

THE STATES assembled on Tuesday,
28th September 1993 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Peter Crill, C.B.E.

His Excellency the Lieutenant Governor,
Air Marshal Sir John Sutton, K.C.B.,
was present.

All Members were present with the exception of -

Senator Bernard Thomas Binnington - out of
the Island.
Senator Corrie Stein - out of the Island.
Terence Augustine Le Sueur, Deputy of St.
Helier - out of the Island.

Prayers

The Very Reverend Canon J.N. Seaford, B.A., Dip.
Theol., Dean of Jersey - welcome.

The Bailiff, on behalf of the Members of the
States, welcomed the newly appointed Dean, The
Very Reverend Canon John N. Seaford, B.A., Dip.
Theol.

The Bailiff also extended thanks to The Reverend
Barry Giles, the Dean Substitute.

Visitors - welcome

The Bailiff welcomed to the States Mr. D.
Dumaresque B.A., M.A., M.H.A., a Member of the
Newfoundland and Labrador (Eagle River District)
House of Assembly, who was visiting the Island
together with his wife.

The Bailiff also welcomed to the States members of the Jersey Federation of the Women's Institute who were members of the Committee of Public Affairs and Environment within the Institute.

Committee of Inquiry into circumstances leading to the release from contract of former Chief Executive Officer of Sport, Leisure and Recreation Department.

The Bailiff made a statement in the following terms -

“The States will recall that, on 10th August 1993, they agreed to appoint a Committee of Inquiry under Article 30 of the States of Jersey Law 1966 to inquire into the circumstances which led to Miss Mary Frances Alexander, Chief Executive Officer of the Sport, Leisure and Recreation Department, being released from her contract of employment, and the reasons for agreeing to the settlement reached and to report thereon to the States.

The Committee has given very full consideration to the conduct of the Inquiry, and, following advice received, has decided as far as possible to conduct the proceedings in accordance with six principles enunciated by the Royal Commission on Tribunals of Inquiry under Lord Justice Salmon which reported in 1966. This information was communicated in a public statement on 31st August 1993. In these circumstances the Committee has advised the Sport, Leisure and Recreation Committee, the Education Committee and the Establishment Committee that they should obtain legal advice regarding the evidence that they present to the Inquiry. As is normal practice, the Committees will be advised by the Law Officers' Department and may be represented by an officer of that Department before the Committee of Inquiry. The Committee of Inquiry is similarly entitled to advice from the Law Officers, but such an arrangement might give rise to a conflict of interests. Therefore, in order to avoid any such conflict arising, the Committee has decided that it should appoint independent legal counsel. As a Committee of the States, the Committee of

Inquiry is bound by Article 20 of the Public Finances (Administration) (Jersey) Law 1967, as amended, and cannot employ counsel until the States have voted the necessary funds.

The Committee has also agreed, in accordance with the six principles referred to earlier, to meet the reasonable costs of witnesses who might be prejudicially affected by the proceedings to the extent that these costs are incurred on matters falling within the parameters of the Inquiry, as determined by the Committee's legal adviser. Such witnesses are likely to be few in number, and, in the main, would be represented by officers of the Law Officers Department who will not be charging for their services. However, those key witnesses (such as Miss Alexander herself) who will not be so represented, will incur legal costs, and the Committee considers that these costs should be borne by the public, within the limits defined earlier, so as to ensure the essential fairness of the proceedings to all concerned.

In order to concentrate the hearings into as short a space of time as possible, the Inquiry will require transcripts to be prepared at the end of each sitting, necessitating the appointment of highly trained stenographers for a limited period. These services are not available locally and the Committee is seeking to second a team of two stenographers with Computer Aided Transcription skills for one week to carry out the task.

As I have said on 31st August 1993, the Committee issued a full statement of the manner in which it proposed to conduct the Inquiry. It had already begun to collect written evidence from the parties concerned and this process continues. Some written evidence has already been provided by States Departments and, before she went on annual leave, Crown Advocate S.C. Nicolle was able to put together some of the evidence of the Committees that she is advising. Because of leave and other pressing personal and commercial commitments, Advocate P. de C. Mourant, acting on behalf of Miss Alexander, requested that proceedings be delayed so

that he could prepare the evidence to be presented by Miss Alexander. Until all the relevant written evidence has been received and considered by the Committee it cannot usefully proceed to hear oral evidence.

The Committee of Inquiry has now held four meetings and has a clear idea of its way forward. However, as was mentioned earlier, the Committee is bound by the Public Finances (Administration) (Jersey) Law 1967 and cannot incur expenses without being granted a vote of credit by the States. In order to obtain such a vote of credit it is required to produce an estimate of the costs that it is likely to incur, and the process of presenting these estimates is under way. To assist the Committee in preparing its estimates, I have arranged for a local advocate to examine the papers provided to date, with a view to advising on the potential scope of the Inquiry and the costs of legal representation. It is intended that this advocate will be appointed as the Committee's legal adviser, once the States have voted the necessary funds.

Because of the delays in receiving all the written submissions, the absence from the Island of some members of the Committee, the commitments of Advocate Mourant, the absence on leave of Advocate Nicolle and the financial considerations, the original date upon which the Committee had hoped to start the Inquiry - 15th September 1993 - had already been changed, as the statement of 31st August disclosed. Until the States have voted the necessary funds under the Public Finances (Administration) (Jersey) Law 1966, as amended, the Committee cannot set a new timetable for its hearings, and it will be presenting a request for an additional Vote of Credit at the Supply Day on 26th October 1993. The Committee wishes to make it clear that its decision about when to start the hearings has not been influenced by the dates of the forthcoming Public Elections. Accordingly, while the Committee would have preferred, and was ready, to proceed with the Inquiry earlier, circumstances beyond its control have prevented it from doing so."

