunal: appointment of members

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 from 13th April 1993, until 12th April 1994, namely -

Henry Robert Hall, O.B.E., Chairman

Mrs. Shirley Norma Barr

Leslie R. Crapp

Terence Lavery

Grouville Hospital Site: community leisure centre. P.20/93

THE STATES commenced consideration of a proposition of the Connétable of Grouville regarding the use of the Grouville Hospital site as a community leisure centre.

After further discussion, the States adopted a proposition of Senator Richard Joseph Shenton that the matter be referred back to the Connétable of Grouville after agreeing ``that the matter will be brought back to the States on 30th March 1993".

Members present voted on the reference back as follows -

``Pour" (29)

Senators

Shenton, Jeune, Binnington, Rothwell, Le Main, Le Maistre, Stein, Quérée.

Connétables

St. Mary, St. Ouen, St. Peter, Grouville, St. Helier.

Deputies

Beadle(B), Wavell(S), St. Peter, H. Baudains(C), Le Sueur(H), Jordan(B), Bailhache(H), Rabet(H), S. Baudains(H), Grouville, St. Martin, Le Geyt(S), Syvret(H), Crespel(H), Pullin(S), Trinity.

``Contre" (22)

Senators

Horsfall, Baal, Carter, Chinn.

Connétables

St. John, St. Clement, St. Lawrence, St. Brelade, Trinity, St. Martin, St. Saviour.

Deputies

Le Gallais(S), Rumboll(H), Blampied(H),
Norman(C), St. John, St. Ouen,
Coutanche(L), Huelin(B), Clarke-Halifax(S),
Le Fondré(L), Walker(H).

Draft Act annulling the Island Planning
(Designation of Sites of Special Interest)
(Saint John) (Jersey) Order 1992. P.2/93

THE STATES commenced consideration of a
proposition of Senator Reginald Robert Jeune
regarding the adoption of an Act to annul the
Island Planning (Designation of Sites of Special
Interest) (Saint John) (Jersey) Order 1992.

After further discussion, the States allowed
Senator Jeune to withdraw his proposition on the
undertaking of the President and Vice-President
of the Island Development Committee ``not to
implement the Order in any administrative way
until there had been a full debate on the
principles of the Orders themselves, and the
question of financial compensation or some sort
of payment".

Draft Customary Law (Choses Publiques) (Jersey)
Law 199 . P.22/93

THE STATES, commenced consideration of the draft
Customary Law (Choses Publiques) (Jersey) Law
199 and adopted the Preamble.

Article 1 was adopted, the States having
accepted an amendment of the Connétable of St.
John that in paragraph (1) the definition of
``the Committee" should be deleted.

Article 2 was adopted, the States having
accepted amendments of the Connétable of St.
John that -

- (a) for paragraph (1) there should be
substituted the following paragraph,
having accepted a further amendment of
the President of the Public Services
Committee to that amendment that in
the amended paragraph (1)(b) for the
words ``after consultation with" there
should be substituted the words ``with
the consent of" -

``(1) Subject to the
provisions of this Law, and

notwithstanding any rule of customary law to the contrary, the Connétable of the parish in which a ``chose publique" is situated may -

(a) in relation to a ``chose publique" which is a by-road;

(b) in relation to a ``chose publique", which is under the administration of the Public Services Committee, with the consent of that Committee,

grant any person a permit authorizing that person to have the exclusive occupation of any land comprising that ``chose publique" or a part thereof, during the hours mentioned and for the purposes described in the permit and subject to any conditions imposed therein."

(b) in paragraph (2) for the word ``Committee" -

(i) in the first place where it occurs, there should be substituted the words ``Connétable who granted it";

(ii) in sub-paragraph (b) there should be substituted the word ``Connétable".

(c) in paragraph (3) for the word ``Committee", in both places where it occurs, there should be substituted the word ``Connétable", and

(d) for paragraph (4) there should be substituted the following paragraph -

``Any fee paid for the grant of a permit under this Article shall be applied towards the cost of maintenance of the by-roads of the parish concerned."

Articles 3, 4, and 5 were adopted.

The Bill was adopted, as amended, in Second

Reading and lodged au Greffe (P.31/93).

Road train service: West Park and Saint Aubin.
P.23/93

THE STATES, adopting a proposition of Senator
T.J. Le Main -

(a) approved the operation of a road train
service between West Park and St. Aubin
as set out in a report of the Sport,
Leisure and Recreation Committee, dated
9th February 1993;

(b) charged the Public Services Committee
to take the necessary measures to
implement the service.

Adjournment

THE STATES then adjourned, having agreed that
the outstanding items of Public Business should
stand over until the following Sittings -

16th March 1993

Voting and employment rights of non-British
E.C. citizens. P.159/92.
Lodged: 13th October 1992.
Senator D.A. Carter.

Voting and employment rights of non-British
E.C. citizens (P.159/92): Report. P.25/93.
Presented: 2nd March 1993.
Legislation Committee

30th March 1993

Waterfront Enterprise Board. P16/93
(revised)
Lodged: 2nd February 1993
Island Development Committee

Waterfront Enterprise Board
(P.16/93): amendment. P.19/93
Lodged: 9th February 1993
Senator R.J. Shenton

Waterfront Enterprise Board
(P.16/93): second amendment. P.24/93
Lodged: 16th February 1993
Deputy S. Syvret

The following outstanding item of Public

Business was deferred with no date set for consideration -

Parish Rate Appeals. P.135/92
Lodged: 15th September 1992
Senator R.R. Juene

THE STATES rose at 6.05 p.m.

G.H.C. COPPOCK

Greffier of the States.