Subordinate legislation tabled

The following enactments were laid before the States, namely -

1. Health Insurance (Pharmaceutical Benefit) (General Provisions) (Amendment No. 2) (Jersey) Order 1993. R & O 8577.
2. Cremation (Fees) (Jersey) Order 1993. R & O 8578.
3. Ancillary Dental Workers (Registration) (Fees) (Jersey) Order 1993. R & O 8579.
4. Nursing Agencies (General Provisions) (Amendment No. 9) (Jersey) Order 1993. R & O 8580.
5. Old Persons's Homes (Registration) (Fees) (Jersey) Order 1993. R & O 8581.
6. Establishments for Massage or Special Treatment (Licence Fees) (Jersey) Order 1993. R & O 8582.
7. Food and Drugs (Ice-Cream Stalls etc.) (Amendment No. 14) (Jersey) Order 1993. R & O 8583.
8. Import and Export (Control) (Amendment) (Jersey) Order 1993. R & O 8584.
9. Tourism (General Provisions) (Amendment No. 2) (Jersey) Order 1993. R & O 8585.
10. Diseases of Animals (Importation of Live Fish) (Amendment) (Jersey) Order 1993. R & O 8586.
11. Miscellaneous Diseases of Animals (Amendment No. 2) (Jersey) Order 1993. R & O 8587.
12. Road Racing (Motor Vehicle Rally) (Jersey) Order 1993. R & O 8588.
13. Road Traffic (Grouville) (Amendment No. 9) (Jersey) Order 1993. R & O 8589.

14. Prison (Amendment No. 12)
(Jersey) Rules 1993. R & O 8590.

Criminal Injuries Compensation Board.
R.C.28/93

The Defence Committee, by Act dated 9th September 1993, presented to the States a report on the operation of the the Criminal Injuries Compensation Board for the period 1st May to 31st December 1992.

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

Jersey Dental Scheme. R.C.29/93

The Social Security Committee, by Act dated 11th August 1993, presented to the States a report on the operation of the Jersey Dental Scheme for the period 1st November 1991 to 31st December 1992.

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

Welfare benefits: revised rates from 1st October 1993. R.C.30.93

The Finance and Economics Committee, by Act dated 20th September 1993, presented to the States a report setting out the revised rates of welfare benefit from 1st October 1993.

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

States of Jersey Police Force: report for 1992

The Defence Committee, by Act dated 9th September 1993, presented to the States a report on the States of Jersey Police Force for the year 1992.

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

Liberation 50th Anniversary celebrations - sculpture. P.141/93

The Occupation and Liberation Committee, by Act

dated 21st September 1993, presented a report to the States on the sculpture for the Liberation 50th Anniversary celebrations (P.123/93).

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

Colomberie House, St. Helier - purchase.
P.142/93

The Island Development Committee, by Act dated 16th September 1993, presented to the States a revised report on the purchase of Colomberie House, st. Helier (P.118/93).

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

Agricultural and horticultural industry - future policy. Comments. P.143/93

The Finance and Economics and Policy and Resources Committees, by Acts dated 6th and 21st September 1993, respectively, presented to the States their comments on the agricultural and horticultural industry - future policy. (P.125/93).

Matters noted - land transactions

THE STATES noted Acts of the Finance and Economics Committee dated 27th August, 6th and 20th September 1993, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved -

- (a) as recommended by the Public Health Committee, the renewal of the lease from Mrs. Doris May Perchard, née Symons, of the three-bedroomed property Dorita, Manor Park Road, St. Helier, for a period of one year from 1st August 1993, at an annual rent of £7,614;
- (b) as recommended by the Public Services Committee, the lease from Mr. Anley John Dorey Richardson of a storage/packing shed at Les Tihelles, St. Ouen, for a further period of three years with effect from 1st April 1993, at rents of £3,100, £3,200 and £3,300

for each successive year of the agreement, to be paid yearly in advance;

(c) as recommended by the Tourism Committee, the lease to Advocate David Fisher Le Quesne, executor of the late Mrs. Bridget Carré, née Kelly, of Colleen's Café, Grève de Lecq, St. Ouen, for a period of one year from 25th December 1992 until 24th December 1993, at an annual rent of £3,000 to be paid six-monthly in advance;

(d) as recommended by the Sport, Leisure and Recreation Committee, the purchase from Mr. Graham Douglas Thorne of approximately 2.35 vergées of land in Field 512, St. Brelade, for the sum of £11,750, with the Committee being responsible for all reasonable legal costs involved;

(e) as recommended by the Sport, Leisure and Recreation Committee, the purchase from Mrs. Lillian May Harlow, née Fossey, of approximately 0.7 vergées of land in Field 541, St. Brelade, for the sum of £3,500, plus compensation in the sum of £500, with the Committee being responsible for all reasonable legal costs involved;

(f) as recommended by the Harbours and Airport Committee, the passing of a contrat de bornement between the public of the Island as owners of No. 15 Gorey Pier, St. Martin, and Mr. Deryk Anthony Haithwaite and Mrs. Diana Margaret Haithwaite, née Eastwick, owners of No. 14 Gorey Pier, St. Martin, in order to -

1. declare party ownership of the gable chimneys;
2. establish rights of access on to public property to repair exposed parts of the east gable;
3. agree that the window on the rear of No. 14 should remain as established;

(g) as recommended by the Public Services Committee, the purchase from Mr. Pierre

Anthoine Guiton and Mrs. Eugenie Clementine Modestine Guiton, née Besnard, of No. 9 Francis Street/43 Colomberie, St. Helier, required for road improvement purposes for the sum of £232,250, with the Committee being responsible for the payment of legal fees, and the resale to Mr. Pierre Anthoine Guiton and Mrs. Eugenie Clementine Modestine Guiton, née Besnard, of the area of the properties not required for the intended road improvement scheme in the area (and measuring approximately 600 square feet in area) for an agreed consideration of £15,000, once demolition of the properties had been completed;

- (h) as recommended by the Island Development Committee, the assignment of the lease of 2½ Anley Street, St. Helier, from Angora Agencies Limited to Sharleen Investments Limited, for the period 29th September 1992 to 23rd June 1995, the current annual rental being £10,562;
- (i) as recommended by the Public Services Committee, the purchase from Mr. Hedley John du Val of 4,044 square feet of land situated in Field 371, St. John, for a consideration of £1 a square foot, plus an additional sum of £1,500 in respect of the removal of the square from the corner of that field (which made the field more difficult to work and reduced its value) together with reasonable legal fees and the cost of accommodation works.
- (j) as recommended by the Public Services Committee, the purchase from Miss Anthea Vanessa Weaver, of 2,269 square feet of land in Field 872, Trinity, required for the construction of a pumping station as part of the Trinity Phase II Foul Sewer Extension, for a consideration of £2,269, plus the payment of all legal costs involved;
- (k) as recommended by the Public Health Committee, the lease from Mrs. Clara Alstadt, née Mayer, of the one-bedroomed flat, 5 Theresa Court, Old St. John's Road, St. Helier for a period of one year from 1st September

1993, at an annual rent of £6,916;

- (l) as recommended by the Public Health Committee, the lease from the Trustees of the Jersey Methodist Church of the three-bedroomed property, Sion Chapel House, Sion, St. John, for a period of one year from 1st September 1993, with an option to renew for a further period, at an annual rent of £8,320;
- (m) as recommended by the Public Health Committee, the assignment of the unexpired portion of the sub-lease on the property 78 New Street, St. Helier, between Groet Investments and Mr. Juvenal Pestana de Franca to Indian Cottage Restaurant Limited;
- (n) as recommended by the Public Health Committee, the assignment of the unexpired portion of the lease for No. 16 Burrard Street, St. Helier from Cathay Enterprises Limited to Park Antiques Limited, the lease to run to 25th March 1998, at an annual rental of £7,482, subject to review on 25th March 1995, in line with the Jersey Cost of Living index;
- (o) as recommended by the Public Health Committee, the lease to Park Antiques Limited of the property 14 Burrard Street, St. Helier, from 1st June 1993 to 25th March 1998, at an annual rent of £5,948;
- (p) as recommended by the Harbours and Airport Committee, the lease to Star Travel Limited of 514 square feet of office accommodation on the first floor of the Freight Terminal at Jersey Airport (Lettings B130 and B131) for a period of three years commencing 1st September 1993 at an annual rent of £4,626, subject to annual review;
- (q) as recommended by the Housing Committee, the sale of an area of land measuring 1,205 square feet at Field 1311, St. Helier, to Mr. Pietro Ranise and Mrs. Jane Bethia Ranise, née Parker, for the sum of £2,410, with Mr. and Mrs. Ranise being responsible for all legal costs involved. The transaction would be subject to the

following conditions - there would be a restriction of any building taking place on the land, the transfer was not to take place until after the proposed housing development at Field 1311 had been completed and an assurance was to be made that the width of the access road to the housing estate was acceptable;

(r) as recommended by the Public Health Committee, the renewal of the leases from Macpor Development Company Limited of the one-bedroomed properties, Flats 1 and 6, 29 Midvale Road, St. Helier, for a period of one year from 1st October 1993, at annual rents of £6,013.46 and £4,659.75, respectively, plus an annual sum for water rates to be paid quarterly in advance, and with an option to extend the leases for a further year;

(s) as recommended by the Island Development Committee, the granting to Mr. Dennis Roy Mollet and Mrs. Joyce Mary Mollet, née Syvret, of service and access rights for two new dwellings in the rear garden of their property Greenhaven, La Petite Route des Mielles, St. Brelade, for a total payment of £2,500, representing £1,250 for each dwelling, with Mr. and Mrs. Mollet being responsible for all legal fees, without prejudice;

(t) as recommended by the Public Services Committee, the purchase from the Crown and the tenants of Le Marais à la Cocque of 2,400 square feet of land at Fauvic Pumping Station, for a consideration of £2,400, plus the payment of all legal costs involved in the transaction.

Matters noted - financial transactions

THE STATES noted an Act of the Finance and Economics Committee dated 6th September 1993, showing that in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that -

(a) the Public Health Committee had accepted the lowest of five tenders,

namely that submitted by C.A. Mauger Limited, in the sum of £1,329,626 for the refurbishment and extension of Westaway Court, St. Helier;

(b) the Housing Committee had accepted the lowest of 11 tenders, namely that submitted by A.C. Mauger and Son (Sunwin) Limited in the sum of £5,097,976 in a contract period of 86 weeks to provide 63 dwellings, comprising Phases I and II of the States Loan development at Field 1243A, St. Helier.

Matters lodged

The following subjects were lodged ``au Greffe" -

1. Draft Building Loans (Miscellaneous Provisions) (Amendment No. 23) (Jersey) Regulations 199 . P.144/93.
Presented by the Housing Committee.

2. Draft Public Employees (Retirement) (Amendment No. 4) (Jersey) Law 199 . P.145/93.
Presented by the Establishment Committee.

3. Draft Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 3) (Jersey) Regulations 199 . P.146/93.
Presented by the Establishment Committee.

4. Convention on Social Security between the United Kingdom and Cyprus: Amendments. P.147/93.
Presented by the Social Security Committee.

5. Draft Prison (Amendment No. 3) (Jersey) Law 199 . P.148/93.
Presented by the Prison Board.

6. Draft Public Holidays and Bank Holidays (Jersey) Act 199 . P.149/93.
Presented by the Legislation Committee.
7. Draft Criminal Justice (Young Offenders) (Jersey) Law 199 (P.138/93):
amendment. P.150/93.
Presented by the Legislation Committee.
8. Open government: freedom of information. P.151/93.
Presented by Deputy S. Syvret of St. Helier.

Lodged on 31st August 1993

1. Draft Housing (General Provisions) (Amendment No. 10) (Jersey) Regulations 199 . P.133/93.
Presented by the Housing Committee.
2. Draft Protection of Children (Jersey) Law 199 . P.134.93.
Presented by the Legislation Committee.
3. Field 846B and part 847, St. Lawrence: rezoning. P.135/93.
Presented by the Island Development Committee.

Lodged on 7th September 1993

1. Public Services Committee: Support for Policies. P.136/93.
Presented by the Public Services Committee.
2. Draft Health Insurance (Medical Benefit) (Amendment No. 42) (Jersey) Regulations 199 . P.137/93.
Presented by the Social Security Committee.

Lodged on 14th September 1993

1. Draft Criminal Justice (Young Offenders) (Jersey) Law 199 . P.138/93.
Presented by the Legislation

Committee.

2. Draft Food and Drugs (Amendment No. 2) (Jersey) Law 199 . P.139/93.
Presented by the Public Health Committee.
3. Draft Licensing (Licence Fees) (Jersey) Regulations 199 . P.140/93.
Presented by the Tourism Committee.

Arrangement of Public Business for the present Sitting

THE STATES confirmed that the following subjects lodged ``au Greffe" should be considered at the present Sitting -

Public Services Committee: Support for Policies. P.136/93.
Lodged: 7th September 1993.
Public Services Committee.

Draft Housing (General Provisions) (Amendment No. 10) (Jersey) Regulations 199 . P.133/93.
Lodged: 31st August 1993.
Housing Committee.

Draft Health Insurance (Medical Benefit) (Amendment No. 42) (Jersey) Regulations 199 . P.137/93.
Lodged: 7th September 1993.
Social Security Committee.

Draft Licensing (Licence Fees) (Jersey) Regulations 199 . P.140/93.
Lodged: 14th September 1993.
Tourism Committee.

Arrangement of Public Business for the next Sitting on 12th October 1993

THE STATES confirmed that the following subjects lodged ``au Greffe" should be considered at the next Sitting on 12th October 1993 -

Surgical and medical treatment in the United Kingdom: fund. P.50/93.
Lodged: 13th April 1993.
Deputy S.M. Baudains of St. Helier.

Draft Building Loans
(Amendment No. 12) (Jersey) Law 199 .
P.129/93.
Lodged: 24th August 1993.
Housing Committee.

Draft Protection of Children (Jersey)
Law 199 . P.134/93.
Lodged: 31st August 1993.
Legislation Committee.

Draft Criminal Justice (Young
Offenders) (Jersey) Law 199 . P.138/93.
Lodged: 14th September 1993.
Legislation Committee.

Draft Criminal Justice (Young
Offenders) (Jersey) Law 199 (P.138/93):
amendment. P.150/93.
Lodged: 28th September 1993.
Legislation Committee.

Draft Prison (Amendment No. 3)
(Jersey) Law 199 . P.148/93.
Lodged: 28th September 1993.
Prison Board.

Draft Food and Drugs (Amendment
No. 2) (Jersey) Law 199 . P.139/93.
Lodged: 14th September 1993.
Public Health Committee.

Draft Building Loans (Miscellaneous
Provisions) (Amendment No. 23) (Jersey)
Regulations 199 . P.144/93.
Housing Committee.

Draft Public Employees (Retirement)
(Amendment No. 4) (Jersey) Law
199 . P.145/93.
Establishment Committee.

Draft Public Employees (Contributory
Retirement Scheme) (New Members) (Amendment
No. 3) (Jersey) Regulations 199 . P.146/93.
Establishment Committee.

Convention on Social Security between
the United Kingdom and Cyprus:
Amendments. P.147/93.
Social Security Committee.

Draft Public Holidays and Bank
Holidays (Jersey) Act 199 . P.149/93.
Legislation Committee.

Lump-sum payments made to public employees. Question and Answer (Tape No. 202).

Deputy Alan Payn Bree of Grouville asked the President of the Establishment Committee the following question -

``Will the President kindly inform the States of the amounts of lump-sum payments (excluding such lump-sum payments as are made on condition of the acceptance of a reduced pension from the Public Employees Pension Fund) made to Public Employees who accepted early retirement during the period 1st January 1990 to date, with an indication of the votes from which those payments were made?"

The President of the Establishment Committee replied as follows -

``Public Employees who are members of PECRS retire early for two reasons. They leave due to ill-health or they leave under the provisions of the Voluntary Early Retirement (VER) arrangements approved by the States. I can confirm that in no case have lump sum payments been made from the Pension Fund other than in accordance with the provisions of the Scheme.

In the years 1990/91/92, 62 members retired from PECRS due to ill-health such as carcinoma, heart disease, osteo arthritis and mental illness. Over the same period 22 members of the Scheme died in service. Those retiring due to long term ill-health, many of whom would have received enhancement to their pensions due to the early curtailment of their working lives, received full salary for up to six months and up to six months at half salary. Covering long-term and other shorter term absences due to ill-health with either overtime or temporary staff adds to the public sector paybill, and the States Personnel Department is presently reviewing policies and practices in order to maximise attendance. This is not an attempt to clamp down on employees who are genuinely ill, who will continue to be treated fairly and reasonably, but to reduce the number and duration of absences which occur. Members may be surprised to learn that in 1992

alone, States Committees spent £262,000 through employment agencies alone on temporary cover for permanent staff.

Voluntary Early Retirement provisions include early payment of benefit to members of the PECRS. Employees must be at least 50 years of age and ineligible for immediate pension under the Scheme. They may have volunteered to retire -

- (i) because their post is no longer needed;
or
- (ii) to make possible the continued employment of other members of staff whose positions are to be abolished; or
- (iii) in the interests of improved efficiency.

My Committee introduced the arrangements to deal with situations such as amalgamation of Departments, improvements in the organisation of Departments, the introduction of new technology and working practices which meant that some employees have become surplus to requirements and since 1991 24 employees have taken voluntary early retirement. In addition to payments made under the VER arrangements 13 of these employees received lump sum payments totalling £263,436. Of this sum £79,181 was paid from the Establishment Committees ex-gratia Vote No: 5130. The remainder was paid from the budgets of administering Committees. These sums should be balanced against annual savings in the Public Sector paybill in excess of £270,000 that have been achieved through non-replacement of employees who have taken voluntary early retirement. The number of cases and amounts should be viewed in the context of a scheme which, at the end of 1992, had 5052 active members, 1447 pensioners, widows, children and deferred pensioners and funds in excess of 250 million pounds.

These policies reflect the desire of the States to be a progressive employer. Response to change should be a constant feature of any large organisation and VER is but one string to our bow in restructuring and improving efficiency in

the public sector.

VER has produced manpower and revenue expenditure savings through the non-replacement of employees, redistribution of functions to other employees, replacement of full time employees with part timers and the transfer of services from the public to private sectors. The VER policy is a necessary management tool and will continue to play an important part, together with the redundancy policy, in reducing the overall size and cost of the public sector.

With public sector pay accounting for over 50 per cent of States' annual revenue expenditure, all Committees need to reappraise regularly the range and level of services which they provide and determine where manpower reductions and improvements in efficiency can be expected to produce a more cost effective service to the public. Committees must take a far more corporate view in the future. Pooling of resources will lead to savings and some Committees must be prepared to adapt their own needs for the overall good of the States."

Scaffolding at the Hue Street site. Question and answer (Tape No. 202).

The Connétable of St. Helier asked the President of the Island Development Committee the following question -

``Will the President inform the House of the total cost to the Island of the scaffolding erected at the site in Hue Street, St. Helier, which has been taken over by Save Jersey's Heritage?"

The President of the Island Development Committee replied as follows -

``Following an approach from the Connétable of St. Helier, the Committee erected scaffolding in June 1989 to safeguard the public following the purchase by the Island of the last property, 9 Hue Street. The cost of erecting the scaffolding and protective sheeting was £4,378. The cost of scaffolding hire was met by the Committee from its capital vote for servicing of land from July 1989 to February 1992, when the

Hue Street properties were leased to Save Jersey's Heritage. This amounted to a further £17,526. Since that time the cost from February 1992 to July 1992 has been recharged to Save Jersey's Heritage, and no further payments have been or will be made.

Save Jersey's Heritage have completed the refurbishment of one property, the lease of which has been acquired by a States' Loan purchaser with the aid of the Housing Committee, and it is understood negotiations are taking place concerning the remaining properties."

States' rent arrears. Questions and answers (Tape No. 202).

The Connétable of St. Helier asked the President of the Housing Committee the following questions -

- ``1. Will the President say how much rent is in arrears from States' rented property?
2. Without naming the tenants, what is the largest amount owed by any individual tenant?
3. What action is taken by the Committee to retrieve outstanding rent?
4. What is the total number of cases where rent arrears are in excess of one month?"

The President of the Housing Committee replied as follows -

- ``1. As at the rent week ending 18th September, 1993, the total amount of arrears from States' rented property was £358,784. This figure is 3.6 per cent of the annual rent roll of £9.9M. Whilst it is a figure which my Committee takes very seriously, it does compare favourably with other local authorities in the United Kingdom and is of the same order as the arrears figure in Guernsey.
2. The highest amount owed by an individual tenant is £5,209. However,

there are highly individual and exceptional circumstances appertaining to this particular individual, who has declared himself en desastre.

Generally, 51 per cent of the total arrears are owed by just 101 tenants, each of whom owe in excess of £1,000.

The majority of these are families (including many single parent families) who are on low incomes and have particular problems in coping with their financial affairs. Many, if not all of them, are inadequate families who are well known to the other Social and Parish Services in the Island.

3. The Committee takes the issue of rent arrears very seriously indeed and has a full-time rent arrears officer, whose job it is to monitor and chase up rent arrears. This officer endeavours at an early stage to come to an agreement with the tenant for repayment of the arrears within a reasonable timescale. If the tenant is receiving welfare, arrangements can be made, in some cases, to have the rent paid to the Department direct by the Parish.

If tenants in arrears are unco-operative, legal proceedings in the Petty Debts Court normally follow. Another course open to my Committee is eviction. However, if this course is likely to render the family homeless, then the Committee would almost certainly be required to rehouse the family, especially where children are involved. In such circumstances it hardly represents an effective remedy.

A staff organisation change already in progress within the Housing Department is intended to increase the effort to reduce tenant arrears. Those officers who have the responsibility for dealing with States' tenants on a daily basis and who visit the estates constantly, will assume responsibility for dealing with the issue of rent arrears. This will involve not simply pursuing payment of arrears from tenants who have no adequate explanation for being in arrears, but also counselling and helping those tenants who are in arrears for more understandable reasons, such as poor management of their weekly budget, severe financial difficulties

arising from other sources, etc.

4. There are currently 545 tenants who technically have rent arrears in excess of one month's rent. However, this figure includes some tenants who pay by monthly standing order, whose payment may well be 'in the pipeline'. Delays of this nature will shortly be overcome by the replacement of standing orders by direct debits. A more meaningful figure to take at this stage is those who are seven weeks in arrears and this is 416 tenants owing £327,000."

Continental Hotel site and the tendering procedure generally. Questions and answers (Tape No. 202).

The Connétable of St. Helier asked the President of the Housing Committee the following questions -

1. Referring to the former Continental Hotel site, will the President explain what grounds exist for the Committee to believe that local contractors are not competitive?
2. If the cost of building locally is perceived as too high, does the Committee accept some of the responsibility for creating this situation?
3. Does the Committee check whether tenders from The Jersey Electricity Company, The Jersey New Waterworks Company and the Jersey Gas Company are competitive?
4. If so, how is this done?
5. Does the President agree that if costs are to be reduced, then expectations must be lowered and should apply to all Committees who commission work?
6. Referring particularly to the former Continental Hotel site development and payment to United Kingdom tenderers, the actual cost of producing a tender for a contract of this size is in the order of £3,500-£4,000 maximum -

- (i) how was the value of the payment of £10,000 established?
- (ii) was a quantity surveyor or similar professional consulted?
- (iii) if not, who was qualified to make the decision that £10,000 was a reasonable figure?
- (iv) to ensure that tenders were actually produced by the United Kingdom companies, were their priced bills of quantities called for?
- (v) if it could be proved that one of the United Kingdom tenders was not genuine, would the fee be recovered?
- (vi) does the President think that his action in introducing United Kingdom tenders made any difference in the thought process of the local tenderers?
- (vii) in relation to inviting tenders from United Kingdom contractors, does it not cause the President some concern that both large and small local contractors are going out of business?"

The President of the Housing Committee replied as follows -

- 1. The Committee has evidence to suggest that for small and medium sized building contracts with values up to about £4M., local contractors are competitive. However, for larger, more complex projects, it is my Committee's view that there are very few local contractors with the necessary experience and expertise to create a truly competitive tendering situation. A good example of this was the tender for the Clos du Fort Phase II project, where there was £800,000 difference between the prices submitted by the lowest and second lowest contractor.

2. My Committee does not accept any responsibility for the situation I have described in answer to the last question. I don't think at this stage it would be prudent of me to allocate responsibility at all. Members are aware that the Finance and Economics Committee has set up a Working Party under the Chairmanship of Senator Tony Chinn, to look at the high cost of building in Jersey and I think it would be right to wait for the Working Party to report before one allocates responsibility.
3. The public utility companies submit quotations to supply mains services to new housing developments, but they are not in direct competition with other companies as they are the only companies permitted to supply their particular mains services. In many cases the quotations will show a discount on the actual cost of the installation on the basis that the service provided will generate sufficient return to cover any initial loss by the company. However, when the utility companies submit quotations for work other than the installation of mains services, e.g. the provision of heating systems, they will be in direct competition with other suitably qualified contractors and will generally only be awarded the contract if they submit the lowest tender.
4. I hope that I have dealt adequately with this question in my answer to the last question.
5. As I said in my answer to question 2, I think it would be wise to await the outcome of the Working Party on Building Costs before we jump to conclusions about the causes of high building costs. If the cause of high building costs is shown to be high specifications and standards, then we all have a choice to make. Either we reduce our specifications and standards or we maintain them and continue to pay accordingly. Personally, I would be reluctant to reduce standards, especially where these are designed to

limit future maintenance costs.

6. Before answering the various sub-sections of this question, I think the House should have some of the background to my Committee's decision to meet the reasonable tendering costs incurred by two United Kingdom contractors for the Continental Hotel site development.

On 5th February 1993, my Committee decided that it was minded to invite one or two reputable United Kingdom contractors to tender for one or two of its larger schemes which were due to go out to tender in the near future. The particular schemes the Committee had in mind were the Continental Hotel site and Field 1243A, St. Helier. The Committee's Act of that date records three advantages which the Committee saw in this proposal -

- (i) It would put to the test the general assumption that United Kingdom contractors could build houses to the standard required at a considerably cheaper price than local contractors;
- (ii) It could result in the Committee being able to complete a major scheme at a reduced cost. This could result in States' Loan houses being available at lower prices; or, in the case of a States' rental scheme, in a capital saving which could then be used for an additional scheme providing yet more opportunity for local job creation;
- (iii) It could have the effect of encouraging local contractors to be more competitive in the prices they quoted.

A further benefit which the Committee thought the exercise might produce was that the information submitted by U.K. contractors with their tenders could be passed on to the Working Party on Building Costs which, at the time, the Finance and Economics Committee were about to appoint.

My Committee had been particularly concerned about the Continental Hotel site, given that the size and complexity of the scheme (78 flats with significant sub-structure works estimated to cost in the region of £7.6M.) was quite probably going to mean that few local contractors would be willing and able to carry out the work at a competitive cost. On 19th February, my Committee considered a list of applications from local contractors to tender for the development and was extremely disappointed with the response. Effectively, it meant that only two, possibly three, local contractors would be realistically tendering for the work. My Committee therefore decided that it would like to invite two United Kingdom contractors to tender for the scheme but that in the first instance it should discuss this proposal with the Policy and Resources Committee.

On 23rd February, I met with the Policy and Resources Committee to discuss this matter. That Committee supported our proposal.

On 2nd April, my Committee decided to invite two particular United Kingdom companies (Dean and Dyball Construction Ltd. and W. Hayward and Sons (Soton.) Ltd. - both from the Southampton area. They had been recommended to us by the Public Services Department, which had had previous experience with them. At our meeting we addressed the question of the amount by which a United Kingdom tender had to be lower than the lowest local tender in order to be accepted. The Act of the Policy and Resources Committee meeting of 23rd February 1993 (that is the meeting I have just referred to) records the view of that Committee that this differential should be 5 per cent. Further, I should remind members that the policy of this House, as contained in the 1992 Strategic Policy Report, is that the percentage differential for 'larger' construction contracts should be five per cent where United Kingdom contractors are invited to tender. Given these two things, my

Committee decided to apply a differential of five per cent in the cases of the two contractors invited to tender for the Continental Hotel site development. An Act of my Committee was sent to the Finance and Economics Committee, who would be required to grant a licence if either of the two United Kingdom contractors concerned were to win the tender under the terms specified.

On 5th April the Finance and Economics Committee decided that the percentage differential between United Kingdom and local contractors for this development should be 10 per cent.

On 16th April my Committee considered the matter further and was advised by the Principal Quantity Surveyor from the Public Services Department that the two United Kingdom companies concerned had written to state that they would not be prepared to tender on the basis of a 10 per cent differential, but would tender if the differential were reduced to five per cent.

On 19th April I met with the Finance and Economics Committee and explained that unless that Committee were prepared to agree a five per cent differential, the two United Kingdom contractors would withdraw and we would be left with a worryingly small list of local contractors for such an important and expensive development. The outcome of our discussion is recorded in the Finance Committee's Act, as follows -

'The Committee, being divided equally upon whether a 10 per cent or a five per cent differential should be applied in respect of the Continental Hotel site project, decided to ask the Policy and Resources Committee for its views on this matter at that Committee's next meeting.'

On 20th April the matter was considered by the Policy and Resources Committee. Both the President of the Finance and Economics Committee and myself were in attendance when this matter was

discussed. Having listened to both sides of the argument, the Policy and Resources Committee recalled the policy of the States contained in the 1992 Strategic Policy Report (to which I referred earlier) and decided 'to recommend that a five per cent differential should be applied in determining the award of the contract for the Continental Hotel site development.' The Committee's decision was subject to my Committee taking steps to ensure that if a United Kingdom company won the contract 'a substantial proportion of local labour' would be used. My Committee would naturally have accepted this condition. On 27th April the Finance and Economics Committee met again on the matter and, regardless of the fact that it was aware that the two United Kingdom contractors in question would withdraw from the tender and that the Policy and Resources Committee (whose advice it had formally sought) had supported the Housing Committee's proposal of a percentage differential of five per cent, decided that the differential should be 10 per cent after all.

Reluctantly, my Committee had to accept this decision, despite the fact that it flew in the face of States policy on the matter and the recommendation of the Policy and Resources Committee. If we had persevered with our original decision to apply a differential of five per cent and a United Kingdom contractor had won the contract on that basis, we would have run the risk of the Finance and Economics Committee refusing to issue a Licence to that contractor under the Regulation of Undertakings and Development Law.

When we made further contact with the two United Kingdom contractors, they confirmed that they would not now tender for the project. My Committee remained very anxious to add to the very, very small list of local contractors willing and able to tender for a project of this magnitude. It was at this point that we reluctantly agreed to offer to meet the reasonable tendering costs, to a maximum of

£10,000 each, of the two United Kingdom contractors in question in order to encourage them to tender.

Now I should like to answer each of the sub-questions contained in question 6, as follows -

- (i) a maximum figure of £10,000 was arrived at in consultation with the Committee's Quantity Surveyor for the project, Tillyards. That same Quantity Surveyor also undertook to check in detail the tendering costs of the two contractors involved in order to ensure that they were entirely reasonable. I am not aware of how the Connétable of St. Helier has arrived at figures of £3,500 to £4,000 for a project of this nature, but his view is not shared by the Quantity Surveyor advising my Committee, nor by the Principal Quantity Surveyor employed by the Public Services Committee;
- (ii) yes, as stated above;
- (iii) given my answer to question 6(ii), this question is not now applicable;
- (iv) yes, and these have been forwarded to Senator Chinn's Working Party on Building Costs;
- (v) the question does not arise - our Quantity Surveyor has checked the tenders of both contractors and is satisfied that both were entirely genuine. The companies in question have now been paid;
- (vi) I have no doubt that the involvement of the two United Kingdom contractors resulted in far more competitive tenders than would otherwise have been the case if tenders had been restricted to the small number of local contractors who also tendered. I remind the House that the final figure achieved (by, I am delighted to say, a local contractor) was of the order of

£0.8M. less than the estimated price for the contract. This saving will now be used to build other properties in my Committee's development programme for which funds do not exist, providing more work for local contractors and their employees;

- (vii) I am obviously concerned that some local contractors have recently gone out of business. However, the Connétable should be aware that in the 33 months my Committee has been in office, we have placed building contracts with a value of £83M., all to local contractors. There can be no doubt that without this, employment in the building industry would be almost non-existent and the number of firms being put out of business would have been catastrophic.

If Jersey's economy is to continue to flourish, it is universally agreed that the evil of inflation must be defeated. To achieve this, our cost base must be at least maintained and, where possible, reduced. If we fail in this, inflation will continue at a higher level than in other places, local businesses will become less competitive, more firms will go to the wall and unemployment will soar.

All States Committees have their part to play in this important task and the Housing Committee is proud to have taken a lead. My Committee has shown that by introducing a real element of competition, costs can be reduced, thereby reducing inflation which, in turn, will provide more job security.

From my replies I hope the Connétable is satisfied that at all times during the tendering process my Committee acted

entirely properly and in the best interests of the Island and its people."

Public appointments. Question and answer (Tape No. 202).

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

"On 23rd April 1991 I lodged *au Greffe* a petition regarding public appointments, which was initially referred to the Legislation Committee and then by that Committee to the Policy and Resources Committee.

Will the President please inform the States when his Committee's report will be presented to the States in order that I can debate my proposition?"

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

"The Legislation Committee suggested that the matters raised in Deputy Buesnel's proposition were of a constitutional nature and should therefore be referred to the Policy and Resources Committee.

The subject of the public appointments petition and its relationship with other constitutional matters has now been fully considered, and the Policy and Resources Committee has agreed a draft reply. The Committee has, however, requested the views of the Law Officers thereon, but it hopes to be in a position to give its final approval to this draft in mid-October, so that Deputy Buesnel can debate his proposition in the House as soon as possible thereafter."

Tax collection scheme. Question and answer (Tape No. 202).

Deputy Maurice Clement Buesnel of St. Helier asked the President of the Finance and Economics Committee the following question -

"On 28th July 1992 I lodged *au Greffe* a report and proposition regarding the

preparation of Income Tax legislation to implement an Income Tax Collection Scheme, which was referred to the Finance and Economics Committee.

Will the President please advise when his Committee's report will be presented to the States in order that I can ask for my proposition to be debated?"

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

``The Deputy's proposition was referred, in late 1992, to the Working Party of Officers chaired by the Chief Adviser whose remit was to examine options for increasing States' revenues. The Working Group's report was received by my Committee at its meeting on 16th August last.

At this time of year my Committee and its officers are very much involved with the preparation of the annual budget and because of this it is unlikely that my Committee's report on the Deputy's proposition will be ready before the end of January next year.

While I am aware that this reply will disappoint the Deputy I have to say that the reason for the delay is that his proposal for PAYE is a complex matter that is being carefully examined and due to changing circumstances is not being rejected at an early stage of examination as on previous occasions when the Deputy raised the matter."

Traffic problems at Red Houses, Les Quennevais and Beaumont. Question and answer (Tape No. 202).

The Connétable of St. Brelade asked the President of the Public Services Committee the following question -

``In view of the genuine concern of parishioners regarding the traffic problem at Red Houses and Les Quennevais, which ultimately has an effect at Beaumont, would the President inform the States what steps are being taken by his Committee to ensure that this problem is addressed before the Lesquende and other proposed developments

get under way."

The President of the Public Works Committee replied as follows -

``Following strong representation from the Connétable and her Honorary Police my Committee approved and has carried out works at the Red Houses junction to provide facilities for pedestrian movements around the junction. It was always made clear that these additional facilities would be at the expense of traffic movements until such time as further small areas of land are purchased to provide for improved traffic flows. These negotiations are currently being undertaken for the Committee by the Property Services Department.

My Committee has no powers to prevent new developments but has over a number of years recommended, in the strongest terms, to the Island Development Committee that no further major housing developments should be permitted west of Beaumont until the problems of traffic in that area have been addressed. Plans for the improvement of this junction were first drawn up in 1974 but with no States approval for its implementation, and as a result of the growth in traffic that had taken place, the then Public Works Committee decided in 1988 that all its limited available resources should be devoted to the completion of the ring road around St. Helier.

With the availability of the new traffic model the Department's engineers are now able to quantify the overall effects on traffic of alternative proposals and, when there are firm proposals, these can be tested and the results made available to enable more informed decisions to be made."

Pollution on the east coast of the Island.
Statement

The Connétable of St. Clement made a Statement in the following terms -

``I received a letter, dated 9th July 1993, from the Chief Executive Officer of the Public Services Department in which he advised me that as part of the monitoring

programme of bathing and shellfish waters, all brooks and watercourses leading to the sea on the South coast of the Island had been checked for bacterial quality. In conjunction with this work, Public Services Engineers had been checking the sewage disposal facilities of individual properties and it was discovered that raw sewage and sewage solids were being discharged into the brook adjacent to my property. As no written permission had been given, this discharge was illegal and constituted an offence under Article 2(2) of the Sewerage (Miscellaneous Provisions) (Jersey) Law 1979. I was asked to take immediate steps to remove this illegal discharge from the watercourse and dispose of the sewage in a manner acceptable to the Committee and to the Island Development Committee.

Within a few days of the receipt of this letter employees of the Public Services Department arrived at my property. I gave them permission to carry out their investigations, with the exception of my house which is on main drains. This work continued over a period of about two weeks.

I then heard nothing further until two employees of the Public Services Department called at my house on 6th September and issued me with a notice under Article 11 of the Drainage (Jersey) Law 1962 to authorise its officers to enter and survey lands.

I was upset that this notice was served as I had heard nothing from the department since the original survey was carried out in July. I was even more upset when I was mentioned by name on both BBC Radio Jersey and in the Jersey Evening Post as a landowner who had not allowed Public Services access to my property, also that a Channel Television reporter and film crew were lying in wait for me at home. I also took exception to remarks allegedly made by the President of the Public Services Committee in an article in the Jersey Evening Post under the heading Pollution: Landowners `have failed to co-operate' published on 8th September. In that article the President is reported to have said `.. that those properties on which the committee had to serve notices would have

been those which had previously failed to give department members access to their property. We have suspected these landowners for a long time of contributing to the pollution said Deputy Le Gallais.'

I repeat that I had allowed employees of the Public Services Department to enter my property in July and various investigations were carried out, although I then was not informed that any problems existed on my property."

Manual Workers' Joint Council: Employers' Side Membership

THE STATES, adopting a proposition of the Establishment Committee decided, in accordance with an Act of the States dated 9th November 1961 concerning the membership of the Manual Workers' Joint Council, to approve the nomination of Deputy D.L. Crespel to serve as a member of the Employers' Side, in place of Senator J.S. Rothwell.

Florence Boot Trust: transfer of administration

THE STATES, adopting a proposition of the Public Services Committee approved the transfer from the Public Services Committee to the Island Development Committee of the administration of six vergées 26 perch of land at Grève d'Azette, St. Clement, shown as 'B' on drawing No. 1/C/21.

La Collette Factory Units: leasing

THE STATES, adopting a proposition of the Island Development Committee, suspended Standing Order No. 18 to allow the proposition of that Committee regarding the leasing of La Collette Factory Units to be considered at the present Sitting; and -

- (a) rescinded their Act, dated 22nd June 1993, and authorised the leasing on behalf of the public to Chinq Holdings Limited of -
 - (i) 29,133 square feet of land at La Collette, shown on Drawing No. 01 216A, at a ground rental of 80 pence per square foot for the footprint of the building (which

totals 16,469 square feet) for a period of 42 years for the purpose of constructing factory units, the ground rental to be subject to review every three years in accordance with open market value;

(ii) 3,720 square feet of land at La Collette at a rental of 20 pence per square foot for a period of 42 years for the purpose of vehicle parking directly associated with the use of the factory units, subject to review every three years to open market value;

(b) authorised the Attorney General and Greffier of the States to pass on behalf of the public any contract which it is found necessary to pass in connexion with the leasing of the said land;

(c) authorised the Treasurer of the States to receive the payments as they become due.

Public Services Committee: support for policies.
P.136/93

THE STATES, adopting a proposition of the Public Services Committee, confirmed their support for the present policies of the Public Services Committee regarding -

- (1) Solid waste treatment
- (2) Recycling
- (3) Parks and gardens
- (4) Traffic
- (5) Architectural and engineering services
- (6) Finance and manpower
- (7) Support for tourism
- (8) Water resources
- (9) Consumer protection
- (10) Liquid waste.

Members present voted as follows -

``Pour" (41)

Senators

Shenton, Jeune, Horsfall, Baal, Rothwell,
Le Main, Le Maistre, Chinn.

Connétables

St. John, St. Lawrence, St. Mary, St. Ouen,
St. Brelade, St. Martin, St. Peter,
Grouville, St. Helier, St. Saviour,
Trinity.

Deputies

Le Gallais(S), Rumboll(H), Beadle(B),
Wavell(S), Norman(C), St. John, St. Peter,
Buesnel(H), St. Ouen, Coutanche(L),
Huelin(B), Jordan(B), St. Mary,
Bailhache(H), Rabet(H), Clarke-Halifax(S),
Le Fondré(L), St. Martin, Le Geyt(S),
Walker(H), Crespel(H), Pullin(S).

``Contre" (9)

Senators

Carter, Quérée.

Connétables

St. Clement.

Deputies

Blampied(H), H. Baudains(C), S.
Baudains(H), Grouville, Syvret(H), Trinity.

La Grande Maison Cottage, St. Catherine:
approval of drawings. P.127/93

THE STATES, adopting a proposition of the
Housing Committee -

(a) approved drawings Nos. 427/2A, 03 and
05, showing the renovation of La Grande
Maison Cottage, St. Catherine, St.
Martin, and stable to create two two-
bedroomed dwellings;

(b) authorised the Greffier of the States
to sign the said drawings on behalf of
the States.

Regulation of Undertakings and Development
(Amendment No. 7) (Jersey) Regulations 1993.
P.128/93

THE STATES, in pursuance of Article 2 of the

Regulation of Undertakings and Development (Jersey) Law 1973, as amended, made Regulations entitled the Regulation of Undertakings and Development (Amendment No. 7) (Jersey) Regulations 1993.

Housing (General Provisions) (Amendment No. 10) (Jersey) Regulations 1993. P.133/93

THE STATES, in pursuance of Articles 4A and 15 of the Housing (Jersey) Law 1949, as amended, made Regulations entitled the Housing (General Provisions) (Amendment No. 10) (Jersey) Regulations 1993.

Health Insurance (Medical Benefit) (Amendment No. 42) (Jersey) Regulations 1993. P.137/93

THE STATES, in pursuance of Articles 18 and 46 of the Health Insurance (Jersey) Law 1967, as amended, made Regulations entitled the Health Insurance (Medical Benefit) (Amendment No. 42) (Jersey) Regulations 1993.

Licensing (Licence Fees) (Jersey) Regulations 1993. P.140/93

THE STATES, in pursuance of Article 11 of the Licensing (Jersey) Law 1974, as amended, made Regulations entitled the Licensing (Licence Fees) (Jersey) Regulations 1993.

Liberation 50th Anniversary celebrations (P.106/93): second amendment. P.123/93
Liberation 50th Anniversary celebrations - sculpture (P.123/93): report. P.141/93

THE STATES continued consideration of the second amendment to the proposition regarding the Liberation 50th Anniversary celebrations, and accepting an amendment of the Occupation and Liberation Committee, agreed that at the end of paragraph (b) of the proposition there should be added the words ``accepted the offer of the sculpture commissioned by the Jersey Public Sculpture Trust; and''.

Inquiries under States of Jersey Law 1966. P.132/93

THE STATES, adopting a proposition of Senator John Stephen Rothwell, requested the Legislation Committee to prepare an amendment of the States

of Jersey Law 1966 to enable formal inquiries to be conducted by one or more persons, appointed by the States, but not necessarily Members of the States, with all the powers and protection provided by Articles 41 to 46 and 49 of the Law.

THE STATES adjourned at 5.40 p.m. until the next day, Wednesday, 29th September 1993 at 9.30 a.m.

C.M. NEWCOMBE

Deputy Greffier of the States.